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House of Representatives

The House was not in session today. Its next meeting will be held on Thursday, May 15, 2014, at 2 p.m.

Senate

WEDNESDAY, MAY 14, 2014

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.

Our Father, You promised that those who passionately seek You will find You. Deliver us from distractions that hinder our pursuit of You, as You enable us to experience Your presence today.

Lord, guard the hearts and minds of our Senators with Your peace, guiding them with Your power. Draw them into intimacy with You, helping them to remember that nothing can separate them from Your love. Rescue them from misplaced priorities that major in minors and minor in majors. Bring their thoughts and actions into captivity to Your will.

We pray in Your merciful 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, May 14, 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 H.R. 3474. At 11:15 a.m. there will be up to five rollcall votes in relation to several nominations. Following those votes the time until 5:15 p.m. will be equally divided and controlled between the two leaders or their designees. At 5:15 p.m. there will be another series of rollcall votes on confirmation of three district judges and on adoption of the motion to proceed to the tax extenders legislative vehicle.

I suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

Mr. REID. 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.

IMMIGRATION REFORM

Mr. REID. Mr. President, this morning marks 321 days since this body passed commonsense immigration reform. For 321 days the Republican-controlled House of Representatives has done absolutely nothing to address our Nation's problems dealing with our broken immigration system. It is a system that is broken and needs to be fixed. It cannot be fixed on a piecemeal basis. It needs comprehensive immigration reform.

To the Republican extremists in the House, the time went by like that. To them, 321 days does not seem like a big deal. But outside of the Capitol, where we are dealing with people's lives, those 321 days felt like a lifetime. To American families forced to live in the shadows, each one of those days brings the dread of discovery and being torn away from their loved ones. Undocumented immigrants have lived in fear for the last 46 weeks, worrying whether they will have to leave the country they call home. For the past 10½ months children have lost their parents from government action—all while House Republicans have twiddled their thumbs.

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

Enough is enough. It is time for the House Republicans to act. They have wasted far too much time already failing to consider a bill that the Senate considered, and passed in less than 2 months.

A year ago the Senate Judiciary Committee, under Chairman LEAHY's leadership, was in the middle of marking up the commonsense immigration reform. After 2 weeks of consideration, what did they do? A bipartisan bill was reported out of that committee. Within a month the Senate passed immigration reform and sent it to the House of Representatives. It was a good start. It was really good. But in our system of government, what we did here will have absolutely no meaning unless the House takes it up. We were able to move on immigration reform quickly because both Senate Democrats and Senate Republicans understood the need to fix a broken system.

What is the House Republicans' excuse? Why are they doing this? What are they achieving by dragging their feet on immigration reform? They claim to be working on things—they say jobs, they say legislation to reduce the debt. If they are really interested in reducing the debt, pass this bill. It is $1 trillion to reduce our debt—$1 trillion. What are they doing over there? Day after day, investigations—they investigate everything and accomplish nothing.

The fact is that the Senate-passed immigration bill reduces the deficit and spurs the economy more than the House-passed bills awaiting Senate action combined. I repeat: $1 trillion. The immigration legislation passed by the Senate reduces the deficit more than all the bills passed by the House that are currently awaiting action in the Senate.

So it is no wonder that even pro-Republican organizations are calling on Speaker BOEHNER to stop wasting time. Earlier this week we heard Tom Donohue, the president of the U.S. Chamber of Commerce, say that it is in the Republicans' best interests to pass immigration reform. He said unless the House passes immigration reform this year, Republicans shouldn't even bother running in 2016. So that is what he said, and it is probably true.

Politics should not be the only reason the House passes this bill. Immigration reform is far more important than any election-year politicking. Immigration reform is about families and communities.

The DREAM Act is a perfect example. In September 2010, I was in the midst of what some considered a tough re-election campaign when I helped champion Senator DURBIN's DREAM Act. Though it was eventually blocked by a Republican filibuster, I did my best to pass the DREAM Act, even as some said it would cost me the election. As everyone knows by this time, the President, as he said in his State of the Union Address—and he did this last Congress and he is doing it this Congress—because we are doing virtually nothing here in the Senate, he decided to do something administratively. That is why we have deferred status for these young men and women who want to go into the military, finish their education, and this is the only place they have ever known as home.

The bill that passed here is common sense. Eleven million people—we cannot fiscally deport 11 million people. We cannot physically do it. It just will not work. That is why the legislation that was crafted here on a bipartisan basis is fair to everyone. What it says is that if this is your home and you have improper papers, we will give you some time to get those adjusted. It is going to take some time. You are not going to go to the front of the line; you are going to go to the back of the line. You are going to have to pay taxes. You are going to have to work. You are going to have to stay out of trouble and learn English. It would take about a dozen years to have your status adjusted, but at least during that period of time you can come out of the shadows.

Recently, though, the House Judiciary Committee chairman appeared on a Sunday news show and tried very, very unsuccessfully to justify his party's inaction. His reasoning as to why the House is dragging its heels? Republicans claim President Obama cannot be trusted to enforce immigration law. So what Republicans are really saying is that they will not act on immigration reform unless there are more deportations, more families torn apart. That does not make a lot of sense to most people. In a nutshell, it is the House immigration platform.

Why work to help undocumented immigrants get right with the law? Why do that? Because it is good for the country. It is fair. And, as I have indicated, it is good monetarily for this country. But what the chairman of the House Judiciary Committee said on one of those Sunday shows is in keeping with what they have done. It is hard to comprehend.

I guess that is what we have learned to expect from a House Republican conference whose immigration policy is dictated by the likes of Congressman STEVEN KING. Remember him, Mr. President? He is the Congressmen who, instead of permitting immigrants to enlist in the military and earn citizenship, would rather send them ''on a bus back to Tijuana.'' That is a quote from him. Congressman KING also claimed that for every hard-working undocumented student, there are 100 more working as drug mules with ''calves the size of cantaloupes because they're hauling 75 pounds of marijuana across the desert.''

The fact of the matter is that these men and women, with their families, are our neighbors, our classmates, our colleagues. They are here for a lot of different reasons. They have overstayed their visas. Some were brought here illegally. But we have to deal with this issue. So many of them are like Astrid Silva, who is one of the DREAMers. She was 4 years old, a little girl in a boat coming across the Rio Grande River. She had her Rosary beads and a little doll and her mom. Nevada is the only place she has ever known as home. Because she was so frightened, she was afraid to go anyplace.

This is the right thing to do. We need to move forward on comprehensive immigration reform, and we can only do that if the Republicans in the House, led by Speaker BOEHNER, do the right thing. It is very important. I urge the House to stop wasting time and bring immigration reform to a vote. Give the American people the assurance that we are working to finally mend our broken immigration system and give families the opportunity to come forward and work toward legal status. It really is the right thing to do.

I suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. 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.

RECOGNITION OF THE MINORITY LEADER

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

POLICE WEEK

Mr. MCCONNELL. Mr. President, this week we recognize National Police Week. National Police Week is a time to pay tribute to the service and sacrifice of the men and women in Federal, State, and local law enforcement across our Nation. Law enforcement is one of our Nation's highest callings, as brave peace officers put themselves on the line to defend the lives, safety and property of their neighbors. Therefore, it is entirely appropriate that we pause this week and throughout the year to thank them for their service.

The Nation's capital is host to thousands of police officers who have come to celebrate National Police Week with their fellow officers. No one but another peacekeeper or their families can truly grasp the duty of defending their communities. No one but another peacekeeper can truly know the joys of camaraderie and the sorrows of deep loss that each one has experienced.

I want to especially recognize the many men and women of Kentucky law enforcement. Many of them have traveled to Washington this week, and I will have the pleasure of meeting with some of Kentucky's finest and their families later today, including the Ellis family and the Shaw family.

I am personally grateful to them for bravely risking their lives in our defense. Sadly, this occasion of National

Police Week is also the time when we pay tribute to two brave and honorable police officers from the Commonwealth of Kentucky who have fallen in the line of duty in the past year.

Deputy Sheriff Chad D. Shaw of the McCracken County Sheriff's Department tragically suffered a fatal heart attack on August 6, 2013. He was 47 years old. Deputy Shaw had been at the Community Christian Academy in Western Kentucky, near Paducah, helping coordinate security for a meeting among the faculty and staff to kick off the new school year when he collapsed and was immediately taken to Baptist Health in Paducah.

Tragically, it was too late for the U.S. Army veteran and 12-year veteran of the McCracken County Sheriff's Department. McCracken County Sheriff Joe Hayden says: ''Deputy Shaw will always be remembered for his love of his family, his love for helping others, and the thoroughness in the way he did his job as a public servant for the citizens that he served.''

Deputy Shaw leaves behind his wife Margaret and two daughters. I express my deepest condolences to them, as well as to members of the McCracken County Sheriff's Department and to all who knew Deputy Shaw at the loss of this fine and good man who chose to wear the uniform of both his country and his Commonwealth and brought honor to both.

I also pay tribute to another Kentucky officer lost to us in the last year, officer Jason Scott Ellis of the Bardstown Police Department. Officer Ellis was tragically killed on May 25 of last year. He was 33 years old. Officer Ellis was killed when he was en route home following his shift. He was in uniform and driving a marked vehicle. It is believed he was ambushed by a subject who deliberately placed debris in the middle of the roadway, causing Officer Ellis to stop and exit his vehicle.

As Officer Ellis removed the debris, the killer or killers opened fire from a nearby hilltop, shooting him multiple times and killing him instantly. It is no exaggeration to call what happened to Officer Ellis an assassination. Maddeningly, the killer or killers are still at large.

Officer Ellis's tragic death marked the first time in the history of the Bardstown Police Department for an officer to be killed in the line of duty. A reward for the assassin, or assassins, still at large has grown to over a quarter of a million dollars.

Commissioner Rodney Brewer of the Kentucky State Police pledges that his troopers will continue to aggressively investigate this heinous murder until an arrest is made. Kentucky State Police, Bardstown police, and the Federal Bureau of Investigation continue to seek the public's assistance with any detail, regardless of how small, regarding the evening of Officer Ellis's death, May 25, 2013.

Ellis was a huge asset to his force. He was not only a field-training officer, but he was also their only K–9 officer. With his police dog Figo, he fought illegal drug use in Bardstown. Few can forget one of the iconic photos of 2013 that featured Figo resting his paw on the coffin of his departed partner Officer Ellis at the funeral service.

Bardstown Police Chief Rick McCubbin credited Officer Ellis with being one of the department's top officers when it came to arrests and making a dent in the drug problem.

''He also made me feel like he was Superman,'' says Amy Ellis, Officer Ellis's wife, ''that nothing would ever happen to him.'' Chief Rick McCubbin says Officer Ellis paid the ultimate sacrifice doing what he loved, being a police officer.

Jason Ellis was a native of Cincinnati and a student at the University of the Cumberlands in Williamsburg, KY. At school he was a star baseball player. He set records for alltime career hits, doubles, home runs, and career games played. He went on to play minor league baseball in the Cincinnati Reds system from 2002 to 2005.

Even as the star of the baseball diamond, however, coaches and teammates remember Jason Ellis talking about becoming a law enforcement officer. His wife Amy says:

> He was always a go-getter . . . He was dedicated to his job and he wanted to clean the streets up. And that was the way to get the drugs off the streets.

Officer Ellis was a 7-year veteran of the Bardstown Police Department. He leaves behind a grieving family, including his wife Amy, his two young sons Parker and Hunter, two sisters, his mother and stepfather, and many other beloved family members and friends.

More than 300 people attended a candlelight vigil for Officer Ellis outside the police station shortly after his murder. On May 30 of last year, Officer Ellis was laid to rest at Highview Cemetery in Nelson County. Fellow law enforcement officers from across Kentucky and as far away as Pennsylvania, Ohio, and Illinois came to pay their respects. Hundreds of police cruisers helped to make up the funeral procession over those beautiful rolling hills and country roads of Nelson County.

Over 1,000 people filled the church sanctuary to capacity, with even more standing in the aisles, to show their reverence and respect for Officer Ellis's service and his sacrifice. Chief Rick McCubbin says this about his tragic slaying:

> It's basically a large family here and a lot of these officers have worked together many years, so as you can imagine they are very close. They know each other well, they know each other's families, each other's children, so it's a devastating hit.

Officer Ellis's loss is a devastating hit not only to his family, not only to his brother officers, but to all of us throughout Kentucky who respect and admire the men and women who wear a police uniform and make a solemn vow to defend the lives of others, even at the cost of their own.

I want to express my deepest condolences to Officer Ellis's family, to the members of the Bardstown Police Department, and to peace officers across Kentucky for the loss of one very brave officer: Jason Scott Ellis.

I am relieved to say that for the grieving family members of Officer Ellis, Deputy Shaw, and every peace officer lost in the line of duty across our Nation, resources to help are available. One of those resources is COPS, or Concerns of Police Survivors, Inc. COPS members include spouses, children, parents, siblings, significant others, and affected coworkers of officers killed in the line of duty.

The Kentucky chapter of COPS has been at the forefront of serving this mission. Last year Kentucky COPS hosted the Traumas in Law Enforcement seminar for law enforcement agencies to learn how to deal with line-of-duty deaths. With 62 participants, it was one of the highest attended seminars that any COPS chapter or organization has ever put on. This is an organization that does not forget, taking care of the families of our fallen law enforcement heroes long after their watches end.

I am proud of our Bluegrass State peace officers for taking the lead in helping other men and women in blue to deal with these tragic losses. As I have just related in the stories of Officer Ellis and Deputy Shaw, any loss of a law enforcement officer is too great a price to pay for the families and communities they protect.

I will be honored to meet with some members of the Kentucky COPS who are here in the Nation's Capital for National Police Week today in my office. Sherry Bryant is the wife of Kentucky Department of Fish & Wildlife Resources officer Douglas Bryant, who was tragically killed in the line of duty back in 2003.

Laurie Stricklen is the wife of police officer James ''Stumpy'' Stricklen of the Alexandria, KY, Police Department, who suffered a fatal heart attack on March 24 as a result of injuries sustained after restraining a suspect.

Anthony Jansen is the son of police officer Anthony Jansen of the Newport Police Department, who was accidentally shot and killed while in the line of duty on December 30, 1984. His son Tony carries on his father's tradition as he is himself now a police officer.

So I am privileged to welcome all of those brave police survivors as well as the families of Officer Jason Ellis and Deputy Clay Shaw to my office today. To honor these fallen heroes and to help bring justice to those who would injure or kill our police officers, I am proud to be a cosponsor of the National Blue Alert Act. This bipartisan legislation calls for what would be equivalent to a national AMBER Alert system to efficiently share information with the public when a law enforcement officer is killed or seriously injured.

I know my colleagues in the Senate join me in holding the deepest admiration and respect for the many brave

law enforcement officers across Kentucky and the Nation. We are grateful so many have come to town for National Police Week.

We recognize theirs as both an honorable profession and a dangerous one. We recognize that what they do is vitally necessary to maintain peace and order in a civil society.

RESERVATION OF LEADER TIME

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

HIRE MORE HEROES ACT OF 2014—MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to proceed to H.R. 3474, which the clerk will report.

The assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 332, H.R. 3474, to amend the Internal Revenue Code of 1986 to allow employers to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of the employer mandate under the Patient Protection and Affordable Care Act.

The ACTING PRESIDENT pro tempore. The Republican whip.

DEPARTMENT OF VETERANS AFFAIRS

Mr. CORNYN. Mr. President, it pains me to say that almost every day brings a new story of reported scandals and a long list of failures and abuses within the Department of Veterans Affairs.

The latest scandals are particularly painful to me because they emanate from Texas, and we have a proud tradition of being a State that contributes a large number of uniformed military members from our State—and, of course, we have a huge population of veterans, people who have worn the uniform of the United States proudly, sacrificed so much, and risked it all. But just like the scandals in Fort Collins, CO; Phoenix, AZ; Pittsburgh, PA; and in other cities, the ones in Austin, San Antonio, Harlingen, and Waco are evidence of a callous disregard for the health and well-being of America's heroes.

The new information comes from a pair of whistleblowers. The first one, a VA scheduling clerk named Brian Turner, told the Austin American-Statesman that his supervisors at the VA facilities in Austin, San Antonio, and Waco were directing him to falsify appointment data in hopes of covering up the problem of long wait times.

Meanwhile, the former associate chief of staff at the Harlingen VA Health Care Center, a man by the name of Dr. Richard Krugman, has gone public with a series of disturbing allegations, according to the Washington Examiner, which interviewed Dr. Krugman. Veterans seeking routine colonoscopies—cancer screening, in other words—at the Harlingen center were forced to endure extremely long wait times and, in some cases, they were denied those cancer screenings altogether. He said, as a result, up to ''15,000 patients [veterans all] who should have gotten colonoscopies either did not get them or were examined only after long and needless delays.''

Dr. Krugman believes that some of these veterans actually died as a result of the lack of cancer screening and addressing their symptoms.

He also told the Examiner that ''an office secretary deleted about 1,800 orders for medical tests or other services to eliminate a backlog that threatened a certification inspection from an outside group.''

Sadly, these allegations fit within a larger pattern of VA abuses. At VA clinics across the country, reports have been made that staffers and administrators have failed to provide veterans with reliable access to medical care and have fraudulently concealed long wait times. Given all these examples, they are not just an individual data point, but in connecting these data points it appears that the problems with the Veterans Administration are systemic.

What we have is nothing less than a betrayal, a betrayal of our Nation's veterans, and a betrayal of the American people, all of whom deserve to know the truth about what their government is or is not doing to support our American heroes. Of course, we have heard in Phoenix that this betrayal has had tragic consequences, with an estimated up to 40 people dying after lingering on a secret waiting list—never receiving the treatment that they were entitled to.

We still don't know exactly how many veterans have died or otherwise have suffered because of the VA's assorted failures and abuses, but we do know that it is disgraceful and unacceptable for even one veteran to needlessly die or suffer because of bureaucratic malfeasance. The evidence of such malfeasance is now growing, of course. The only questions are: How can we get our veterans the care and support they need in the fastest possible way; and what is the best way to restore genuine accountability and genuine safeguards within the VA system?

Whenever I think about the ongoing VA scandals and the broader set of challenges facing America's veterans, I think of an annual tradition that we have in Texas. Every year on Memorial Day I host young Texans who are being sent off to their service academies. These are inspiring young men and women. Anyone who is feeling a little bit uncertain about our Nation's future needs to meet these young men and women who go to our service academies. They are the best of the best and are an inspiration to me.

This is a wonderful event and easily one of the highlights of my year. Yet I can't think of how badly the VA is failing not only our current generation but tainting that promise of our commitment to the next generation of our military servicemembers and veterans. The generation that is now preparing to embark for places such as West Point, Annapolis, and Colorado Springs—these young people should be given not just a promise but an ironclad commitment that after serving our Nation with honor and courage they will get the support they have earned and they deserve.

Anything less is just not acceptable.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Oregon.

EXPIRE ACT

Mr. WYDEN. Mr. President, the Senate is now debating the EXPIRE Act.

This is bipartisan legislation. I again thank the distinguished Senator from Utah Mr. HATCH. He has been so constructive in trying to build a bipartisan piece of legislation, a bill that came out of the Senate Finance Committee several weeks ago with very substantial bipartisan support.

It really is designed to deal with a number of tax provisions that are temporary in nature and it, in effect, extends those temporary tax provisions until the end of 2015. In consultation with the distinguished Senator from Utah, I thought it was important to call this bill the EXPIRE Act. It was important because this legislation actually does expire after 2 years.

It, in effect, says—and I said—on my watch as chair of the Senate Finance Committee there will not be another extenders bill. It is not going to happen on my watch. This is it.

In effect, by extending these important provisions now for one last time, the Congress can give itself and the Finance Committee—on a bipartisan basis—the space that is needed to take on the challenge of comprehensive tax reform.

It is not going to be easy, but it is absolutely imperative for the future of the American economy. I know it can be done. I know we can get Senators of both political parties together and build a bipartisan tax reform plan. I know this because I have—and other Senators do as well—a fair amount of sweat equity in this cause.

Our former colleague Senator Gregg of New Hampshire sat next to me on a sofa for more than 2 years to build what still is the only bipartisan Senate comprehensive tax reform bill in the last 30 years. With Senator Gregg's retirement, to their credit, Senator COATS and Senator BEGICH pitched in.

So we know that there has already been a lot of bipartisan work on comprehensive tax reform and, suffice it to say, again building on this bipartisan lineage. My colleague from Utah, the senior Senator Mr. HATCH, and Ambassador Baucus and Chairman CAMP in the other body, have also put in years of work and laid a strong foundation for tax reform.

So once the Senate passes the EXPIRE Act, the job of the Finance Committee will be to focus in a kind of

laser-like fashion on a bipartisan plan that is going to give all Americans the opportunity to get ahead.

I want to emphasize that. If I were to sum up my philosophy about tax reform, I want everybody in America to have the opportunity to get ahead—all our small businesses, all our Americans who are trying to deal with an extraordinarily challenging economy.

Frankly, that would be my first choice, to be out here working on comprehensive tax reform. But it was clear to me, with Chairman Baucus going to China as our Ambassador, that it wasn't going to be possible in a few short months to pass comprehensive tax reform.

I made the judgment—I will share it with the Senate again today, and I brought it up yesterday—that the failure to act on these temporary provisions, which are what the EXPIRE Act is all about, would cause further unnecessary, really gratuitous harm to American workers, to our small businesses, to our ability to compete in tough global markets. The EXPIRE Act is all about preventing a tax increase. We would clearly have a tax increase absent the EXPIRE Act, and it would be in areas of the economy that would be particularly damaging.

For example, it would really be a tax on innovation because right at the center of these temporary provisions—provisions that under this bill will last only until the end of 2015, and then they will expire—they are not just meant to expire, they actually expire at the end of 2015. But if we don't take action to ensure that innovation has an opportunity to flourish, what will happen is we will, in effect, have a tax on those very jobs that are most important for our middle class—to grow wages, to encourage the kind of economic multiplier that is so good for our economy. So we ought to pass the EXPIRE Act so as not to have a tax increase on innovation.

We ought to pass the EXPIRE Act to not make it tougher for a company to hire a veteran, which I think is also hugely important. I will talk about it in a couple of minutes in further detail.

Another one that I know a lot of Senators are going to hear about this week is what would happen—absent this bill—to millions of Americans who are underwater on their mortgages. These are hardworking middle Americans who now are deeply underwater. Their lenders are willing to work out arrangements to lower their debt in a number of instances. But absent this bill, instead of getting their heads above water, what we will see is a tax increase on those homeowners that really drives them back down and increasingly sinking under all of this debt. Absent this bill, middle class people would be paying a tax on phantom income. I mean, they are not really getting any net income. When their lender works with them to relieve their debt, they surely shouldn't have to pay a hefty new tax. This bill does that.

This is National Small Business Week, and this legislation in particular goes to great lengths to make it attractive for small businesses and particularly for small businesses that would like to hire new workers.

Today we know there are nearly 10 million Americans out of work, and they are looking for jobs. The unemployment rate in my home State is 6.9 percent, which is well above the national average.

I think we would all agree that our highest priority should be to help people find jobs, and the EXPIRE Act is an opportunity to do that, particularly with respect to what it does for our small businesses.

Let me outline a few of those provisions—again, temporary in nature—so that we can do even more on a permanent basis for growing our economy and making it attractive for our small businesses to hire new workers.

In the EXPIRE Act is the Work Opportunity Tax Credit, which encourages employers to recruit, hire, and retain individuals who often have had trouble finding jobs. The EXPIRE Act extends and expands this legislation in a few key ways so that the credit can help small businesses hire an even greater number of struggling Americans.

First, it would do more to help the long-term unemployed find work. These are those hard-hit Americans who are deeply at risk of falling between the cracks.

Second, the new approach will preserve the credit for veterans returning from overseas whom we have seen packing—literally packing—job fairs in cities across the country in search of work. Picture that. The veterans who have worn the uniform of the United States and served all of us so admirably come back and can't find work, and they are coming out in throngs to these job fairs around the country. This bill will help them.

Small businesses that employee military reservists also currently get a wage credit when their employees get called to Active Duty. Not only will the EXPIRE Act increase that credit, it will open the credit to employers of all sizes to improve job security for even more reservists.

I mentioned the research and development credit, which of course encourages innovation in firms of all sizes. For many of them, having a strong research and development credit is simply imperative, but the reality is the current credit isn't doing all it might do to help small businesses, and complicated rules that are buried in the Tax Code may erase any benefits they see. The EXPIRE Act will change that in several key ways. To start, it will expand the pool of small businesses that benefit. It will also allow startups to use the research and development credit to help pay their employees' salaries, and it will build a bridge to tax reform so Congress can do more work to improve the credit further and make it permanent.

The research and development credit is critically important to the future of innovation in our country. Apropos again of the bipartisan theme we have taken in the Finance Committee, with the support of the ranking minority member, the distinguished Senator from Utah, there has been some very good work done by the Senator from Kansas, Mr. ROBERTS, and Senator SCHUMER. I wish to commend them for their efforts to spotlight the need to do more to reconfigure the research and development credit to help small businesses.

The reality of course is what is the common thread between so many of our most successful companies—Intel and Apple, Amazon and Microsoft, and a host of others. They all started as innovative small businesses with their eyes trained on developing the future. The EXPIRE Act is a step toward a stronger, permanent research and development credit that will help even more entrepreneurs in our country grow their best ideas into successful businesses.

In the meantime, we all know small businesses in my home State of Oregon and across the country still suffer from the recession. They feel the effects of sluggish growth pretty much like everyone else. In a stronger economy, healthy small businesses might have decided to turn higher profits into investments aimed at expansion. The research and development credit—particularly the improved research and development credit—is going to help a lot of Americans, but we do want to place a special focus on our small businesses because helping them to make capital investments in new machinery, vehicles or computers is absolutely critical.

Again, the EXPIRE Act steps in to begin to address that effort in a thoughtful manner. The legislation allows small businesses to expense up to $500,000 of equipment costs right away, and it indexes that dollar amount to inflation so it grows in the future. It is what I think a number of Members know as section 179 expensing. If the Congress were to fail to pass the EXPIRE Act, that limit would fall from one-half million dollars to just $25,000.

The legislation also continues to simplify recordkeeping—all of the redtape we have heard small businesses, concerned about section 179, talk with us about. The legislation continues to simplify those procedures so small businesses can focus on their own growth instead of redtape.

A lot of small businesses have property that has lost value over time. Those small businesses can claim a deduction to compensate for it. The EXPIRE Act extends a key provision that allows small businesses to expense up to half the cost of that property upfront in the first year rather than spreading it out over a longer period.

Both of these tax incentives, section 179 expensing and bonus depreciation,

are powerful tools to encourage investment. They are lifelines for small businesses looking to grow, and the EXPIRE Act protects them also.

Next, I would like to touch on the energy sector, which I know the distinguished presiding officer has a great interest in. Obviously, small energy businesses play a major role in the future of the American economy, building a lower carbon future, and the EXPIRE Act is going to protect the incentives those businesses rely on to grow.

I will start briefly with the production tax credit. The wind energy industry, which benefits from the production tax credit, supports more than 50,000 jobs. Many wind companies are small, and they require lots of capital and planning to bring them to market. Their story illustrates what is important to end the cycle of stop-and-go tax policies that make our Tax Code, again, needlessly—as some would say, almost insanely—complicated and uncertain. Growth in wind energy has leveled off over the last 2 years, largely because of the expiration and late renewal of provisions such as the production tax credit.

The EXPIRE Act also extends provisions to encourage the provision of other alternative renewable fuels—fuels such as biodiesel, cellulosic ethanol, liquefied natural gas, and liquefied hydrogen. There are small businesses across the country that stand to gain if the EXPIRE Act is passed, and there are incentives to create jobs in those areas, but our country is going to lose out if the Senate fails to act.

Our small businesses ought to be able to plan for the future, to chart a course, in effect, from youth through maturity. Stop-and-go tax policies only make that more difficult. Even when well-intentioned, productive tax incentives go into the code, allowing them to expire over and over undermines their effectiveness and the ability of our businesses to have the certainty needed to grow for the long term. Our taxpayers, small businesses included—and we recognize them especially this week—deserve predictability and certainty.

The EXPIRE Act is called the EXPIRE Act for a reason. It is going to end after 2 years. I have heard my colleagues on the other side of the aisle over the last day make a number of very thoughtful comments about the need for comprehensive tax reform, and I wish to tell my colleagues, particularly on the other side of the aisle, that with respect to the need for comprehensive tax reform, they pretty much have me at hello. We are going to get this extender bill passed, and then it is my intent to work very closely with Senator HATCH, the distinguished ranking member on the Finance Committee, and all of our colleagues to start putting together a strategy for a comprehensive tax reform plan to pass this Congress.

I will say on the floor that I think there is a real opportunity now to break the gridlock on tax reform. If we look, in effect, from this day, essentially May of 2014, until certainly the middle of 2015, there is an ideal opportunity, an ideal window for Democrats and Republicans in the Senate to build a bipartisan coalition to pass that into law—comprehensive tax reform—and to work with our colleagues on the other side of the Capitol who have similar interests. I know that because I have talked to a number of them in recent months.

I want colleagues on both sides of the aisle to know we are going to focus on getting these extenders passed now. Speed is important because the longer we wait, the more we damage, for example, our ability to create those innovation jobs because, in effect, we are going to have a tax increase on innovation, making it harder to hire veterans and the tax hike middle-class people would get, in effect, because they are underwater on their mortgages and they got a break from their lender. We have to get that done. It is my intent to use every single day as we go forward with that effort to make sure the extenders pass and pass quickly, then move on to comprehensive bipartisan tax reform. I know we can do it.

He is not here today, but my colleague Mr. COATS, the senior Senator from Indiana, has done very good work—stepped in when Senator Gregg retired—and has more than met me halfway. I particularly want to commend Senator BEGICH, who has been part of our bipartisan coalition and who has had very thoughtful ideas, particularly on protecting the middle-class small business incentives for savings. He is a small businessperson himself.

I have been out here probably 20 minutes or so, and I haven't said anything that isn't about Democrats and Republicans coming together, coming together first to pass the extender legislation and then to use every single day over essentially the next year and a half—that window until the summer of 2015—to put together a bipartisan plan that can help grow the economy.

I will close with this. After the bipartisan effort in 1986, where a big group of progressive Democrats and conservative Republicans came together, our country created 6.2 million new jobs over the next 2 years. Nobody can claim every one of those jobs was due to tax reform; that simply would be stretching things, but clearly it helped. The business people I talk to now in Oregon and others who come to Washington say they very much want the same certainty and predictability that was seen in 1986, in terms of being able to make those investments to grow their businesses and particularly hire more middle-class Americans at good wages. That is what we are going to be all about. We are going to pursue it in a bipartisan way. Let us pass the EXPIRE Act and move on to address the question of bipartisan comprehensive tax reform.

As I leave the floor—I touched on it while he wasn't here—I am particularly pleased about the Roberts-Schumer addition to help more small businesses be part of those innovation jobs for the future because what Senator ROBERTS and Senator SCHUMER did is to take that credit and do more to move it toward an approach that will help those small businesses, the ones starting in garages and all across the country where individuals are betting on the future and taking the risks. It is going to be easier for them because of the good work done by Senator ROBERTS and Senator SCHUMER. It is another reason for colleagues to vote for the EXPIRE Act.

With that, I yield the floor.

The PRESIDING OFFICER (Ms. HEITKAMP). The Senator from New York.

ORDER OF PROCEDURE

Mr. SCHUMER. I ask unanimous consent that the Republicans control the time from 3 until 3:45 and the majority control the time from 3:45 until 4:30 p.m.

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

Mr. SCHUMER. Madam President, first let me thank my colleague from Oregon, our new shining chairman of the Finance Committee, who is doing such a great job. He is trying, in his own inimitable way—almost always successful way—to weave together ideas of Democrats and Republicans to create a bipartisan solution, first on the issue of extenders—and that will be the big test case, and he knows it—and second on tax reform in general. If we can't pass these tax extenders in a bipartisan way, it will not bode well for tax reform. I am hopeful, with the initial signs and the overwhelming vote yesterday, we can get that vote done.

As the Senator mentioned, it has many ideas from different parts of the country—ideas from Democrats, ideas from Republicans, ideas, as he was kind enough to mention, that we worked on together, such as the proposal Senator ROBERTS and I put together under the guidance of Senator COONS, who was the originator of the idea.

I thank my friend from Arizona. I know he has some important words to speak in the next few minutes and has let me go now. I appreciate that very much. I know everyone looks forward to hearing from him.

IMMIGRATION

It is apropos my colleague from Arizona is on the floor because we worked together for so long and hard—at least in the Senate—successfully on this issue of immigration. So I rise today to continue a conversation I started 2 weeks ago about the House's incomprehensible refusal to do anything to try to fix our broken immigration system.

I remind everyone it has now been 320 days since the Senate passed a strong bipartisan bill that would secure our borders, hold employers accountable for hiring illegal workers, grow our economy, and provide a chance for people currently here illegally to get right

with the law and earn legal status. During all that time the House has failed to do anything to fix our broken immigration system.

To be clear, the problem is not that there is a difference of opinion between a House bill and a Senate bill on immigration that cannot be reconciled. The problem is that House Republicans have completely abdicated their responsibility to address the important issue of fixing our broken immigration system. Again, the problem isn't that the House has passed immigration laws that the Senate disagrees with; the problem is that the House won't put any immigration bills up for a vote no matter what is in those bills.

Two weeks ago I stated on the floor that the reason the House has done nothing on immigration is because House Republicans have handed the gavel of leadership on immigration to far-right extremists, such as Congressman STEVE KING. Not only has this point not been refuted by anyone in the Republican Party, it has actually been confirmed in various news sources that have come out since the speech.

For instance, just 2 days ago Speaker BOEHNER was quoted as saying:

> I do believe the vast majority of our members do want to deal with this, they want to deal with it openly, honestly and fairly.

Speaker BOEHNER is making clear that these folks are part of a ''vote no, pray yes'' caucus. But he said immigration hasn't been scheduled for a vote because ''there are some members of our party who just don't want to deal with this. It's no secret.''

Now, even by STEVE KING's analysis, 20 to 25 Members of the House Republican side would vote for the Senate's immigration bill. That number is clearly an underestimation of support in the House for the Senate bill, but it shows that even according to STEVEN KING, if the Senate bill were brought up for a vote, it would pass. KING added that about 100 to 150 Republican Members of the House could possibly vote yes on an immigration bill if it were presented for a vote.

Given this broad support for immigration reform that supposedly exists in the House, I would say to Speaker BOEHNER and the Republican House leadership: What are you waiting for? If you want to pass immigration reform, and you say the vast majority of your Members want to pass immigration reform, schedule immigration reform for a vote. It doesn't have to be our bill, although I think that is a good bipartisan, down-the-middle—not too liberal, not too conservative—approach. But don't do our bill. Do another bill. Come up with your own ideas. That is fine with us.

But the problem is that the House Republican leadership is still too afraid of what STEVE KING calls the ''50 to 70 Republicans who would fight to the last drop of blood against any immigration bill.''

It is time for the House Republican leadership to decide whether they stand with the majority of the American people and the supposed majority of their conference or whether they are really going to let STEVE KING continue to dictate the policy of the Republican Party on immigration.

Just to be clear, right now STEVE KING is winning. Just last week he said:

> If I had the power, the authority to kill everything immigration-wise that comes through the House, if they actually handed me the keys to the kingdom, and if I actually had the gavel that controls the immigration issue, that would be nice.

Well, who among us can say he has not been handed the gavel on immigration policy when nothing is being done on immigration—just as he said he would do if he were indeed handed the gavel?

What has the House actually done on immigration these past 2 years? Nothing. Look it up. This is what STEVE KING wants—he wants the House to do nothing. He is winning and America is losing.

I am not the only one who is frustrated with this inexplicable inaction. Just this week Tom Donohue, president of the U.S. Chamber of Commerce, said:

> If the Republicans don't do it, they shouldn't bother to run a candidate in 2016.

He added that ''failure to act is not an option'' and that ''we're absolutely crazy if we don't take advantage of having passed an immigration bill out of the Senate.''

I don't always agree with the president of the U.S. Chamber of Commerce, but he is right. Not only is this inaction damaging the Republican Party politically, it is also inflicting needless damage to our economy. Our GDP could be growing by over 3 percent by passing this bill—more than any Republican tax cut or Democratic spending proposal. But STEVE KING says no and Speaker BOEHNER abandons ship.

MARIO DIAZ-BALART, another Republican working to pass immigration reform, said that Republicans need a deadline to get moving on immigration reform and that if no action was taken by the August recess, the Republican brand would be damaged with Latino voters for years to come.

Has Speaker BOEHNER said: Fine, we will schedule a vote before August recess? No, he has not. There is no sign that anything will ever be done on immigration reform. Even with the very small, microscopic measure known as the ENLIST Act, which would let certain immigrant youth earn legal status by joining the military, the House has refused to consider this so far as part of the Defense authorization bill.

Republicans keep trying to place the blame on the President, saying he can't be entrusted to enforce any laws. We believe that is a phony excuse, but if that is really their problem, let's pass a bill now and delay implementation until 2017. I would support that. And then we would have no President Obama enforcing any of these laws. Let's call their bluff. Is it Obama? Is he the problem? Then pass a bill where he can't enforce any of these laws. We can come to a reluctant agreement on that. If Republicans can't agree to pass a bill that goes into effect after the President's term, then we know that mistrust of the President is nothing but a straw man.

Let's be honest about what is happening right now. Republicans are currently doing nothing on immigration reform because they don't want to rock the boat with primaries happening in Georgia, Pennsylvania, Kentucky, Virginia, and other key States that are occurring between now and early June. But we can't keep having broken families living under a broken system forever without any idea of when Congress might act to finally provide badly needed reform.

So today I wish to be clear on what our window is for the House to pass immigration reform. It is the window between early June and the August recess. So today I am saying to Speaker BOEHNER, Leader CANTOR, and other Republican leaders who refuse to schedule a vote on immigration reform during this window between early June and the August recess, it will not pass until 2017 at the earliest. I believe it will then pass in 2017 after Republicans take a shellacking in the Presidential and congressional elections. But in the meantime, if immigration reform is not passed during this window, Republicans will have to admit that STEVE KING controls the Republican Party platform on immigration. If nothing happens during this window, it will be clear that this occurred because STEVE KING calls the shots and he has won the immigration debate among the House Republicans. Whatever their supposed excuse for inaction, inaction is consent to STEVE KING's point of view.

Where are the leaders in the House—the Republican Party—with the courage to stand up to STEVE KING and the far right and say: Enough is enough. We will not let our party be hijacked by extremists whose xenophobia causes them to prefer maintaining a broken system over achieving a tough, fair, and practical long-term solution.

Make no mistake about it. Immigration reform will pass either this year with bipartisan support and a bipartisan imprint or it will pass in a future year with only Democratic support and Democratic imprint because Democrats will control Congress and the White House simply because Republicans have failed to pass immigration reform.

In the meantime, the President would be more than justified in acting anytime after recess begins to make whatever changes he feels necessary to make our immigration system work better for those unfairly burdened by our broken laws. If House Republicans refuse to act, it is incumbent on all of us to look at all the areas where we can act administratively to fix our broken system.

I hope immigration reform passes this year.

I see my two colleagues from Arizona who worked so long and hard and courageously and pulled the bill further away from what many Democrats might want, but they knew that America and their State of Arizona demanded a solution. Let's rally to their side. Let's rally to the side of all Americans, a majority of Democrats, Independents, and Republicans, all of whom want comprehensive immigration reform.

I hope immigration reform passes this year because our broken families, our economy, and our country so badly need it. Let's hope the House finally stops talking and starts acting.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

NOMINATIONS

Mr. MCCAIN. Madam President, I thank the Senator from New York for his 5-minute speech.

I am pleased to join today with my friend and colleague Senator FLAKE to express support for this diverse and historic slate of nominees to the U.S. District Court for the District of Arizona.

Between today and tomorrow, the Senate will hopefully vote to confirm six judges to the Federal court in Arizona, and I urge my colleagues to join me in supporting these nominees.

I am very pleased to have worked with my colleague Senator FLAKE. Together we have put together a group of people who have devoted their time and effort in our State, who represent the best and the brightest legal minds and judicial experience in our State on a bipartisan basis, and we acted, very frankly, on the unanimous recommendation of this group of outstanding citizens of Arizona who put forth these recommendations.

I am very proud that some of these nominees are indeed historic, including the fact that one of the nominees, Diane Humetewa, has an impressive legal background ranging from work as a prosecutor and appellate court judge to the Hopi nation. She served the U.S. attorney for the District of Arizona. And hers is a historic nomination. If confirmed, Diane Humetewa will be the first Native American woman to ever serve on the Federal bench, and we are very proud of her and the other five.

The Federal district court of Arizona has been under tremendous strain these past few years, and the confirmation of these six judges will be a great relief to an overburdened court, one which is consistently ranked as one of the top 10 busiest in the country. Of the 13 authorized judgeships for this court, 6 are currently vacant. This, together with the large caseload, led the District of Arizona to declare a judicial emergency in 2011. This has created an untenable situation for the court in Arizona, and the confirmation of these nominees is critical to ensure that the administration of justice is timely and fair for the people of Arizona.

The slate of nominees before the Senate, as I mentioned earlier, is the product of consensus, cooperation, and careful deliberation, selected with the help of a nonpartisan judiciary evaluation commission. They saw overwhelming support in the Judiciary Committee here in the Senate, and the brief descriptions that follow only begin to capture the breadth of these nominees' experiences and the depth of their commitment to our legal system.

Judge Steven Logan has already proved to be an asset to the district court in Arizona, where he currently serves as a magistrate judge. That experience, together with his work as an immigration judge and military trial judge, makes him uniquely qualified to serve as an article III judge.

John Tuchi currently serves as chief assistant to the U.S. attorney and has the qualifications to be a district judge based in part on his dedication to public service, extensive trial experience, and practice before Federal courts.

Judge Douglas Rayes, also nominated for the Phoenix Division, currently serves as a Maricopa County superior court judge, where he has presided over thousands of cases in family law, criminal law, and complex litigation. Together with 18 years in private practice, Judge Rayes' experience and insight will be valuable to the Federal court.

Rosemary Marquez has worked as a public defender and prosecutor as well as in private practice. Her extensive experience working in border districts and her Hispanic heritage will be invaluable assets to the Federal court.

Lastly, Judge James Soto, whose experience includes running a private practice that covered a broad array of commercial, civil, and criminal cases and service on the Santa Cruz County Superior Court, together with an understanding of issues important to border communities, have prepared him to serve ably as a district judge in Tucson.

Each of these nominees has shown commitment to justice, public service, and the people of Arizona. Each also has demonstrated the judicial temperament and professional demeanor necessary to serve in this capacity with integrity. I urge my colleagues to support these nominees—the three we are voting on today and hopefully the three who will be voted on tomorrow morning—by voting yes for cloture and for final confirmation.

I again wish to thank all those individuals who were a part of the commission that came up with these recommendations. I wish to thank my friend and colleague Senator FLAKE, also a member of the Judiciary Committee, for the important role he played in bringing these nominees before the Senate. I am confident they will serve the State of Arizona with honor and distinction. I would also point out that some of these nominees may not be of the same party as Senator FLAKE and me and there may not be specific agreements on every issue and position that these nominees have taken, but I am confident of their ability to serve this Nation and the people of Arizona.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. FLAKE. I thank the senior Senator from Arizona Mr. MCCAIN for the work he has done to bring this panel forward with six judges to be confirmed this week. That is a big deal, a big deal for any State, and for a State such as Arizona that has had such a shortage for so long, this is particularly important. I just want to say a few words about the three judges we will vote on after I speak: Judge Steven Logan, John Tuchi, and Diane Humetewa.

Judge Logan has a distinguished record in the military, where he earned a Bronze Star among many other honors. In discussing his military service at his nomination hearing, one of his statements stuck out because it exemplifies his dedication for the rule of law and his fitness to be a district judge. He said:

> The rule of law in the United States is very, very important. I have seen what happens in a country, two countries in particular—

He is referring to Iran and Afghanistan—

> when there is no rule of law that is active.

Judge Logan will bring this important perspective to the bench, as well as insights he has gained as an assistant U.S. attorney, both in Minnesota and in Arizona. He is familiar with immigration issues as well, which provide the bulk of the cases he will be looking at as a district court judge.

Mr. Tuchi has a long career as a prosecutor, having served the bulk of his career in the Arizona U.S. attorney's office from 1998 until now. He is presently serving as chief assistant U.S. attorney, where he oversees civil and criminal personnel operations. In 2009 he served as interim U.S. attorney for several months. He began his legal career as a judicial clerk in the Ninth Circuit, and I think he is going to make a stellar district court judge as well.

Ms. Humetewa, similar to Judge Logan, has served as both a prosecutor and a judge, serving in the Arizona U.S. attorney's office as an assistant U.S. attorney and then as a Senate-confirmed U.S. attorney for Arizona from 2007 to 2009. She was also acting chief prosecutor for the Hopi Tribe and appellate court judge for the tribe. As Senator MCCAIN noted earlier, she will be the first Native American woman to serve on the Federal bench. I know her varied experience as a judge and prosecutor will serve her well in this capacity.

Let me just say what a thrill it was to be on the Judiciary Committee and have all six of these prospective judges come with their families and talk about their experience and how it would relate to their new role if they were to be confirmed. It was great to

be there to see Diane Humetewa and family and note that on the reservation there were many other family members watching that hearing being streamed and being proud that the first female Native American would be on the Federal bench. What a great occasion, what a great event to witness, and it speaks well for not only her qualifications but the qualifications of the others as well.

We look forward in the coming days—hopefully tomorrow—to vote on Judge Rayes as well as Rosemary Marquez. Senator MCCAIN mentioned Judge Soto. I have had the honor of getting to know Judge Soto and his family a bit. He served 13 years on the County of Santa Cruz's Superior Court and is currently a presiding judge. The comment in the confirmation hearing that came up is that the people of Santa Cruz County are going to be sad to lose him as a judge; he has been great there, and he will be a great district court judge.

I am so happy to go through this process. This is my first time, being relatively new to this position, of nominating judges and going through the confirmation process. It was a pleasure working with Senator MCCAIN and with the White House and the President in bringing these nominations forward.

I urge my colleagues to vote both for cloture and for final confirmation of these three judges today and hopefully the other three tomorrow or later. I appreciate the President making these nominations. Arizona has waited a long time to fill these judgeships and we are pleased to do so this week.

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

The PRESIDING OFFICER. The clerk will call the roll. The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Mississippi.

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

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

A NEW NORMAL

Mr. WICKER. Madam President, I sorrowfully rise this morning to take note of the sad state to which this great deliberative body has fallen, and I do so reluctantly because I must specifically criticize the majority leader of the U.S. Senate for bringing this body to what many historians observe is a new low in terms of our ability to move legislation and our ability to have open debate and open amendments in the Senate.

We see what has become a new normal in the Senate. Earlier this week a bipartisan and popular piece of legislation on energy efficiency was derailed by the majority leader's resistance to the open amendment process. Certainly, it is not only members of my party, it is not only persons on my side of the aisle who have concluded this. There was a very scathing opinion piece on the editorial page of the Wall Street Journal this morning entitled ''Harry Reid's Senate Blockade.''

I ask unanimous consent to have this opinion piece printed in the RECORD.

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

HARRY REID'S SENATE BLOCKADE

The U.S. Senate failed to advance another piece of popular bipartisan legislation late Monday, and the reason tells the real story of Washington gridlock in the current Congress. To wit, Harry Reid has essentially shut down the Senate as a place to debate and vote on policy.

The Majority Leader's strategy was once again on display as the Senate failed to get the 60 votes to move a popular energy efficiency bill co-sponsored by New Hampshire Democrat Jeanne Shaheen and Ohio Republican Rob Portman. Mr. Reid blamed the defeat on Republican partisanship. But the impasse really came down to Mr. Reid's blockade against amendments that might prove politically difficult for Democrats.

The Nevadan used parliamentary tricks to block energy-related amendments to an energy bill. This blockade is now standard procedure as he's refused to allow a vote on all but nine GOP amendments since last July. Mr. Reid is worried that some of these amendments might pass with support from Democrats, thus embarrassing a White House that opposes them.

In the case of Portman-Shaheen, Republicans had prepared amendments to speed up exports of liquefied natural gas; to object to a new national carbon tax; to rein in the Environmental Protection Agency's war on coal plants; and to authorize the Keystone XL pipeline. A majority of the public supports these positions and many Democrats from right-leaning or energy-producing states claim to do the same. The bill against the EPA's coal-plant rules is co-sponsored by West Virginia Democrat Joe Manchin.

Yet the White House and Mr. Reid's dominant liberal wing won't take the chance that a bipartisan coalition might pass these amendments, most of which the House has passed or soon would. President Obama would thus face a veto decision that would expose internal Democratic divisions. So Mr. Reid shut down the amendment process. Republicans then responded by refusing to provide the 60 votes necessary to clear a filibuster and vote on the underlying bill.

It's important to understand how much Mr. Reid's tactics have changed the Senate. Not too long ago it was understood that any Senator could get a floor vote if he wanted it. The minority party, often Democrats, used this right of amendment to sponsor votes that would sometimes put the majority on the spot. It's called politics, rightly understood. This meant the Senate debated national priorities and worked its bipartisan will. Harry Reid's Senate has become a deliberate obstacle to democratic accountability.

And speaking of accountability, every supposedly pro-energy Democrat supported Mr. Reid in his amendment blockade. That includes Louisiana Senator Mary Landrieu, who is running TV ads back home attacking the Obama Administration energy policies that Mr. Reid is protecting from bipartisan majority rejection. She still claims to support a vote on the Keystone XL pipeline, and she blamed Republicans for not going along with Mr. Reid's vague assurance that he would allow a stand-alone vote on Keystone later this month.

But why not force the vote now? If Ms. Landrieu really had Keystone as a top priority, as she claims, she'd have joined Republicans in demanding an immediate amendment to a bill that she knows the White House is reluctant to veto. And she'd have insisted that Mr. Reid allow a 50-vote threshold for passage, rather than Mr. Reid's 60–vote supermajority.

Ms. Landrieu instead is playing Mr. Reid's double game, demanding a Keystone vote even as she undermines its passage. She is running for election by boasting about her clout as the new Chairman of the Senate Energy Committee, but she is so ineffectual that she can't get her own party to allow a vote on what she claims is one of her top priorities.

The lesson for voters is simple: If they want anything meaningful done in the last two years of the Obama Administration, they will have to elect a Republican Senate.

Mr. WICKER. I will quote at length from the Wall Street Journal this morning, because in mentioning this popular piece of legislation, the editorial gets right to the point. It says:

. . . the reason [the bill failed this week] tells the real story of Washington gridlock in the current Congress. To wit, Harry Reid has essentially shut down the Senate as a place to debate and vote on policy.

I absolutely agree. Additionally, the editorial says:

The Majority Leader's strategy was once again on display as the Senate failed to get the 60 votes to move the popular energy efficiency bill co-sponsored by New Hampshire Democrat Jeanne Shaheen and Ohio Republican Rob Portman. Mr. Reid blamed it on Republican partisanship. But the impasse really came down to Mr. Reid's blockade against amendments that might prove politically difficult for Democrats.

Once again, the majority leader has made it clear he doesn't intend to let the Senate work its will on amendments. Instead, the new normal is that the majority leader comes to the floor and says: If the bill is worded as I think it should be, if we can come to an agreement with how it should be written, I will bring it to the floor and we can vote it up or down. But this idea of amendments, that is unacceptable to the majority leader, and it is a complete departure from the way this Senate has operated for decades and decades on important pieces of legislation.

I would point out that in the Civil Rights Act of 1964, one of the major accomplishments of the Congress in the 20th century, there were 115 amendments called up during its consideration. The leadership didn't know how those votes would turn out. They had probably done a whip count and they had a decent idea, but the idea was the Senate was going to be allowed to vote up or down with the light shining on the process and the American people seeing how their elected Senators felt on that issue. There were 115 amendments called up during the consideration of the Civil Rights Act in 1964. The Panama Canal Treaty of 1978 was another major piece of deliberative work that was done by the Senate. There was a total of 89 amendments offered to the Panama Canal Treaty. Those amendments were called up and debated in the clear light of day. Votes were held and the American people

found out how their elected representatives in the Senate felt about those amendments. This week and for the last 52 weeks that has not been the case with the majority leader currently in power in the Senate.

The Wall Street Journal goes on to say that the majority leader

> . . . used parliamentary tricks to block energy-related amendments to an energy bill. This blockade is now standard procedure as he's refused to allow a vote on all but nine GOP amendments since last July. Mr. Reid is worried that some of these amendments might pass with support from Democrats, thus embarrassing a White House that opposes them.

I wish to point out that during the time when Republicans—in this supposedly greatest deliberative body in the world—have been given nine amendments over the last year, Republicans, which hold the majority in the House of Representatives, have given their Democratic colleagues 125 minority votes. This is in a House which routinely shuts down debate, has a rules committee, and historically limits the number of amendments and the number of votes. Minority Members in the House have had 125 votes during that same time period. This Senate has allowed minority Members nine votes during that same period of time, and that is an outrage, which the Wall Street Journal continues to point out.

The editorial goes on to say:

> In the case of Portman-Shaheen, Republicans had prepared amendments to speed up exports of liquefied natural gas; to object to a new national carbon tax; to rein in the Environmental Protection Agency's war on coal plants; and to authorize the Keystone XL Pipeline.

I believe these amendments were good amendments. I would have voted for them. The case could be made on the other side of the aisle that they were bad policy. But make the case. Let elected Senators from North Dakota, Mississippi, and all across the United States of America be heard and vote the wishes of their particular constituencies on these issues. Instead, the majority shut down these amendments.

The editorial goes on to say:

> Yet the White House and Mr. Reid's dominant liberal wing won't take the chance that a bipartisan coalition might pass these amendments, most of which the House has passed or soon would. President Obama would thus face a veto decision that would expose internal Democratic divisions. So Mr. Reid shut down the amendment process.

As I said, he has shut down the amendment process in every case except for nine lonely votes.

The editorial goes on to say:

> It's important to understand how much Mr. Reid's tactics have changed the Senate. Not too long ago it was understood that any Senator could get a floor vote if he wanted it. The minority party, often Democrats, used this right of amendment to sponsor votes that would sometimes put the majority on the spot. It's called politics, rightly understood. This meant the Senate debated national priorities and worked its bipartisan will. Harry Reid's Senate has become a deliberate obstacle to democratic accountability.

And sadly so, I might add.

This Harry Reid gag rule is new to the Senate. We have had a number of distinguished majority leaders whose names will go down in history as the giants and statesmen of our time, and they did not resort to this gag rule. This is largely a Harry Reid invention.

I will give the facts. Mr. Reid has used the gag rule to fill the amendment tree—which is a parliamentary term. He has used his gag rule to cut off amendments 85 times, more than twice the number of the previous six leaders combined, and these were Democrats and Republicans.

Senator Dole invoked the procedural tactic only seven times. Senator Robert Byrd, a giant, a historian, and an expert in the use of Senate rules, invoked it only three times. Senator Mitchell of Maine invoked it 3 times; Senator Lott, 11 times; Senator Daschle, 1 time; and Senator Frist, 15 times. Yet time after time—some 85 times—this majority leader has decided that the Senate doesn't have a right—that the people of Mississippi and the people of North Dakota don't have a right—for their Senators to come up and offer an idea and let it rise or fall based on whether it is good policy or not. This is an outrage that the people of the United States need to understand.

It seems past majority leaders, when entrusted with protecting this institution, recognized that the gag rule should be used sparingly. Its current abuse undermines the Senate's ability to address pressing national issues and to carry on the tradition of debate that has always defined this body. That really cannot be denied.

Senator Robert Byrd, who I alluded to earlier, called the Senate ''the last bastion of minority rights.'' That was true during Democratic majorities when Senator Byrd was the majority leader. Sadly, it is not the case any longer.

The Wall Street Journal editorial—I would commend it to the attention of anyone within the sound of my voice—concludes this:

> The lesson for voters is simple: If they want anything meaningful done in the last two years of the Obama Administration, they will have to elect a Republican Senate.

Those are the words of the Wall Street Journal and not my words.

What has become of the Senate under this Harry Reid gag rule is unconscionable. It should be reversed and Senators of both parties should stand in resistance to the idea that we cannot offer amendments and have them debated as they have always been debated in the Senate.

I yield the floor.

Mr. LEAHY. Madam President, this week, we are voting to overcome Republican filibusters of seven highly qualified judicial nominees. Every single one of the nominees we will be voting on this week has been nominated to fill a judicial emergency vacancy. This means that the nonpartisan Administrative Office of the U.S. Courts has designated them as emergency vacancies due to high caseloads. We continue to seek consent from Republicans to vote on much needed judges to our Federal judiciary, and yet they continue to refuse. Republicans have objected to moving to a vote on every single judicial nominee this year. I can only hope that they will eventually come to see the error of their ways.

Before proceeding with the qualifications of these judicial nominees, I would again like to clarify and address some questions regarding the nomination of David Barron. Mr. Barron has been nominated to fill a vacancy on the U.S. Court of Appeals for the First Circuit. There have been press accounts that have inaccurately stated what the administration has made available for Senators to review relevant to this nomination. As I said last week, the administration has made available unredacted copies of any memo issued by Mr. Barron regarding the potential use of lethal force against Anwar Al-Awlaki. This week, the administration has made clear that this material included all written legal advice by Mr. Barron regarding potential use of lethal force against U.S. citizens in counterterrorism operations. Senators therefore have had the opportunity to conduct their due diligence before voting on this nomination.

In an Internet post titled ''Why Civil Libertarians and Drone Critics Should Support David Barron,'' Georgetown Law Professor David Cole—one of the foremost critics of the administration over its failure to publicly disclose legal material addressing the use of lethal force against U.S. citizens—has stated:

> It is a mistake to conflate the issues of the appointment of David Barron and disclosure of the memos. Barron is a highly qualified lawyer who I know personally to be thoughtful, considerate, open-minded, and brilliant. His confirmation would put in place a judge who will be absolutely vigilant in his protection of civil liberties and his insistence that executive power be constrained by the rule of law. That long-term value should not be sacrificed because of a short-term battle over memos that every Senator already has the opportunity to review.

Professor Cole is right. I have personally pressed the administration for greater transparency on these matters as well, but that is a separate debate and we should not be waging it at the expense of harming our Federal judiciary and denying the American people an individual who will make a first-rate judge. Not only is this tactic unwise, but it also does not help advance the cause of those who are seeking public disclosure of the memos. As Professor Cole has further explained:

> [H]olding up Barron's nomination is unlikely to expedite disclosure of the memos. It will only undermine the confirmation of someone who would make an excellent judge. The Administration has been ordered (unanimously) to release the memo, and will in short order either comply with that order or seek further review. Barron has no control over that decision, and should not be held hostage to it . . .

I am second to none in my support for transparency. And I will continue to fight for that value on its own terms. But it is a huge mistake to let our legitimate concerns about transparency get in the way of the confirmation of a judge who will faithfully protect our liberties and hold government accountable—especially when the Senate already has been given access to all the information they need to exercise their ''advise and consent'' role.

I agree completely with Professor Cole, and I ask unanimous consent to have printed in the RECORD the full posting after my remarks.

I would further ask unanimous consent to include a joint op-ed in the Boston Globe by Harvard Law professors Charles Fried and Laurence Tribe—two legal luminaries who often disagree in their views on the Constitution and other legal issues. As the two of them have written:

The nation badly needs the best possible judges—men and women of integrity, intelligence, judicial temperament, respect for the rule of law, and an understanding of the role of judges within our legal system. Barron understands and exemplifies those values. He should be released from the destructive tangle in which he has become quite undeservedly enmeshed and placed on the First Circuit Court of Appeals where he can serve our nation with great distinction.

We should proceed to Mr. Barron's nomination and confirm him so he can get to work on behalf of the American people. Delays are simply depriving the Federal judiciary and all Americans of a tremendous public servant.

This week, we will proceed to vote to end filibusters on the following seven nominations:

Judge Gregg Costa has been nominated to fill a judicial emergency vacancy on the U.S. Court of Appeals for the Fifth Circuit in Texas. He has served since 2012 as a U.S. district judge in the Southern District of Texas. He previously served as an assistant U.S. attorney in the Southern District of Texas from 2005 to 2012. He worked in private practice as an associate at Weil, Gotshal & Manges from 2002 to 2005. After graduating from law school, he served as a law clerk to Judge Raymond Randolph of the U.S. Court of Appeals for the DC Circuit from 1999 to 2000 and to Chief Justice William Rehnquist of the Supreme Court of the United States from 2001 to 2002. He also served as a Bristow fellow in the Office of the Solicitor General from 2000 to 2001. Judge Costa earned his B.A. from Dartmouth College in 1994. He earned his J.D. with the highest honors from the University of Texas Law School in 1999. He has the support of his home State Senators, Senator CORNYN and Senator CRUZ. The Judiciary Committee reported him favorably to the full Senate by voice vote on March 27, 2014.

Judge Steven Logan has been nominated to fill a judicial emergency vacancy on the U.S. District Court for the District of Arizona. He has served on the Military Court of Appeals since 2013 and as a U.S. magistrate judge in the District of Arizona since 2012. He also served as a Staff Judge Advocate in the U.S. Marine Corps Reserves from 2012 to 2013. Previously, from 2010 to 2012, he served as a U.S. Immigration Judge in the Executive Office for Immigration Review. From 2009 to 2011, he served as an Article I Deputy Chief Reserve Military Judge, and from 2005 to 2009, he served as an Article I Military Judge to the U.S. Department of the Navy. Prior to becoming judge, he served as an assistant U.S. attorney in the District of Arizona from 2001 to 2010 and as an assistant U.S. attorney in the District of Minnesota from 1999 to 2001. From 1993 to 1999, he worked for the Department of Defense, where he served as a Prosecutor—1996–1999—and as a contracting officer—1993–1996. Judge Logan has completed three deployments of Active Duty in Afghanistan—2008–2009—and Iraq—2004, 2007–2008. During his military service, he received numerous awards that include the Bronze Star in 2008, the Meritorious Service Medal in 2004 and 2012, and the Global War on Terrorism Expeditionary Medal in 2004. Judge Logan has the support of his Republican home State Senators, Senator MCCAIN and Senator FLAKE. The Judiciary Committee reported him favorably to the full Senate by voice vote on February 27, 2014.

John Tuchi has been nominated to fill a judicial emergency vacancy on the U.S. District Court for the District of Arizona. He has served since 2012 as the chief assistant U.S. attorney in the U.S. Attorney's Office for the District of Arizona, where he also has served as the U.S. attorney for an interim period in 2009 and as an assistant U.S. attorney since 1998. From 2001 to 2007, he served as an adjunct professor at the Arizona State University Law School, teaching courses on professional responsibility. From 1995 to 1998, Mr. Tuchi worked in private practice at Brown & Bain, P.A. as an associate. After graduating from law school, he served as a law clerk to Judge William C. Canby, Jr., of the U.S. Court of Appeals for the Ninth Circuit from 1994 to 1995. In 2010, he received the Director's Award for Outstanding Performance in Indian Country from the U.S. Department of Justice. Mr. Tuchi has the support of his Republican home State Senators, Senator MCCAIN and Senator FLAKE. The Judiciary Committee reported his nomination favorably by voice vote to the full Senate on February 27, 2014.

Diane Humetewa has been nominated to fill a judicial emergency vacancy on the U.S. District Court for the District of Arizona. She has served as a professor of practice and special advisor to the president at the Arizona State University Law School since 2011. From 2009 to 2011, she worked in private practice as a counsel at Squire, Sanders & Dempsey. From 1998 to 2009, she served in the U.S. attorney's Office in the District of Arizona as an assistant U.S. attorney—1998–2007—and then as the U.S. attorney from 2007 to 2009. From 2005 to 2006, she served as a detailee with the U.S. Senate Committee on Indian Affairs. Ms. Humetewa also served as an appellate court judge for the Hopi Tribe from 2002 to 2007. Prior to her service in Arizona, she served as counsel to the Deputy Attorney General for the U.S. Department of Justice from 1996 to 1998. After graduating from law school, she served as Deputy Counsel to the U.S. Senate Committee on Indian Affairs from 1993 to 1996. She has the support of her Republican home State Senators, Senator MCCAIN and Senator FLAKE. The Judiciary Committee reported her nomination favorably by voice vote to the full Senate on February 27, 2014. When confirmed, Ms. Humetewa will be the first Native American woman to serve as a Federal judge and the third Native American ever to do so.

Rosemary Mórquez has been nominated to fill a judicial emergency vacancy on the U.S. District Court for the District of Arizona. She has served since 2008 in private practice as a sole practitioner in Tucson, AZ. She previously served as a partner at Montoya & Mórquez, PLLC from 2000 to 2008, an assistant Federal public defender in the Federal Public Defender's Office in Tucson, AZ from 1996 to 2000, a county legal defender in the Pima County Legal Defender's Office from 1994 to 1996, and a deputy county attorney in the Pima County Attorney's Office in 1994. Ms. Mórquez earned her B.A. from the University of Arizona in 1990. She earned her J.D. from the University of Arizona Law School in 1993. She has the support of her Republican home State Senators, Senator MCCAIN and Senator FLAKE. The Judiciary Committee reported her favorably to the full Senate by a roll call vote of 15 to 2 on February 27, 2014.

Judge Douglas Rayes has been nominated to fill a judicial emergency vacancy on the U.S. District Court for the District of Arizona. He has served since 2000 as an Arizona State judge in Maricopa County Superior Court, including as associate presiding civil judge from 2008 to 2010 and as presiding criminal judge from 2010 to 2013. He has presided over thousands of complex criminal, civil, and family cases that have gone to judgment by settlement, plea agreement, summary judgment, or dismissal. He previously worked in private practice as a partner at Tryon, Heller & Rayes from 1989 to 2000; a partner at McGroder, Tryon, Heller & Rayes from 1986 to 1989; McGroder, Tryon, Heller, Rayes & Berch from 1984 to 1986; and as an associate at McGroder, Pearlstein, Peppler & Tryon from 1982 to 1984. Following his graduation from law school, he served as Judge Advocate General in the U.S. Army JAG Corps from 1979 to 1982. He served in the U.S. Army from 1970 to 1982 and in the Army Reserve from 1982 to 1985. Judge Rayes has the support of his Republican home State Senators, Senator MCCAIN and Senator FLAKE. The Judiciary Committee reported him

favorably to the full Senate by a roll call vote of 16–2 on February 27, 2014.

Judge James Soto has been nominated to fill a judicial emergency vacancy on the U.S. District Court for the District of Arizona. He has served since 2001 as a superior court judge in the Santa Cruz County Court. During his time on the bench, he has presided over 1,100 cases that have gone to verdict or judgment. Prior to his judicial service, he worked in private practice for over two decades, including as a shareholder and president of Soto, Martin and Coogan, P.C. from 1992 to 2001. He worked as a sole practitioner from 1976 to 1979. He previously served as town attorney for the town of Patagonia from 1975 to 1992, deputy city attorney for the Office of the Nogales City Attorney from 1974 to 1983, and deputy county attorney for Santa Cruz County in 1975. Judge Soto has the support of his Republican home State Senators, Senator MCCAIN and Senator FLAKE. The Judiciary Committee reported him favorably to the full Senate by voice vote on February 27, 2014.

All of these nominees have the experience, judgment, and legal acumen to be terrific judges in our Federal courts. I thank the majority leader for filing cloture petitions, and I hope all Senators will join me to end these filibusters so that these nominees can get working on behalf of the American people.

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

[May 12, 2014]

WHY CIVIL LIBERTARIANS AND DRONE CRITICS SHOULD SUPPORT DAVID BARRON

(By David Cole)

Sen. Rand Paul has an op-ed in the New York Times today opposing the nomination of David J. Barron to the U.S. Court of Appeals for the First Circuit until the memos Barron wrote concerning the legality of the targeted killing of US citizen Anwar Al-Awlaki are publically released. The ACLU has also urged that Barron's nomination be delayed until Senators are allowed to read all targeted killing memos written by Barron. I have been as much a critic of the drones program as Sen. Paul, and have written often about my critiques of both the apparent scope of the program and the lack of transparency surrounding it. (See here, here & here). I continue to support transparency. But it would be a terrible mistake to hold up David Barron's nomination over this issue.

First, and most importantly, it is a mistake to conflate the issues of the appointment of David Barron and disclosure of the memos. Barron is a highly qualified lawyer who I know personally to be thoughtful, considerate, open-minded, and brilliant. His confirmation would put in place a judge who will be absolutely vigilant in his protection of civil liberties and his insistence that executive power be constrained by the rule of law. That long-term value should not be sacrificed because of a short-term battle over memos that every Senator already has the opportunity to review.

There can be no doubt that Barron would be an excellent independent judge, and would faithfully exercise his authority to protect Americans' rights and to keep government honest and constrained. As former judge and now Stanford Law Professor Michael McConnell has noted, Barron ''has supported efforts to adopt laws to enable judicial review of executive actions that might otherwise escape judicial review because of lack of standing, and has written powerfully about the need for constitutional limits on executive excesses.'' Indeed, as head of the Office of Legal Counsel in 2009, Barron himself withdrew five OLC memos written during the prior administration to authorize controversial interrogation techniques such as waterboarding. And fellow Harvard Law Professor John F. Manning, a conservative who clerked for Judge Robert Bork and Justice Antonin Scalia, has accurately described Barron as ''undeniably brilliant'' and ''an unusually talented and careful lawyer'' who will ''understand and faithfully carry out the duties of a circuit judge.''

Second, the administration has in fact made available to all Senators any and all memos Barron wrote concerning the targeting of al-Awlaki—the core of the issue Sen. Paul is concerned about. So if Sen. Paul and any other Senator want to review Barron's reasoning in full, they are free to do so. Moreover, the administration also made available to the Senate, and ultimately to the public, a ''White Paper'' said to be drawn from the Barron memo (though written long after he left office). Thus, no Senator need be in the dark about the Administration's reasoning, and the public also has a pretty good idea as well.

Indeed, the U.S. Court of Appeals for the Second Circuit recently ruled that a redacted version of the al-Awlaki memo can and should be disclosed, largely because much of its reasoning had already been made public in the White Paper. Thus, while I fully support the public disclosure of the memo, redacted to protect sources and methods, every Senator already has full access to the memo, and therefore can make an informed judgment on advice and consent. And the public also has a good sense of what it says.

Notably, Senators Ron Wyden, Mark Udall, and Martin Heinrich, all members of the Intelligence Committee, wrote a letter to Attorney General Eric Holder in November 2013, after reviewing the memo on the killing of al-Awlaki, and stating their view the killing was ''a legitimate use of the authority granted to the President.'' They went on to urge the administration to be more forthcoming about the legal limits on the use of force against U.S. persons in other cases, beyond what the memo apparently had sanctioned, but did not question the legality of the action authorized.

Sen. Paul's op-ed notes that the Office of Legal Counsel may have written more than one memo on targeted killing, which is quite possible. But the administration has disclosed to the Senators the full, unredacted versions of any memo authorizing the killing of Americans, the issue Sen. Paul raises in his op-ed.

Finally, holding up Barron's nomination is unlikely to expedite disclosure of the memos. It will only undermine the confirmation of someone who would make an excellent judge. The Administration has been ordered (unanimously) to release the memo, and will in short order either comply with that order or seek further review. Barron has no control over that decision, and should not be held hostage to it.

I am second to none in my support for transparency. And I will continue to fight for that value on its own terms. But it is a huge mistake to let our legitimate concerns about transparency get in the way of the confirmation of a judge who will faithfully protect our liberties and hold government accountable—especially when the Senate already has been given access to all the information they need to exercise their ''advise and consent'' role. As a civil libertarian and drone critic, I have no hesitation in saying that David Barron should be confirmed.

[From the Boston Globe, May 13, 2014]

DAVID BARRON SHOULD BE CONFIRMED TO U.S. COURT OF APPEALS

(By Charles Fried and Laurence H. Tribe)

Although the two of us frequently approach legal questions from different perspectives, and just as often disagree about the best answers to those questions, we share a respect for our Constitution and a reverence for the judicial process. That's why, in spite of our disagreements, we agree that Harvard Law School professor David Barron is exceptionally well-qualified to hold a seat on the US Court of Appeals for the First Circuit and that the Senate should promptly confirm him.

No one can reasonably question Barron's intelligence, the high quality of his scholarship, his judicial temperament, his deep respect for the rule of law, or his personal integrity and devotion to public service. Barron (who is married to Juliette Kayyem, a Democratic gubernatorial candidate and former Globe columnist) is a brilliant lawyer who will make an excellent judge.

Though some conservatives oppose his embrace of what they call ''progressive constitutionalism,'' and some civil libertarians worry about the secrecy of memoranda he signed as head of the Justice Department's Office of Legal Counsel regarding the legality of using lethal force against a specific US citizen who was an operational leader of an enemy force, neither of these concerns justifies delaying a vote, or denying Barron a seat on the First Circuit.

Any description of Barron as ''an unabashed proponent of judicial activism'' is a caricature that demonstrates a lack of familiarity with serious debate over constitutional issues. What is clear to us is that Barron would decide cases based solely on the relevant sources of legal authority, including binding precedent, and that his political views would in no way distort his legal judgment. We will have reached a tragic turning point if people are disqualified from holding judicial office when they have thought deeply about the issues and expressed their views in public.

There is nothing in Barron's record, or in our many years of personal interactions with him, that would lead us to believe that he is anything other than a straight shooter, thoroughly committed to applying rules of law dispassionately and unflinchingly, and without political consideration. That's what judges should and must do, whatever their philosophical bent.

Beyond the fight over judicial philosophy, Barron's nomination has encountered resistance because of his authorship of opinions in the Office of Legal Counsel surrounding the legality of using lethal force against Anwar al-Awlaki, a US citizen who was killed by a drone strike in Yemen in 2011. Some have argued that the Senate should not vote to confirm Barron until its members review the OLC memos, but that point is now moot because the White House has made unredacted versions available to every senator. Others have argued that the Senate should not vote until a redacted version of the principal Awlaki memo is made public, as a court of appeals recently held it must be. That is an issue subject to ongoing litigation and of no relevance to Barron's nomination. He left public service four years ago and has nothing to do with administration policies on the release of sensitive information. In any event, it is likely that the memos will be released in short order: Either the administration will not appeal the court's ruling, or the ruling will be upheld on appeal. Without doubt,

holding up Barron's nomination will not expedite the release of any memo.

We agree it is entirely appropriate for Congress to consider carefully the legal framework for drone strikes, although we may reach different conclusions on that score. But it would inflict grave harm on the confirmation process and on our ability to recruit the best persons to the federal judiciary if Barron's nomination to the First Circuit were allowed to become collateral damage in this debate. The pertinent question cannot be whether any senator agrees or disagrees with any particular use of force or with whether the administration should or should not release documents. Barron didn't order the strikes or design the legal framework for their authorization. Indeed we do not know whether he personally agrees with that policy, the wisdom and morality of which it was not his job to assess. And he has not advocated, much less ordered, the withholding of any documents. His job as acting head of the Office of Legal Counsel was to provide thorough, accurate, and unvarnished legal opinions to the president and other executive officials, based on the traditional legal authorities of text, history, and precedent. We have every reason to believe that is precisely what he did, and there is absolutely no evidence to the contrary.

The nation badly needs the best possible judges—men and women of integrity, intelligence, judicial temperament, respect for the rule of law, and an understanding of the role of judges within our legal system. Barron understands and exemplifies those values. He should be released from the destructive tangle in which he has become quite undeservedly enmeshed and placed on the First Circuit Court of Appeals, where he can serve our nation with great distinction.

CLOTURE MOTION

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

Mr. ISAKSON. Madam President, I yield back all time.

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

Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Steven Paul Logan, of Arizona, to be United States District Judge for the District of Arizona.

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

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

The question is, Is it the sense of the Senate that debate on the nomination of Steven Paul Logan, of Arizona, to be United States District Judge for the District of Arizona, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER), the Senator from Massachusetts (Mr. MARKEY), the Senator from West Virginia (Mr. ROCKEFELLER), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

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

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

The yeas and nays resulted—yeas 58, nays 37, as follows:

[Rollcall Vote No. 144 Ex.]

YEAS—58

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

NAYS—37

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

NOT VOTING—5

Boozman	Markey	Sanders
Boxer	Rockefeller	

The PRESIDING OFFICER. On this vote the yeas are 58, the nays are 37. The motion is agreed to.

EXECUTIVE SESSION

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

The PRESIDING OFFICER. The clerk will report the nomination.

The assistant legislative clerk read the nomination of Steven Paul Logan, of Arizona, to be United States District Judge for the District of Arizona.

CLOTURE MOTION

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

Mrs. MURRAY. Madam President, I ask unanimous consent that all time be yielded back.

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

Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of John Joseph Tuchi, of Arizona, to be United States District Judge for the District of Arizona.

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

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

The question is, Is it the sense of the Senate that debate on the nomination of John Joseph Tuchi, of Arizona, to be United States District Judge for the District of Arizona, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Ohio (Mr. BROWN) and the Senator from West Virginia (Mr. ROCKEFELLER) are necessarily absent.

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

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

The yeas and nays resulted—yeas 62, nays 35, as follows:

[Rollcall Vote No. 145 Ex.]

YEAS—62

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

NAYS—35

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

Sessions	Thune	Vitter
Shelby	Toomey	Wicker

NOT VOTING—3

Boozman	Brown	Rockefeller

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

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

The PRESIDING OFFICER. The clerk will report the nomination.

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

CLOTURE MOTION

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

Without objection, all time is yielded back.

Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Diane J. Humetewa, of Arizona, to be United States District Judge for the District of Arizona.

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

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

The question is, Is it the sense of the Senate that debate on the nomination of Diane J. Humetewa, of Arizona, to be United States District Judge for the District of Arizona, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. ROCKEFELLER) is necessarily absent.

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

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

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

[Rollcall Vote No. 146 Ex.]

YEAS—64

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

NAYS—34

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

NOT VOTING—2

Boozman	Rockefeller

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

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

The PRESIDING OFFICER. The clerk will report the nomination.

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

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

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

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

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

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

Mr. LEAHY. I yield back all time.

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

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

The nomination was confirmed.

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

Mr. LEAHY. I yield back all time.

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

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

The nomination was confirmed.

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

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

The Senator from Maryland.

UNANIMOUS CONSENT REQUEST—S. 357

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

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

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

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

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

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

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

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

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

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

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

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

The PRESIDING OFFICER. Is there objection?

The Senator from Oklahoma.

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

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

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

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

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

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

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

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

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

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

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

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

The PRESIDING OFFICER. Is there objection?

Mr. COBURN. I object.

The PRESIDING OFFICER. The Senator from Oklahoma.

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

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

The PRESIDING OFFICER. Objection is heard.

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

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

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

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

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

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

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

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

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

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

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

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

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

NET NEUTRALITY

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The PRESIDING OFFICER. The Senator from Wyoming.

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

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

The PRESIDING OFFICER. The Senator from Alabama.

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

I thank the Senator.

IMMIGRATION

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

He says:

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

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

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

Mr. Salzman says:

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

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

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

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

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

Another businessman said recently:

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

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

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

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

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

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

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

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

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

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

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

VA HEALTH CARE

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

EXPIRE ACT

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

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

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

WOMEN'S ECONOMICS

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

The PRESIDING OFFICER. The Senator from Massachusetts.

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

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

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

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

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

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

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

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

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

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

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

I could not agree more.

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

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

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

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

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

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

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

The assistant bill clerk proceeded to call the roll.

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

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

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

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

PRODUCTION TAX CREDIT

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

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

and the prospect for a ninth extension seems likely.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Mr. ALEXANDER. Correct.

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

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

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

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

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

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

Mr. FLAKE. I thank the Senator.

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

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

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

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

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

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

Mr. FLAKE. I thank the Senator.

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

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

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

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

I thank the Senator from Arizona for his leadership.

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

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

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

WIND-POWER TAX CREDITS NEED TO BE BLOWN AWAY

(By Lamar Alexander)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

RUSSIA-UKRAINE

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

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

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

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

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

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

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

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

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

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

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

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

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

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

We have several options.

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

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

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

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

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

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

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

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

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

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

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

EXPIRE ACT

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

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

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

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

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

I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

HEALTH CARE

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

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

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

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

On May 12 the New York Times reported:

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

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

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

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

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

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

He goes on to say:

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

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

I thank the Presiding Officer and yield the floor.

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

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

The Senator is recognized.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

I thank the Presiding Officer.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

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

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

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

I live in West Fargo and my Employer is based out of South Dakota.

In 2011 I obtained my own Family Health Care Insurance due to a job change and my new employer's Health Care coverage seemed excessive. In doing this I found coverage as follows:

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

The individual goes on to write:

At the time this was more than $300 less costly than my new employer's monthly premium for similar coverage.

I recently received a notice from [Blue Cross Blue Shield] that my coverage will be discontinued on May 1st, 2014 due to the Affordable Care Act.

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

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

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

The individual goes on to say:

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

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

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

So the individual has to wait until August.

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

So if I cannot join my employer's plan, my BEST options for coverage are those options listed above—

The ones I just read—

which are at best a 37% increase—

''[A]t best a 37% increase''—

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

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

Then the individual finishes:

Do you see my frustration?

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

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

Here is another one.

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

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

Here is one:

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

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

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

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

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

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

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

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

The PRESIDING OFFICER. The Senator from Mississippi.

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

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

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

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

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

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

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

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

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

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

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

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

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

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

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

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

COLLEGE AFFORDABILITY

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

TAX EXTENDERS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

I thank the Chair.

SUPPORTING LAW ENFORCEMENT

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

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

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

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

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

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

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

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

I thank the Chair.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

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

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

CRISIS IN UKRAINE

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

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

Patience and time are my warriors, my champions.

Again, quoting from the book:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

EXPIRE ACT

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

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

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

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

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

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

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

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

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

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

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

I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

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

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

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

The question occurs on the Logan nomination.

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

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

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

The clerk will call the roll.

The assistant legislative clerk called the roll.

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

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

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

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

[Rollcall Vote No. 147 Ex.]

YEAS—96

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

NOT VOTING—4

Bennet	Boozman
Blunt	Reed

The nomination was confirmed.

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

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

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

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

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

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant bill clerk called the roll.

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

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

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

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

[Rollcall Vote No. 148 Ex.]

YEAS—96

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

McCain	Pryor	Stabenow
McCaskill	Reid	Tester
McConnell	Risch	Thune
Menendez	Roberts	Toomey
Merkley	Rockefeller	Udall (CO)
Mikulski	Rubio	Udall (NM)
Moran	Sanders	Vitter
Murkowski	Schatz	Walsh
Murphy	Schumer	Warner
Murray	Scott	Warren
Nelson	Sessions	Whitehouse
Paul	Shaheen	Wicker
Portman	Shelby	Wyden

NOT VOTING—4

Bennet	Boozman
Blunt	Reed

The nomination was confirmed.

The PRESIDING OFFICER. The majority leader.

Mr. REID. We are going to have one more vote tonight. Starting at 11:15 tomorrow we could have up to five votes. So that is it for tonight.

We have yielded back the time, but I ask unanimous consent that Senator MCCAIN be recognized for up to 1 minute.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. I would like to mention to my colleagues that with this vote we will be making history in some respects. We should all be proud that this nominee, Diane Humetewa of the Hopi Tribe, will be the first Native-American woman to be on the Federal bench.

I would appreciate a positive vote. It is a proud moment for her, her tribe, and for Native Americans.

I yield the floor.

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

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the nomination of Diane J. Humetewa, of Arizona, to be United States District Judge for the District of Arizona?

Mr. BARRASSO. I ask for the nays and yeas.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

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

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

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

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

[Rollcall Vote No. 149 Ex.]

YEAS—96

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

NOT VOTING—4

Bennet	Coons
Boozman	Reed

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid upon the table.

The President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

HIRE MORE HEROES ACT OF 2014

The PRESIDING OFFICER. The Senate will resume legislative session.

Under the previous order, the question is on agreeing to the motion to proceed to H.R. 3474.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the bill.

The legislative clerk read as follows:

A bill (H.R. 3474) to amend the Internal Revenue Code of 1986 to allow employers to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of the employer mandate under the Patient Protection and Affordable Care Act.

The PRESIDING OFFICER. The majority leader.

AMENDMENT NO. 3060

(PURPOSE: IN THE NATURE OF A SUBSTITUTE)

Mr. REID. On behalf of Senator WYDEN, I call up the substitute amendment No. 3060.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for Mr. WYDEN, proposes an amendment numbered 3060.

(The amendment is printed in the RECORD of Tuesday, May 13, 2014, under ''Text of Amendments.'')

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. 3089 TO AMENDMENT NO. 3060

Mr. REID. I have a first-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 3089 to amendment No. 3060.

The amendment is as follows:

At the end, add the following:

This Act shall become effective 1 day after enactment.

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. 3090 TO AMENDMENT NO. 3089

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

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 3090 to amendment No. 3089.

The amendment is as follows:

In the amendment, strike ''1 day'' and insert ''2 days''.

AMENDMENT NO. 3091

Mr. REID. I have a first-degree amendment at the desk, and the amendment is to the bill.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 3091 to the language proposed to be stricken by amendment No. 3060.

The amendment is as follows:

At the end, add the following:

This Act shall become effective 3 days after enactment.

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. 3092 TO AMENDMENT NO. 3091

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

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 3092 to amendment No. 3091.

The amendment is as follows:

In the amendment, strike ''3 days'' and insert ''4 days''.

MOTION TO COMMIT WITH AMENDMENT NO. 3093

Mr. REID. I have a motion to commit H.R. 3474 with instructions.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] moves to commit the bill to the Committee on Finance with instructions to report back forthwith with an amendment numbered 3093.

The amendment is as follows:

At the end, add the following:

This Act shall become effective 5 days after enactment.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 3094

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

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 3094 to the instructions of the motion to commit to H.R. 3474.

The amendment is as follows:

In the amendment, strike ''5 days'' and insert ''6 days''.

Mr. REID. 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. 3095 TO AMENDMENT NO. 3094

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

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 3095 to amendment No. 3094.

The amendment is as follows:

In the amendment, strike ''6'' and insert ''7''.

CLOTURE MOTION

Mr. REID. I have a cloture motion for the substitute amendment.

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

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the substitute amendment No. 3060 to H.R. 3474, an act to amend the Internal Revenue Code of 1986 to allow employers to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of the employer mandate under the Patient Protection and Affordable Care Act.

Harry Reid, Ron Wyden, Angus S. King, Jr., Richard J. Durbin, Robert Menendez, Mark R. Warner, Benjamin L. Cardin, Robert P. Casey, Jr., Christopher A. Coons, Bill Nelson, Michael F. Bennet, Heidi Heitkamp, Barbara Boxer, Debbie Stabenow, Maria Cantwell, Charles E. Schumer, Thomas R. Carper.

CLOTURE MOTION

Mr. REID. I now have a cloture motion to the bill, which is also at the desk.

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

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on H.R. 3474, an act to amend the Internal Revenue Code of 1986 to allow employers to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of the employer mandate under the Patient Protection and Affordable Care Act.

Harry Reid, Ron Wyden, Angus S. King, Jr., Richard J. Durbin, Robert Menendez, Mark R. Warner, Benjamin L. Cardin, Robert P. Casey, Jr., Christopher A. Coons, Bill Nelson, Michael F. Bennet, Heidi Heitkamp, Barbara Boxer, Debbie Stabenow, Maria Cantwell, Charles E. Schumer, Thomas R. Carper.

Mr. REID. I ask unanimous consent that the mandatory quorum under rule XXII be waived with respect to both cloture motions.

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

JUSTICE AND MENTAL HEALTH COLLABORATION ACT OF 2013—MOTION TO PROCEED

Mr. REID. I now move to proceed to Calendar No. 92, S. 162.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 92, S. 162, a bill to reauthorize and improve the Mentally Ill Offender Treatment and Crime Reduction Act of 2004.

EXECUTIVE SESSION

NOMINATION OF STANLEY FISCHER TO BE A MEMBER OF THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

Mr. REID. I move to proceed to executive session to consider Calendar No. 768.

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

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Stanley Fischer, of New York, to be a Member of the Board of Governors of the Federal Reserve System for the unexpired term of fourteen years from February 1, 2006.

CLOTURE MOTION

Mr. REID. I send a cloture motion to the desk.

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

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Stanley Fischer, of New York, to be a Member of the Board of Governors of the Federal Reserve System.

Harry Reid, Tim Johnson, Thomas R. Carper, Richard J. Durbin, Tom Udall, Angus S. King, Jr., Mark Begich, Elizabeth Warren, Martin Heinrich, Patty Murray, Tom Harkin, Robert Menendez, Patrick J. Leahy, Benjamin L. Cardin, Charles E. Schumer, Heidi Heitkamp, Mark R. Warner.

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

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

LEGISLATIVE SESSION

Mr. REID. I now move to proceed to legislative session.

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

JUSTICE AND MENTAL HEALTH COLLABORATION ACT OF 2013—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. The Senator from Oregon.

EXPIRE ACT

Mr. WYDEN. Mr. President, I wanted to take a couple of minutes now to underscore the importance of the Senate passing the EXPIRE Act now, and in particular to highlight what the cost of inaction would be if the Senate fails to act.

This legislation is critically needed because it is an essential tool to prevent a tax increase and particularly the kind of tax increase that will harm our ability to create more good-paying jobs—high-skilled, high-wage jobs. These are the jobs tied to innovation.

Without this legislation, for example, what we would have is a new tax on innovation because we wouldn't renew for a period of 2 years, as we work on tax reform, the research and development tax credit. This credit is absolutely essential because it is what is used by the employers who are coming up with innovative approaches to create more long-term employment for our country. This credit is used to help pay the wages for those kinds of innovation-oriented jobs. Without this legislation, we would have in this country a tax on innovation. I don't think that is where this country wants to go.

It will be harder without this legislation to have employers hire veterans—veterans who are now coming out in throngs to job fairs in cities across the country. Employers will find it even harder to assist them in terms of finding employment.

Without this legislation, when an underwater homeowner gets hold of a life raft that keeps them in their homes when their lender works with them to try to work out an arrangement to reduce their obligation, reduce their debt, that underwater homeowner would be taxed on phantom income. So right when that underwater homeowner is trying to get their head above

water, without this legislation the Tax Code would shove them back underwater once more. I don't think that is where our country wants to go.

I don't think our country wants to give a back of the hand to millions of students already up to their eyeballs in debt. Without this legislation, they would have to go even deeper into debt.

Producing clean energy will become more expensive, risking the kind of high-tech jobs the Congress wants and is working in a bipartisan way to protect.

So with the EXPIRE Act we can address all these issues, bring greater certainty to our economy, put an expiration date on the broken tax system, and lay the foundation for working on tax reform and moving away from what has been a long run of stop-and-go tax extender policies. We ought to get away from that, and the point of this legislation is, between now and the end of 2015, to work on comprehensive bipartisan tax reform.

A number of my colleagues on the other side of the aisle have talked about their interest in this and that they wish we were doing comprehensive reform. I think colleagues have heard me say on the floor of the Senate I'd much prefer to be doing comprehensive tax reform, but when Chairman Baucus went to China, it became clear to me it wasn't going to be possible to get comprehensive tax reform done in this session.

What I sought to do is to make sure we wouldn't do further harm to middle-class families, and small businesses, and those who are creating the innovative jobs. That is why we need this legislation and need to use the legislation when it passes as a bridge to tax reform.

The bill is called the EXPIRE Act. People have often said: What does that mean? It is not just what it means—the bill actually does expire. I have indicated to my colleagues on the Finance Committee that this will be the last extenders bill on my watch. We are not going to have any more of them on my watch. We are going to move to create a stronger, better, more pro-growth, fair tax system, which allows us to be more competitive in a tough global economy and create good-paying jobs. The tax reform process is not going to be a walk in the park, but it is only going to grow harder if the Senate fails to pass the EXPIRE Act first.

We have had bipartisan proposals in the past. Our former colleague Senator GREGG worked with me for 2 years, and we sat together on a sofa almost every week for 2 years to create what is the first bipartisan Federal income tax reform bill in three decades. With his retirement, thankfully Senator COATS and Senator BEGICH stepped in. So we know it can be done, but that task will simply be harder if the Senate fails to pass the EXPIRE Act.

The first thing people are going to say is: If the Senate couldn't deal with these extenders on a temporary basis, how in the world will the Senate be able to take up comprehensive tax reform?

Fortunately, at a time when many think Washington is utterly broken, the distinguished senior Senator from Utah, Mr. HATCH, was willing to work with me and meet me halfway in terms of producing a comprehensive, bipartisan effort to move forward on these extenders. It wasn't easy, but it got done, and it got out of the Finance Committee with an overwhelmingly bipartisan vote. The bill may not be perfect, but the committee got it done with the kind of bipartisan approach Americans want to see more of. I hope the Senate will want to do the same thing. I was encouraged by the procedural vote we had earlier this week.

So with tonight's developments, I simply underscore the importance of passing the EXPIRE Act. I hope Senators on a bipartisan basis will join me in supporting the legislation. It is going to meet urgent needs of our people now, and if we can get it passed and signed into law quickly, it will allow us to turn our attention exclusively to the kind of tax overhaul that is long overdue. That can bring Democrats and Republicans together, as we saw several decades ago when progressive Democrats and conservative Republicans joined together for tax reform. We can go to that agenda as soon as we address the immediate needs behind the urgent requirement of enacting the extenders bill quickly.

I hope we will see the Senate do that in the next few days ahead.

I thank my colleagues, particularly on the Finance Committee—Democrats and Republicans—for the good and cooperative bipartisan work.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. 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.

ORDER OF PROCEDURE

Mr. REID. Mr. President, I ask unanimous consent that notwithstanding rule XXII, on Thursday, May 15, 2014, at 11:15 a.m., the Senate proceed to vote on cloture on Calendar Nos. 667, 668, 669, and then proceed to consideration and vote on confirmation of Calendar No. 693 and Calendar No. 541; further, that if cloture is invoked on Calendar Nos. 667, 668, or 669, at 1:45 p.m. all postcloture time be expired and the Senate proceed to vote on confirmation of the nominations in the order listed; that following disposition of Calendar No. 669, the Senate proceed to vote on cloture on Calendar No. 732; and that if cloture is invoked, all postcloture time be expired and the Senate resume legislative session and proceed to vote on the motion to invoke cloture on the substitute amendment No. 3060 to H.R. 3474; further, that on Tuesday, May 20, 2014, at 5:30 p.m., the Senate proceed to executive session to vote on the confirmation of Calendar No. 732; further, that there will be 2 minutes for debate prior to each vote, equally divided in the usual form; that any rollcall votes following the first in each series be 10 minutes in length; further, that if confirmed, the motions to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order to the nominations; that any statements related to the nominations be printed in the RECORD and that President Obama be immediately notified of the Senate's action.

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

Mr. REID. Mr. President, with this agreement, on Thursday there will be as many as five rollcall votes starting at 11:15 a.m. and as many as five rollcall votes beginning at 1:45 p.m. That could change a little bit. We will see how the day goes.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak for up to 10 minutes each.

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

FRATERNITY OF THE DESERT BIGHORN 50TH ANNIVERSARY

Mr. REID. Mr. President, I rise today to recognize the 50th anniversary of the Fraternity of the Desert Bighorn in Southern Nevada.

The Fraternity of the Desert Bighorn was established in 1964, and in partnering with local, State, and Federal wildlife organizations and agencies, they have played a vital role in the restoration of the iconic desert bighorn sheep in Nevada. These incredible animals are a symbol of our State's unique wildlife habitat, geography, and climate. In the Sloan Canyon and Gold Butte areas of Southern Nevada, ancient petroglyphs and rock art dating back thousands of years depict the bighorn sheep and tell the story of its important contributions to our State's history and culture. The desert bighorn is a noteworthy part of Nevada's mountainous landscapes and was officially named the State animal in 1973.

Following westward expansion in the 1800s, bighorn sheep populations struggled to survive against the spread of disease from domestic livestock and the loss of water resources and habitat. By the 1960s, desert bighorn sheep populations, once in the tens of thousands in the United States, dropped to an estimated 6,700 to 8,100. However, the commitment of organizations like the Fraternity of the Desert Bighorn to species restoration has helped to more than double the bighorn sheep population throughout the United States.

The fraternity has worked hard to promote responsible management of the desert bighorn and its habitat. By building and maintaining hundreds of water development projects, fighting disease, and educating domestic sheep herders on the importance of maintaining strict separations between bighorn sheep and domestic herds, the fraternity has provided necessary water resources to Southern Nevada wildlife and ensured a healthy bighorn sheep population for future generations.

I commend the Fraternity of the Desert Bighorn on their 50th anniversary, and I wish them the best in their future endeavors.

TRIBUTE TO MIRA BALL

Mr. MCCONNELL. Mr. President, I rise today to honor and congratulate my good friend, Mira Ball. On June 5, Mira will receive the Midway College Legacy Award for her many contributions and years of service to Midway College, located in Midway, KY.

Mira is the first ever recipient of this award, which will be given out at the Inaugural Spotlight awards in June. The purpose of the Legacy Award is to recognize ''a person or persons that have impacted Midway College over a period of many years by giving time, service, support and/or resources.'' With such a description, it's no wonder that Mira was the first in line to receive it.

Mira's contributions to Midway College, which is Kentucky's only women's college and a leader in degree programs for men and women, are aplenty. She has served on the board of trustees since 1990, became the first woman to chair the board in 1997, and was honored to be elected a life trustee in 2000. Last year, she served as interim chair while the institution was in a transitional period.

Even with her devotion to Midway College, Mira has amazingly found time to pursue a multitude of other interests and causes. She became the first woman president of the Lexington Chamber of Commerce in 1991 and was also the first woman to chair the University of Kentucky board of trustees, a post she occupied from 2007 to 2010. If you hadn't noticed, my friend Mira has never been afraid to be the first to do anything.

Additionally, Mira has been one of our State's strongest advocates for education reform, and she currently serves on the endowment board of Kentucky Educational Television, KET. She is also an involved member of the Calvary Baptist Church and is an active philanthropist to health care and education groups.

Somehow, amidst this seemingly endless stream of extracurricular activities, Mira carves out some time for her day job. She serves as the chief financial officer for the very successful Ball Homes LLC homebuilders, which she runs with her husband, Don, and their three children—Ray Ball, Mike Ball, and Lisa Ball Sharp. In addition to their children, Mira and Don have seven grandchildren—making for a wonderful family that is undoubtedly her biggest achievement of all.

Mira's tireless efforts to better the lives of others deserve the recognition of this body. Thus, I ask that my U.S. Senate colleagues join me in honoring Mira Ball, and congratulating her for being the first-ever recipient of the prestigious Midway College Legacy Award.

NATIONAL FOSTER CARE MONTH

Ms. LANDRIEU. Mr. President, 26 years ago Members of Congress decided to designate May as National Foster Care Month. Since then, the U.S. Congress, the Children's Bureau at the Department of Health and Human Services, and the National Foster Parent Association have worked together to recognize the work of foster families, social workers, faith-based and community organizations, and others who are improving the lives of foster youth across the country and to encourage all Americans to participate in efforts to serve these children throughout the year.

I have come to the floor today, alongside my esteemed colleague and co-chair on the Senate Caucus on Foster Youth, to recognize the foster parents, social workers, and advocates from my home State of Louisiana and around the country who play an essential role in the lives of children in foster care throughout the United States. I also want to acknowledge the leaders of the House Caucus on Foster Youth—Representative KAREN BASS, Representative TOM MARINO, Representative MICHELE BACHMANN, and Representative JIM MCDERMOTT—who already have or will soon speak on the floor, as well, to commemorate National Foster Care Month.

Each day 691 new children enter the foster care system because of abuse or neglect. Each week 4,852 children find themselves on the beginning of their journey through ''the system.'' Over 79,000 children will call this system home for more than 3 years, and more than 23,400 young adults will ''age out'' of the system without a safe, permanent family. Of those that age out, studies indicate that only 25 percent have a high school diploma or GED, less than 2 percent finish college, over half experience homelessness, and nearly 30 percent have been incarcerated.

As I have long said, governments do many things well, but raising children is not, and will never be, one of them. Our foster care system should be temporary—it is a temporary place where children should go to be protected and nurtured until they can be returned to their birth family, be placed with extended family, or be connected with an adoptive parent or parents. Unfortunately, all too often this is not how it happens. Forty percent of those eligible for adoption will wait over 3 years in foster care before being adopted. Even worse, 23,000 youth—25 percent of those eligible for adoption—''age out'' or emancipate from the system each year. We cannot rest until our Federal and state governments are 100 percent successful at connecting these children—who have been placed under the government's care due to no fault of their own—with permanent, safe, and loving families.

It is our responsibility to find homes for the huge numbers of abandoned and orphaned children in the United States. For this reason, I created a new pilot grant in the fiscal year 14 Omnibus to enable States to initiate intensive and exhaustive child-focused recruitment programs, proven to increase adoptions out of foster care 3 to 1. The $4 million dollars that I secured for this program will enable States to move foster youth eligible for adoption into permanent families at a much higher rate than traditional recruitment strategies. This is because these grants will provide social workers with the resources, time, and mandate to actually open up the file of youth in care and identify the names and contact information of parents, relatives, caregivers, and other significant adults in that child's life. This intense review, often called ''case mining,'' is key in locating a caring adult able to commit to reunification, adoption or legal guardianship for foster youth.

There are many other strategies that our government can implement to increase permanency for foster children. Just last week the Congressional Coalition on Adoption Institute, led by executive director Kathleen Strottman, hosted a policy focused briefing to educate congressional staff about how postadoption services are cost-effective and enormously beneficial alternatives to children reentering foster care or having their adoptions dissolved. The Federal Government spends an average of $27,236 annually for each child in care covered by Federal funding—and much more for those in group homes or residential treatment centers—compared to $5,043 for a child receiving adoption assistance covered by Federal funding adoptions. There currently is no Federal funding stream dedicated exclusively to postadoption services. We as legislators must consider ways in which we can increase the overall resources dedicated to post-adoption.

As I have stated, it is our responsibility to invest in initiatives that are proven to be successful in finding permanent solutions for our nation's foster children. I encourage my colleagues to cosponsor S. Res. 442, ''Recognizing National Foster Care Month as an opportunity to raise awareness about the challenges of children in the foster care system, and encouraging Congress to implement policy to improve the lives of children in the foster care system.''

I yield my time to my esteemed colleague and co chair of the Senate Caucus on Foster Youth, Senator CHUCK GRASSLEY from Iowa.

Mr. GRASSLEY, Mr. President, I come to the floor to speak today about the foster care system and the impact the system has on the lives of far too many children, young adults, and families.

Currently, more than 400,000 children across the United States are in the foster care system. From its inception, the foster care system was designed to be a safe and temporary place of transition for kids who have nowhere else to go. Of those currently calling the foster care system home, 79,000 will stay in foster care for more than 3 years. More than 23,400 will age out of foster care without finding an adoptive family or a permanent place to call home.

Furthermore, youth who age out of the foster care system experience unique struggles that extend beyond the usual anxieties of trying to establish a life after high school. In fact, only one quarter has earned a high school diploma or GED, while less than 2 percent finish college. Worse yet, more than 50 percent will experience homelessness and nearly 30 percent will have spent time behind bars.

That is why we recognize May as National Foster Care Month. Senator LANDRIEU and I have introduced a resolution to shed light on the many young faces that seek a permanent home and family. We also set aside a moment to recognize the countless number of people who work tirelessly for youth in foster care.

Stability comes from a much larger community than just a family. Stability comes from the teacher who sees the student at the desk near the back of the classroom who needs a little extra help and guidance. Stability comes from the friends and neighbors who take it upon themselves to invite the new face in the neighborhood to join in a game of basketball or swimming. Stability comes from the social workers who work tirelessly to help resolve the issues at home foster youth face or, if necessary, they help find a permanent home that will offer warmth and happiness. And most importantly, stability comes from the families who are willing to take a child or group of children into their home, to provide a safe and nurturing environment so that they have a chance to grow and thrive.

I call upon my colleagues to support S. Res. 442 recognizing National Foster Care Month as an opportunity to raise awareness about the challenges of children in the foster care system and encouraging Congress to implement policy to improve the lives of children in the foster care system. The resolution also recognizes foster youth throughout the United States for their courage and resilience as they move through their personal trials and challenges. We also seek to applaud the youth who have moved on from the foster care system but remain active to serve as advocates and role models for those who remain in the system.

However, while we seek to applaud and commend those who continue to be a beacon of hope for these youth, the resolution is also intended to reaffirm the need to continue to improve the outcomes for all children in the foster care system. Every child deserves the stability and certainty that a loving, permanent home and family can provide.

Congress has been working to improve the lives of all those touched by the foster care system. That has included providing support to vulnerable families, with the hope of safely keeping families intact while they work through difficult times. We have promoted policies that encourage reunification of families when they successfully address issues that make homes safe and nurturing for children. We have helped create incentives to promote adoption when reunification isn't possible. For those who age out of the foster care system without a permanent place to call home, we have been working to make the transition to adulthood more certain.

That is why in 2009 Senator LANDRIEU and I launched the bipartisan Senate Caucus on Foster Youth. The caucus works to provide an outlet for Members and staff to provide educational opportunities in order to help shape meaningful policy that works to bring children and families together.

The caucus has created a gateway for grassroots coalitions of families, foster youth, child welfare advocates, court representatives, and social workers to locate policymakers who are actively fighting and supporting tools to improve the lives of all children and families. The caucus has created an avenue for all stakeholders to help identify barriers that block foster kids from finding a permanent, loving home either through adoption, guardianship, or reunification with their birth family.

The caucus is currently offering a series of opportunities designed to introduce Members and staff to the issue of child welfare financing. The meetings have been designed to provide a collegial environment to build a base of knowledge for those less familiar with the issue and to help those who have been working on the issue for many years.

So far this spring, we have had a chance to hear from specialists and experts about the early history of child welfare and how it has developed into the programs that we see today. We are studying how the current system is structured, how we can improve it, and how we can better incentivize States to find permanent placements for foster youth.

In the past, we have studied and acted to improve the educational stability of the students. There are numerous cases of children who move from school to school within a given year. Just as they have an opportunity to form a series of friendships, they are ushered on to another school to begin the process yet again. Beyond the problems of building meaningful relationships, many foster youth have to worry about how their credits transfer from one school to the next. Many students are required to take a class numerous times in multiple schools because of varying requirements. Oftentimes, this creates a gap that extends the amount of time it takes a student to fulfill the requirements to complete school.

Another issue that comes up is sex trafficking. Youth in the foster care system can be susceptible to domestic sexual predators who offer them financial assistance and emotional bonds.

Just recently, the Federal Bureau of Investigation, FBI, rescued 18 minors from forced prostitution around the time of the Super Bowl. Of the 18 minors, 3 were from the foster care system. I sent a letter to the FBI to ask the agency to explain how underage victims are treated once they are rescued from forced prostitution. From my inquiry so far, it seems the FBI has taken positive steps, including making clear that those who are forced into prostitution are victims, not criminals. The FBI also has a coordinated effort that has recovered a number of juvenile victims. But it is important to track what happens to victims after rescue. Are they getting the protections and services they need to stay safe or are they ending up back in dangerous situations? If they came from foster care, did the system fail to protect them?

The Senate Finance Committee approved a bipartisan bill in December to improve the foster care system. The bill seeks to protect foster youth and to encourage officials to better prevent, identify, and intervene when a child becomes a victim of trafficking.

Our caucus has taken a lead in educating the public about this issue. We heard from two incredibly brave survivors of trafficking who had beaten the odds, escaped ''the life,'' and are now working as mentors with other girls who have been trafficked or are at risk of being trafficked.

The caucus has raised a number of other important issues, and we have invited youth to share their personal experiences. They are the experts, and we can learn from them.

I am glad to report the caucus is gaining strong support from across party lines and regional areas of the country. I am glad that we have had nine new members this year, including Senators CRAPO, SCOTT, KAINE, WARNER, KLOBUCHAR, INHOFE, WICKER, HEITKAMP, and JOHANNS.

We will continue working to keep the national spotlight on the challenges confronting foster youth. Every child deserves the stability and certainty that a loving, permanent home and family can provide. I thank my colleagues for their support in this endeavor.

ADDITIONAL STATEMENTS

POTTAWATTAMIE COUNTY, IOWA

● Mr. HARKIN. Mr. President, the strength of my State of Iowa lies in its vibrant local communities, where citizens come together to foster economic development, make smart investments to expand opportunity, and take the initiative to improve the health and well-being of residents. Over the decades, I have witnessed the growth and revitalization of so many communities across my State. And it has been deeply gratifying to see how my work in Congress has supported these local efforts.

I have always believed in accountability for public officials, and this, my final year in the Senate, is an appropriate time to give an accounting of my work across four decades representing Iowa in Congress. I take pride in accomplishments that have been national in scope—for instance, passing the Americans with Disabilities Act and spearheading successful farm bills. But I take a very special pride in projects that have made a big difference in local communities across my State.

Today, I would like to give an accounting of my work with leaders and residents of Pottawattamie County to build a legacy of a stronger local economy, better schools and educational opportunities, and a healthier, safer community.

Between 2001 and 2013, the creative leadership in your community has worked with me to secure funding in Pottawattamie County worth over $24 million and successfully acquired financial assistance from programs I have fought hard to support, which have provided more than $65 million to the local economy.

Of course my favorite memories of working together have to include the Pottawattamie County Preschool Initiative plan was developed to dramatically expand preschool for more than 250 unserved children, several affordable housing and main street reconstruction projects, as well as work on transportation infrastructure and airport improvements. While I have worked to secure more than $2.8 million for the Pottawattamie County Preschool Initiative, as part of the private-public partnership, the Iowa West Foundation also committed $7 million for the early learning initiative. This is the type of investment Iowa needs to ensure a brighter economic future for every student. I look forward to learning how this program has impacted students in Pottawattamie County.

Among the highlights:

Investing in Iowa's economic development through targeted community projects: In Western Iowa, we have worked together to grow the economy by making targeted investments in important economic development projects including improved roads and bridges, modernized sewer and water systems, and better housing options for residents of Pottawattamie County. In many cases, I have secured Federal funding that has leveraged local investments and served as a catalyst for a whole ripple effect of positive, creative changes. For example, working with mayors, city council members, and local economic development officials in Pottawattamie County, I have fought for over $16 million to reconstruct the Avenue G viaduct, over $2.5 million for affordable housing projects, and secured $2 million to make sure the airport got priority for a new runway through the Federal Aviation Administration, helping to create jobs and expand economic opportunities.

School grants: Every child in Iowa deserves to be educated in a classroom that is safe, accessible, and modern. That is why, for the past decade and a half, I have secured funding for the innovative Iowa Demonstration Construction Grant Program—better known among educators in Iowa as Harkin grants for public schools construction and renovation. Across 15 years, Harkin grants worth more than $132 million have helped school districts to fund a range of renovation and repair efforts—everything from updating fire safety systems to building new schools. In many cases, these Federal dollars have served as the needed incentive to leverage local public and private dollars, so it often has a tremendous multiplier effect within a school district. Over the years, Pottawattamie County has received $5.1 million in Harkin grants. Similarly, schools in Pottawattamie County have received funds that I designated for Iowa Star Schools for technology totaling $168,650.

Keeping Iowa communities safe: I also firmly believe that our first responders need to be appropriately trained and equipped, able to respond to both local emergencies and to statewide challenges such as, for instance, the methamphetamine epidemic. Since 2001, Pottawattamie County's fire departments have received over $1.5 million for firefighter safety and operations equipment.

Wellness and health care: Improving the health and wellness of all Americans has been something I have been passionate about for decades. That is why I fought to dramatically increase funding for disease prevention, innovative medical research, and a whole range of initiatives to improve the health of individuals and families not only at the doctor's office but also in our communities, schools, and workplaces. I am so proud that Americans have better access to clinical preventive services, nutritious food, smoke-free environments, safe places to engage in physical activity, and information to make healthy decisions for themselves and their families. These efforts not only save lives, they will also save money for generations to come thanks to the prevention of costly chronic diseases, which account for a whopping 75 percent of annual health care costs. I am pleased that Pottawattamie County has recognized this important issue by securing more than $5.6 million for the Community Health Center.

Disability Rights: Growing up, I loved and admired my brother Frank, who was deaf. But I was deeply disturbed by the discrimination and obstacles he faced every day. That is why I have always been a passionate advocate for full equality for people with disabilities. As the primary author of the Americans with Disabilities Act, ADA, and the ADA Amendments Act, I have had four guiding goals for our fellow citizens with disabilities: equal opportunity, full participation, independent living and economic self-sufficiency. Nearly a quarter century since passage of the ADA, I see remarkable changes in communities everywhere I go in Iowa—not just in curb cuts or closed captioned television, but in the full participation of people with disabilities in our society and economy, folks who at long last have the opportunity to contribute their talents and to be fully included. These changes have increased economic opportunities for all citizens of Pottawattamie County, both those with and without disabilities. And they make us proud to be a part of a community and country that respects the worth and civil rights of all of our citizens.

This is at least a partial accounting of my work on behalf of Iowa, and specifically Pottawattamie County, during my time in Congress. In every case, this work has been about partnerships, cooperation, and empowering folks at the State and local level, including in Pottawattamie County, to fulfill their own dreams and initiatives. And, of course, this work is never complete. Even after I retire from the Senate, I have no intention of retiring from the fight for a better, fairer, richer Iowa. I will always be profoundly grateful for the opportunity to serve the people of Iowa as their Senator.●

HARRISON COUNTY, IOWA

● Mr. HARKIN. Mr. President, the strength of my State of Iowa lies in its vibrant local communities, where citizens come together to foster economic development, make smart investments to expand opportunity, and take the initiative to improve the health and well-being of residents. Over the decades, I have witnessed the growth and revitalization of so many communities across my State. And it has been deeply gratifying to see how my work in Congress has supported these local efforts.

I have always believed in accountability for public officials, and this, my final year in the Senate, is an appropriate time to give an accounting of my work across four decades representing Iowa in Congress. I take pride in accomplishments that have been national in scope—for instance,

passing the Americans with Disabilities Act and spearheading successful farm bills. But I take a very special pride in projects that have made a big difference in local communities across my State.

Today, I would like to give an accounting of my work with leaders and residents of Harrison County to build a legacy of a stronger local economy, better schools and educational opportunities, and a healthier, safer community.

Between 2001 and 2013, the creative leadership in your community has worked with me to secure funding in Harrison County worth over $3.6 million and successfully acquired financial assistance from programs I have fought hard to support, which have provided more than $6.8 million to the local economy.

Of course my favorite memory of working together has to be its successful use of several Main Street Iowa grants for facade restoration and other building renovations in downtown Woodbine, and redevelopment of the Moore's Block in Dunlap.

Among the highlights:

Main Street Iowa: One of the greatest challenges we face—in Iowa and all across America—is preserving the character and vitality of our small towns and rural communities. This is not just about economics. It is also about maintaining our identity as Iowans. Main Street Iowa helps preserve Iowa's heart and soul by providing funds to revitalize downtown business districts. This program has allowed towns like Woodbine and Dunlap to use that money to leverage other investments to jumpstart change and renewal. I am so pleased that Harrison County has earned $148,000 through this program. These grants build much more than buildings. They build up the spirit and morale of people in our small towns and local communities.

School grants: Every child in Iowa deserves to be educated in a classroom that is safe, accessible, and modern. That is why, for the past decade and a half, I have secured funding for the innovative Iowa Demonstration Construction Grant Program—better known among educators in Iowa as Harkin grants for public schools construction and renovation. Across 15 years, Harkin grants worth more than $132 million have helped school districts to fund a range of renovation and repair efforts—everything from updating fire safety systems to building new schools. In many cases, these Federal dollars have served as the needed incentive to leverage local public and private dollars, so it often has a tremendous multiplier effect within a school district. Over the years, Harrison County has received over $3.35 million in Harkin grants. Similarly, schools in Harrison County have received funds that I designated for Iowa Star Schools for technology totaling $20,000.

Agricultural and rural development: Because I grew up in a small town in rural Iowa, I have always been a loyal friend and fierce advocate for family farmers and rural communities. I have been a member of the House or Senate Agriculture Committee for 40 years—including more than 10 years as chairman of the Senate Agriculture Committee. Across the decades, I have championed farm policies for Iowans that include effective farm income protection and commodity programs; strong, progressive conservation assistance for agricultural producers; renewable energy opportunities; and robust economic development in our rural communities. Since 1991, through various programs authorized through the farm bill, Harrison County has received more than $3.5 from a variety of farm bill programs.

Keeping Iowa communities safe: I also firmly believe that our first responders need to be appropriately trained and equipped, able to respond to both local emergencies and to statewide challenges such as, for instance, the methamphetamine epidemic. Since 2001, Harrison County's fire departments have received over $1.19 million for firefighter safety and operations equipment.

Disability Rights: Growing up, I loved and admired my brother Frank, who was deaf. But I was deeply disturbed by the discrimination and obstacles he faced every day. That is why I have always been a passionate advocate for full equality for people with disabilities. As the primary author of the Americans with Disabilities Act, ADA, and the ADA Amendments Act, I have had four guiding goals for our fellow citizens with disabilities: equal opportunity, full participation, independent living and economic self-sufficiency. Nearly a quarter century since passage of the ADA, I see remarkable changes in communities everywhere I go in Iowa—not just in curb cuts or closed captioned television, but in the full participation of people with disabilities in our society and economy, folks who at long last have the opportunity to contribute their talents and to be fully included. These changes have increased economic opportunities for all citizens of Harrison County, both those with and without disabilities. And they make us proud to be a part of a community and country that respects the worth and civil rights of all of our citizens.

This is at least a partial accounting of my work on behalf of Iowa, and specifically Harrison County, during my time in Congress. In every case, this work has been about partnerships, cooperation, and empowering folks at the State and local level, including in Harrison County, to fulfill their own dreams and initiatives. And, of course, this work is never complete. Even after I retire from the Senate, I have no intention of retiring from the fight for a better, fairer, richer Iowa. I will always be profoundly grateful for the opportunity to serve the people of Iowa as their Senator.●

TRIBUTE TO SUSAN ALLER-SCHILLING

● Mr. HELLER. Mr. President, today I wish to honor Major Susan Aller-Schilling, a devoted and history-making member of the Nevada Highway Patrol, NHP.

Major Aller-Schilling has served with Nevada's Department of Public Safety for more than 16 years. Rising to the rank of lieutenant before transferring to the NHP, Major Aller-Schilling is the first female trooper in the agency's history to achieve the ranking title of major.

Supporting Nevada's citizens through a tireless dedication to their safety, Major Aller-Schilling has served a vast majority of the State from Las Vegas to Reno, where she has diligently performed as an operations commander since last year. As a major, she will oversee more than 2,560 sworn and civilian personnel.

Today, the NHP boasts well over 300 commissioned officers, each dedicated to ensuring safe, economical, and enjoyable use of the highways. Protecting citizens and assisting law enforcement agencies throughout our State and the Nation are just a few of the services these servicemen selflessly provide.

Aligned with the NHP's mission of protecting safety, Major Aller-Schilling's loyalty and dedication to community well-being has been described as exceptional. Her example of hard work and dedication to a cause greater than herself is demonstrated by this elevation of her rank—the first of its kind. I am grateful for Major Aller-Schilling's character and the role model she is for our State.

I ask my colleagues to join me in honoring Major Aller-Schilling for her steadfast loyalty and dedication to the Great State of Nevada.●

BATTLE OF KENNESAW MOUNTAIN SESQUICENTENNIAL

● Mr. ISAKSON. Mr. President, today I wish to commemorate the sesquicentennial of Georgia's Battle of Kennesaw Mountain that took place on June 27, 1864, and was an important moment in the Civil War's Atlanta campaign.

The Civil War had been underway for more than 3 years when GEN William T. Sherman began his movement south of Chattanooga, TN. Sherman's troops moved south following the general path of the Western and Atlantic Railroad. By mid-June, both the Union and Confederate armies were in the vicinity of Kennesaw Mountain. Both sides had to struggle with a common enemy—rain—that continued for 2½ weeks. From June 4 through June 18, 1864, southern GEN Joseph E. Johnston surprised Sherman by defending a line running from Lost Mountain to Brushy Mountain. A series of attacks on this line forced Johnston to draw back to the Kennesaw line on June 19, 1864. Using Kennesaw Mountain as the anchor for

his line, Johnston's forces prepared a strong defensive position blocking the likely avenues of approach Sherman would use to continue his advance toward Marietta and subsequently to Atlanta.

Following a tactical approach that had been successful throughout the spring, the Union army moved some of its forces to the Confederates' left flank. The Confederates countered and moved one of their corps from the right to the left of their line. Acting without orders from Johnston, John Bell Hood ordered his forces to attack the Union troops. Charging across Valentine Kolb's fields, the Confederates met a devastating combination of artillery and infantry fire from entrenched Union troops. This caused the Confederates to retreat and dig in. Although the attack led to costly casualties for the Confederates it prevented the Union from advancing toward Marietta. It also forced Sherman to change tactics and order a frontal assault on June 27, 1864.

Sherman's troops bombarded the Confederate positions on the morning of June 27 and then advanced along the base of Kennesaw Mountain. The Confederates repulsed this diversionary attack. Rough terrain and a stubborn defense obstructed the Union assault at Pigeon Hill that subsequently fell apart after a couple of hours. At Cheatham Hill, the heaviest fighting occurred along a stretch in the Confederate line dubbed ''Dead Angle'' by Confederate defenders. Union troops made a desperate effort to storm the Confederate trenches. However, the rough terrain and intense Confederate fire combined to defeat the Union army. Within hours, the Battle of Kennesaw Mountain was over. Union casualties numbered some 3,000 men while the Confederates lost 1,000, making it one of the bloodiest single days in the campaign for Atlanta.

In 1899, a lieutenant of the 86th Illinois Infantry purchased 60 acres at Cheatham Hill, the site of the most deadly encounter at Kennesaw Mountain. The land was later transferred to the Kennesaw Memorial Association, which received $20,000 from the State of Illinois to construct a monument on Cheatham Hill to honor the soldiers of the 86th Illinois Regiment who died there. On June 27, 1914, the 50th anniversary of the battle, a marble monument was unveiled and dedicated to those fallen men. In 1917, the land was deeded to the United States government and 9 years later, in 1926, the U.S. Congress passed a law that placed the area under the protection of the War Department.

In 1935, legislation was passed creating Kennesaw Mountain National Battlefield Park on the original 60 acres purchased by the lieutenant of the 86th Illinois Infantry. Today, the Kennesaw Mountain National Battlefield Park consists of nearly 3,000 acres where visitors enjoy 19.7 miles of trails and can see historic earthworks, cannon emplacements, interpretive signs, and three monuments representing States that fought in this momentous battle.●

ARAGON, GEORGIA

● Mr. ISAKSON. Mr. President, I wish to commemorate the Centennial of the city of Aragon, GA, on July 23, 2014.

During the past 100 years, Aragon has seen both good times and difficult times. Through periods of growth, economic struggle and social change, the leaders and residents of Aragon have upheld their commitment to remaining a city.

The origin of the city's name of Aragon has been widely disputed by historians. Some claim that Aragon was named after the Hotel Aragon located on Peachtree Street in Atlanta, GA, where some of the mill owners stayed when visiting the area. Others believe the city was named for the mineral aragonite that was mined nearby.

The city of Aragon was founded in 1899 in Polk County, GA. The city charter was adopted on July 23, 1914, and was approved by Georgia Governor John M. Slaton. The first three commissioners were Fred O. Myers, J.H. Arnold and R.L. Huckabe.

The city was established in 1898 in northwest Georgia following the construction of a mill by Wolcott and Campbell of New York. Over the years, numerous additions and improvements were made to the mill, which employed hundreds of workers and contributed to the livelihood of many families in the community. The mill closed for good in 1994 and remained empty until 1998 when it was purchased by brothers Brian and Kirk Spears and used as a production facility for pillows and wooden pallets until August 6, 2002, when fire engulfed and decimated the complex.

At the time of this centennial celebration, the local government is vested in Mayor Ken Suffridge and Councilmen Curtis Burrus, Mayor Pro Tem Duel Mitchell, Kevin Prewett and Hunter Spinks. They are dedicated to ensuring the city and its citizens are ready for tomorrow's challenges, and remain loyal to its motto, ''A Proud Past With A Promising Future.''

I congratulate the residents of Aragon, GA, on their centennial year and wish them great success with observances that raise awareness of and appreciation for the city of Aragon's contributions to the development and vitality of Polk County, GA. I hope that residents will use this year as an opportunity to learn more about the rich history of their community.●

RECOGNIZING CONCERNS OF POLICE SURVIVORS

● Mrs. McCASKILL. Mr. President, today I wish to recognize and honor the outstanding work of Concerns for Police Survivors C.O.P.S. for 30 years of dedicated service to the families of America's fallen law enforcement officers.

Suzie Sawyer founded the organization 30 years ago as a small grief support organization. In 1993, the organization relocated to Camdenton, MO, where it has grown to serve over 30,000 surviving law enforcement families from all over the United States. The organization now has 50 national chapters and a multimillion dollar yearly budget that is used to host annual seminars, retreats, and provide resources for the surviving families and coworkers of law enforcement officers killed in the line of duty.

I thank Suzie Sawyer for her dedication to this important cause, and I thank C.O.P.S. for 30 years of providing invaluable support to grieving law enforcement families and coworkers.●

TRIBUTE TO VIVIAN SMITH-TALLAN

● Mrs. MURRAY. Mr. President, I wish to recognize the achievements of Ms. Vivian E. ''Bo'' Smith-Tallan. During her years of service, Ms. Smith demonstrated tireless dedication to her country, and specifically to Fairchild Air Force Base and the greater Spokane area.

Ms. Smith-Tallan, who hails from Maryland, entered the Air Force in 1976 directly out of high school. She retired from the Air Force as a master sergeant after serving for 20 years on active duty. Ms. Smith-Tallan completed a degree in law enforcement and is a graduate of the Spokane County Police Academy. Prior to her present position, she was a police officer with the Medical Lake Police Department and bailiff for the Airway Heights courts system.

While on Active Duty in the law enforcement career field, Ms. Smith-Tallan served in numerous capacities including gate guard, patrolman, investigator, pass and registration noncommissioned officer in charge, and flight chief. Her talent earned her a selection as the first female motorcycle patrolman. In 1992 she was assigned as the treaty compliance superintendent and finalized Fairchild Air Force Base's role under the START Treaty in which B–52s were removed from assignment to the base. From there she was assigned as the wing protocol superintendent until her retirement from Active Duty in 1996.

Ms. Smith-Tallan then began serving at Fairchild Air Force Base as a Department of Defense civilian. Through the following 18 years she led an office of 12 airmen as the wing chief of protocol and public relations, consistently ensuring that Fairchild presented a welcoming and professional environment to visitors and the local community.

As chief of protocol she planned, evaluated, and led the arrangements,

protocol and coordination for dignitaries visiting the wing. She developed and executed itineraries compatible with the scope of the visit, to include social events, ceremonies, briefings, lodging, transportation, courtesy and office calls, and tours. She planned and supervised countless renderings of honors, awards, promotions, retirements, change of command ceremonies, dining outs, airshows, intra-service competitions, parades, and other recognitions.

As chief of public relations, Ms. Smith-Tallan planned, organized and directed the activities of the 92nd Air Refueling Wing Public Affairs office to provide installation-level multimedia activities composed of media, community relations, photography and videography. She developed the community relations program and ran the Honorary Commanders and Eagles program to ensure continual outreach of installation commanders with civic leaders. Ms. Smith-Tallan also served as the wing foreign disclosure officer.

Ms. Smith-Tallan consistently goes above and beyond, as exemplified by her multiple Civilian of the Year and Civilian of the Quarter awards, an Exemplary Civilian Service Award, and many more awards she received while serving on Active Duty. Her record of achievement would not have been possible without the love and support of her husband, Robert ''Bob'' Tallan. We thank her family for sharing her with us. Mr. President, I ask that you and my other distinguished colleagues join me in congratulating Ms. Smith-Tallan on her 38 years of outstanding service. For her commitment to the people of Fairchild Air Force Base and the greater Spokane area, she is worthy of the highest praise.●

RECOGNIZING BEST BATH SYSTEMS

● Mr. RISCH. Mr. President, too often we think of business owners as only being concerned with profit. However, countless enterprises have been started based on an idea or a goal to solve a problem or to improve peoples' lives, and often times this is inspired by a need of someone close. It is a privilege to recognize such a company, Idaho's own Best Bath Systems, Inc.

Gary Multanen founded Best Bath Systems in 1971 with the goal of designing and producing baths and showers to help those with special needs. Mr. Multanen was especially motivated to find a solution to his mother's difficulty in using conventional tubs. Over the years, Best Bath Systems has created improvements for nearly every conceivable part of a shower or tub, and has been a leader for walk-in tub design.

It is one thing to tout Mr. Multanen as being an innovator, but the real proof is in the demand from bath product sellers across the country. With $20 million in sales last year to a network of 490 dealers across North America, Best Bath Systems has clearly earned a reputation for quality. In addition to making bath products that help people meet their basic needs, Best Bath Systems also does well by their employees, providing a profit-sharing program.

The Small Business Administration recognized Best Bath Systems' impressive track record and named Mr. Multanen and his family the 2014 Idaho Small Business Person of the Year and is sharing their accomplishments at the National Small Business Week events being held this week in Washington. This award celebrates their continued sales growth, superior customer service, and commitment to their community.

Best Bath Systems has been an active fixture in the Caldwell and Boise communities for a long time with Mr. Multanen serving on the boards of Boise City Parks & Recreation and the Treasure Valley Air Quality Council. In addition, since 2000, Best Bath Systems has a built robust relationship with the Idaho Small Business Development Center, SBDC, where Mr. Multanen currently serves as the chairman of the advisory council and uses his business' success story with the SBDC to motivate other Idaho entrepreneurs. Concern for the environment is also part of Best Bath Systems' community commitment. Best Bath Systems' 106,000 square foot facility in Caldwell, ID uses just 28 percent of their Federal emissions allowance, and they have promoted similar standards for the industry through their trade association, which Mr. Multanen cofounded.

I wish to congratulate Mr. Multanen on being named the 2014 Idaho Small Business Person of the Year and everyone at Best Bath Systems for their 43 years of sales, innovation, and bettering the quality of life for many.●

HALEKULANI'S 30TH ANNIVERSARY

● Mr. SCHATZ. Mr. President, Halekulani is a globally acclaimed luxury resort on Waikiki beach, and it is synonymous with the gracious hospitality of Hawaii. This hotel traces its roots back over 100 years, when ancient Hawaiian fishermen named this beachfront area Halekulani, which means ''house befitting heaven.''

Since its humble beginnings as a collection of guest bungalows in 1917, Halekulani has provided the highest standards of excellence and personalized service, while practicing the aloha spirit of Hawaii.

Through the years, Halekulani has hosted celebrated authors, poets, entertainers, dignitaries, and guests from around the globe, all the while providing an ''oasis of tranquility'' in the heart of Waikiki.

This year, Halekulani will celebrate its 30th year since reopening in 1984 following a property-wide renovation.

Halekulani continues to build upon its legacy and rich tradition of gracious hospitality and sets a high standard for luxury destination resorts in Waikiki. Today, it remains one of the most acclaimed independent luxury hotels in the world, with an international reputation for its award-winning service.

Over the past 30 years, Halekulani has provided unique guest experiences through its support of local culture and the arts institutions in Honolulu, including the Hawaii Symphony Orchestra, the Honolulu Museum of Art, the Bishop Museum, and the Hawaii International Film Festival, offering its international guests special access to some of Honolulu's finest arts and cultural attractions. In addition, through Halekulani's dedicated support of education and humanities causes in the local community, Halekulani has established itself as a dedicated and responsible corporate citizen of Hawaii.

I congratulate Halekulani on its 30th anniversary and for its continued commitment to offering the highest quality of hospitality. Halekulani has helped make Hawaii one of the best leisure and business destinations in the world.●

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–5730. 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 ''Addition of Certain Persons to the Entity List'' (RIN0694–AG12) received in the Office of the President of the Senate on May 6, 2014; to the Committee on Banking, Housing, and Urban Affairs.

EC–5731. 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; Utah; Revisions to UAC Rule 401—Permit: New and Modified Sources'' (FRL No. 9756–5) received in the Office of the President of the Senate on May 8, 2014; to the Committee on Environment and Public Works.

EC–5732. A communication from the Director of the Regulation Policy and Management Office of the General Counsel, Veterans Benefits Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Loan Guaranty: Ability-to-Repay Standards and Qualified Mortgage Definition under the Truth in Lending Act'' (RIN2900–AO65) received during adjournment of the Senate in the Office of the President of the Senate on May 9, 2014; to the Committee on Veterans' Affairs.

EC–5733. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the issuance of an Executive Order declaring a national emergency posed by the situation in and in relation to the Central African Republic; to the Committee on Banking, Housing, and Urban Affairs.

EC–5734. A communication from the President of the United States, transmitting, pursuant to law, a report on the continuation of

the national emergency that was originally declared in Executive Order 13611 of May 16, 2012, with respect to Yemen; to the Committee on Banking, Housing, and Urban Affairs.

EC–5735. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Energy Conservation for Certain Industrial Equipment: Alternative Efficiency Determination Methods and Test Procedures for Walk-In Coolers and Walk-In Freezers'' (RIN1904–AC46) received in the Office of the President of the Senate on May 13, 2014; to the Committee on Energy and Natural Resources.

EC–5736. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to sections 36(c) and 36(d) of the Arms Export Control Act (DDTC 14–041); to the Committee on Foreign Relations.

EC–5737. A communication from the Deputy Director, Center for Disease Control and Prevention, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Possession, Use, and Transfer of Select Agents and Toxins; Biennial Review, Technical Amendment'' (RIN0920–AA34) received in the Office of the President of the Senate on May 12, 2014; to the Committee on Health, Education, Labor, and Pensions.

EC–5738. A communication from the Secretary of the Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled ''Rules and Regulations Under the Textile Fiber Products Identification Act'' (16 CFR Part 303) received in the Office of the President of the Senate on May 12, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5739. A communication from the Secretary of the Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled ''Energy and Water Use Labeling for Consumer Products Under the Energy Policy and Conservation Act (''Energy Labeling Rule'') (RIN3084–AB15) received in the Office of the President of the Senate on May 12, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5740. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Revisions to Dealer Permitting and Reporting Requirements for Species Managed by the Gulf of Mexico and South Atlantic Fishery Management Councils'' (RIN0648–BC12) received in the Office of the President of the Senate on May 12, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5741. A communication from the Senior Attorney, Maritime Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Retrospective Review Under E.O. 13563: War Risk Insurance'' (RIN2133–AB82) received during in the Office of the President of the Senate on May 12, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5742. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Federal Motor Vehicle Safety Standards; Rear Visibility'' (RIN2127–AK43) received in the Office of the President of the Senate on May 12, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5743. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Child Restraint Systems'' (RIN2127–AL35) received in the Office of the President of the Senate on May 12, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5744. A communication from the Deputy Chief of the Policy Division, International Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Revisions of Parts 2 and 25 of the Commission's Rules to Govern the Use of Earth Stations Aboard Aircraft Communicating with Fixed-Satellite Service Geostationary-Orbit Space Stations Operating in the 10.95–11.2 GHz, 11.45–11.7 GHz, 11.7–12.2 GHz and 14.0–14.5 GHz Frequency Bands'' (FCC 14–45) received during adjournment of the Senate in the Office of the President of the Senate on May 9, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5745. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Tohatchi, New Mexico)'' (MB Docket No. 13–250, DA 14–600) received during adjournment of the Senate in the Office of the President of the Senate on May 9, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5746. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Television Broadcasting Services; Seaford and Dover, Delaware'' (MB Docket No. 13–40, DA 14–547) received during adjournment of the Senate in the Office of the President of the Senate on May 9, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5747. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Moran, Texas)'' (MB Docket No. 13–102, DA 14–603) received during adjournment of the Senate in the Office of the President of the Senate on May 9, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5748. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Extension of Effective Date for the Helicopter Air Ambulance, Commercial Helicopter, and Part 91 Helicopter Operations Final Rule'' ((RIN2120–AK47) (Docket No. FAA–2010–0982)) received in the Office of the President of the Senate on May 12, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5749. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Prohibition Against Certain Flights in the Simferopol (UKFV) Flight Information Region (FIR)'' ((RIN2120–AK50) (Docket No. FAA–2014–0225)) received in the Office of the President of the Senate on May 12, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5750. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Part 95 Instrument Flight Rules; Miscellaneous Amendments No. (513)'' (RIN2120–AA63) received in the Office of the President of the Senate on May 12, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5751. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Sikorsky Aircraft Corporation Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2013–0637)) received in the Office of the President of the Senate on May 13, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5752. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2013–1072)) received in the Office of the President of the Senate on May 12, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5753. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Rolls-Royce Deutschland Ltd and Co KG Turbofan Engines'' ((RIN2120–AA64) (Docket No. FAA–2013–0884)) received in the Office of the President of the Senate on May 12, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5754. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Sikorsky Aircraft Corporation (Sikorsky) Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2014–0216)) received in the Office of the President of the Senate on May 12, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5755. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Ballonbau Worner GmbH Balloons'' ((RIN2120–AA64) (Docket No. FAA–2014–0041)) received in the Office of the President of the Senate on May 12, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5756. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2013–0837)) received in the Office of the President of the Senate on May 12, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5757. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; the Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2013–0690)) received in the Office of the President of the Senate on May 12, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5758. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; British Aerospace (Operations) Limited Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0020)) received in the Office of the President of the Senate on May 12, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5759. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives;

Austro Engine GmbH Engines'' ((RIN2120–AA64) (Docket No. FAA–2013–0164)) received in the Office of the President of the Senate on May 12, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5760. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0233)) received in the Office of the President of the Senate on May 12, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5761. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0255)) received in the Office of the President of the Senate on May 12, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5762. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Centrair Gliders'' ((RIN2120–AA64) (Docket No. FAA–2014–0018)) received in the Office of the President of the Senate on May 12, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5763. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; British Aerospace Regional Aircraft Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0042)) received in the Office of the President of the Senate on May 12, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5764. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2013–0425)) received in the Office of the President of the Senate on May 12, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5765. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2013–0829)) received in the Office of the President of the Senate on May 12, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5766. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2013–0363)) received in the Office of the President of the Senate on May 12, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5767. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Alexander Schleicher, Segelflugzeugbau Gliders'' ((RIN2120–AA64) (Docket No. FAA–2014–0019)) received in the Office of the President of the Senate on May 12, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5768. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; ATR–GIE Avions de Transport Regional Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2013–0975)) received in the Office of the President of the Senate on May 12, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5769. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2013–0419)) received in the Office of the President of the Senate on May 12, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5770. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Rolls-Royce Deutschland Ltd and Co KG Turbofan Engines'' ((RIN2120–AA64) (Docket No. FAA–2006–24777)) received in the Office of the President of the Senate on May 12, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5771. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Rolls-Royce Deutschland Ltd and Co KG Turbofan Engines'' ((RIN2120–AA64) (Docket No. FAA–2012–1202)) received in the Office of the President of the Senate on May 12, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5772. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Fokker Services B.V. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2013–0674)) received in the Office of the President of the Senate on May 12, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5773. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Turbomeca S.A. Turboshaft Engines'' ((RIN2120–AA64) (Docket No. FAA–2007–27009)) received in the Office of the President of the Senate on May 12, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5774. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2013–1069)) received in the Office of the President of the Senate on May 12, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5775. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2013–0668)) received in the Office of the President of the Senate on May 12, 2014; to the Committee on Commerce, Science, and Transportation.

EC–5776. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Fokker Services B.V. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2013–0865)) received in the Office of the President of the Senate on May 12, 2014; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ROCKEFELLER, from the Committee on Commerce, Science, and Transportation, without amendment:

S. 2076. A bill to amend the provisions of title 46, United States Code, related to the Board of Visitors to the United States Merchant Marine Academy, and for other purposes (Rept. No. 113–158).

By Ms. LANDRIEU, from the Committee on Energy and Natural Resources, with an amendment:

S. 753. A bill to provide for national security benefits for White Sands Missile Range and Fort Bliss (Rept. No. 113–159).

By Ms. LANDRIEU, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 1169. A bill to withdraw and reserve certain public land in the State of Montana for the Limestone Hills Training Area, and for other purposes (Rept. No. 113–160).

S. 1309. A bill to withdraw and reserve certain public land under the jurisdiction of the Secretary of the Interior for military uses, and for other purposes (Rept. No. 113–161).

EXECUTIVE REPORT OF COMMITTEE

The following executive report of a nomination was submitted:

By Mr. HARKIN for the Committee on Health, Education, Labor, and Pensions.

*R. Jane Chu, of Missouri, to be Chairperson of the National Endowment for the Arts for a term of four years.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

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. COONS (for himself and Mr. PORTMAN):

S. 2332. A bill to expand benefits to the families of public safety officers who suffer fatal climate-related injuries sustained in the line of duty and proximately resulting in death; to the Committee on the Judiciary.

By Mrs. MURRAY (for herself, Mr. BLUNT, Mrs. GILLIBRAND, and Mr. RUBIO):

S. 2333. A bill to amend title 10, United States Code, to provide for certain behavioral health treatment under TRICARE for children and adults with developmental disabilities; to the Committee on Armed Services.

By Mr. KING (for himself and Mr. BURR):

S. 2334. A bill to amend the Small Business Act and title 38, United States Code, to provide for a consolidated definition of a small business concern owned and controlled by veterans, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. RISCH:

S. 2335. A bill to exempt certain 16 and 17 year-old children employed in logging or mechanized operations from child labor laws; to the Committee on Health, Education, Labor, and Pensions.

By Mr. RUBIO:

S. 2336. A bill to eliminate the payroll tax for individuals who have attained retirement age, to amend title II of the Social Security Act to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits under such title, and for other purposes; to the Committee on Finance.

By Ms. MURKOWSKI (for herself, Mr. FRANKEN, Ms. KLOBUCHAR, Mrs. FEINSTEIN, Mr. BEGICH, Mr. WHITEHOUSE, Mr. LEVIN, and Mr. PRYOR):

S. 2337. A bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to inter in national cemeteries individuals who supported the United States in Laos during the Vietnam War era; to the Committee on Veterans' Affairs.

By Mr. ROCKEFELLER (for himself and Mr. THUNE):

S. 2338. A bill to reauthorize the United States Anti-Doping Agency, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BARRASSO (for himself, Mr. HATCH, Mr. ENZI, Mr. MCCAIN, Mr. COBURN, and Mr. CHAMBLISS):

S. 2339. A bill to amend the Patient Protection and Affordable Care Act to require States with failed American Health Benefit Exchanges to reimburse the Federal Government for amounts provided under grants for the establishment and operation of such Exchanges; to the Committee on Finance.

By Mr. BOOKER:

S. 2340. A bill to amend the Higher Education Act of 1965 to require the Secretary to provide for the use of data from the second preceding tax year to carry out the simplification of applications for the estimation and determination of financial aid eligibility, to increase the income threshold to qualify for zero expected family contribution, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mrs. FEINSTEIN (for herself and Mr. ISAKSON):

S. Res. 445. A resolution recognizing the importance of cancer research and the contributions of scientists, clinicians, and patient advocates across the United States who are dedicated to finding a cure for cancer, and designating May 2014 as ''National Cancer Research Month''; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 162

At the request of Mr. FRANKEN, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 162, a bill to reauthorize and improve the Mentally Ill Offender Treatment and Crime Reduction Act of 2004.

S. 357

At the request of Mr. CARDIN, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 357, a bill to encourage, enhance, and integrate Blue Alert plans throughout the United States in order to disseminate information when a law enforcement officer is seriously injured or killed in the line of duty.

S. 411

At the request of Mr. ROCKEFELLER, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 411, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 429

At the request of Mr. NELSON, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 429, a bill to enable concrete masonry products manufacturers to establish, finance, and carry out a coordinated program of research, education, and promotion to improve, maintain, and develop markets for concrete masonry products.

S. 539

At the request of Mrs. SHAHEEN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 539, a bill to amend the Public Health Service Act to foster more effective implementation and coordination of clinical care for people with pre-diabetes and diabetes.

S. 1181

At the request of Mr. MENENDEZ, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 1181, a bill to amend the Internal Revenue Code of 1986 to exempt certain stock of real estate investment trusts from the tax on foreign investments in United States real property interests, and for other purposes.

S. 1445

At the request of Mr. PRYOR, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1445, a bill to amend the Public Health Service Act to provide for the participation of optometrists in the National Health Service Corps scholarship and loan repayment programs, and for other purposes.

S. 1622

At the request of Ms. HEITKAMP, the names of the Senator from Michigan (Ms. STABENOW) and the Senator from Nebraska (Mrs. FISCHER) were added as cosponsors of S. 1622, a bill to establish the Alyce Spotted Bear and Walter Soboleff Commission on Native Children, and for other purposes.

S. 1675

At the request of Mr. WHITEHOUSE, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 1675, a bill to reduce recidivism and increase public safety, and for other purposes.

S. 1695

At the request of Ms. CANTWELL, the names of the Senator from Oregon (Mr. WYDEN), the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from Missouri (Mrs. MCCASKILL) were added as cosponsors of S. 1695, a bill to designate a portion of the Arctic National Wildlife Refuge as wilderness.

S. 1803

At the request of Mr. DURBIN, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 1803, a bill to require certain protections for student loan borrowers, and for other purposes.

S. 1908

At the request of Mr. CORNYN, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 1908, a bill to allow reciprocity for the carrying of certain concealed firearms.

S. 1948

At the request of Mr. TESTER, the name of the Senator from Montana (Mr. WALSH) was added as a cosponsor of S. 1948, a bill to promote the academic achievement of American Indian, Alaska Native, and Native Hawaiian children with the establishment of a Native American language grant program.

S. 1957

At the request of Mr. BENNET, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 1957, a bill to establish the American Infrastructure Fund, to provide bond guarantees and make loans to States, local governments, and infrastructure providers for investments in certain infrastructure projects, and to provide equity investments in such projects, and for other purposes.

S. 2004

At the request of Mr. BEGICH, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 2004, a bill to ensure the safety of all users of the transportation system, including pedestrians, bicyclists, transit users, children, older individuals, and individuals with disabilities, as they travel on and across federally funded streets and highways.

S. 2013

At the request of Mr. RUBIO, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 2013, a bill to amend title 38, United States Code, to provide for the removal of Senior Executive Service employees of the Department of Veterans Affairs for performance, and for other purposes.

S. 2082

At the request of Mr. MENENDEZ, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 2082, a bill to provide for the development of criteria under the Medicare program for medically necessary short inpatient hospital stays, and for other purposes.

S. 2091

At the request of Mr. HELLER, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 2091, a bill to amend title 38, United States Code, to improve the processing by the Department of Veterans Affairs of claims for benefits

under laws administered by the Secretary of Veterans Affairs, and for other purposes.

S. 2292

At the request of Ms. WARREN, the names of the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Maryland (Mr. CARDIN) were added as cosponsors of S. 2292, a bill to amend the Higher Education Act of 1965 to provide for the refinancing of certain Federal student loans, and for other purposes.

S. 2295

At the request of Mr. LEAHY, the names of the Senator from North Dakota (Ms. HEITKAMP) and the Senator from New Mexico (Mr. HEINRICH) were added as cosponsors of S. 2295, a bill to establish the National Commission on the Future of the Army, and for other purposes.

S. 2299

At the request of Mr. JOHNSON of South Dakota, the name of the Senator from Montana (Mr. WALSH) was added as a cosponsor of S. 2299, a bill to amend the Native American Programs Act of 1974 to reauthorize a provision to ensure the survival and continuing vitality of Native American languages.

S. 2302

At the request of Mrs. SHAHEEN, the names of the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Montana (Mr. WALSH) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 2302, a bill to provide for a 1-year extension of the Afghan Special Immigrant Visa Program, and for other purposes.

S. 2316

At the request of Mr. THUNE, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S. 2316, a bill to require the Inspector General of the Department of Veterans Affairs to submit a report on wait times for veterans seeking medical appointments and treatment from the Department of Veterans Affairs, to prohibit closure of medical facilities of the Department, and for other purposes.

AMENDMENT NO. 3059

At the request of Ms. AYOTTE, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of amendment No. 3059 intended to be proposed to H.R. 3474, a bill to amend the Internal Revenue Code of 1986 to allow employers to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of the employer mandate under the Patient Protection and Affordable Care Act.

AMENDMENT NO. 3062

At the request of Mr. HATCH, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of amendment No. 3062 intended to be proposed to H.R. 3474, a bill to amend the Internal Revenue Code of 1986 to allow employers to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of the employer mandate under the Patient Protection and Affordable Care Act.

AMENDMENT NO. 3064

At the request of Mr. MORAN, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of amendment No. 3064 intended to be proposed to H.R. 3474, a bill to amend the Internal Revenue Code of 1986 to allow employers to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of the employer mandate under the Patient Protection and Affordable Care Act.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. RISCH:

S. 2335. A bill to exempt certain 16- and 17-year-old children employed in logging or mechanized operations from child labor laws; to the Committee on Health, Education, Labor, and Pensions.

Mr. RISCH. Mr. President, Senator CRAPO and I would like to introduce the Youth Careers in Logging Act. Small family logging companies, much like family farms, rely on younger family members to help make their companies successful. The agriculture industry enjoys exemptions from child labor laws to allow for family members to learn the trade and carry on the family business. This bill will provide those same benefits for the logging industry.

The logging industry is struggling to recruit young employees. This industry, like many others, has an aging work force that will soon retire. Modern mechanized machinery opens up opportunities for a new tech-savvy generation of loggers if we give them the chance.

There are 400 independent logging contractor businesses in Idaho, most of which are family owned and operated. Current labor laws do not allow the children of these family owned businesses to work and learn in the same profession as their parents.

Should the Youth Careers in Logging Act be enacted, starting at the age of 16 young adults will be allowed to operate safe and modern machinery. These young loggers will help Idaho and the country to create healthy, fire resilient forests and bring much needed natural resources into our marketplace to help make paper and build homes.

By passing this legislation, Congress can help young adults earn good wages through hard work in the great outdoors that will create a generation of young Americans that understand the value of a great work ethic.

By Ms. MURKOWSKI (for herself, Mr. FRANKEN, Ms. KLOBUCHAR, Mrs. FEINSTEIN, Mr. BEGICH, Mr. WHITEHOUSE, Mr. LEVIN, and Mr. PRYOR):

S. 2337. A bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to inter in national cemeteries individuals who supported the United States in Laos during the Vietnam War era; to the Committee on Veterans' Affairs.

Ms. MURKOWSKI. Mr. President I have come to the floor today to reintroduce a piece of legislation that I feel is long overdue. The Hmong Veterans' Service Recognition Act is a bill to authorize the interment in national cemeteries of Hmong veterans who served in support of U.S. forces during the Vietnam War. Thousands of members of the Hmong community fought for America during Vietnam yet they enjoy no rights as veterans. The Hmong veterans are requesting to be buried in national cemeteries and I, along with a bipartisan group of colleagues, Senators FRANKEN, KLOBUCHAR, FEINSTEIN, BEGICH, WHITEHOUSE, and PRYOR, believe this is an appropriate honor.

To preserve Laos's neutrality during the Vietnam War, the U.S., Soviet Union, North Vietnam, and ten other countries signed the 1962 Geneva Declaration prohibiting all foreign military personnel from Laos. While the U.S. and other countries withdrew all military personnel, the North Vietnamese Army blatantly violated the Geneva Declaration by keeping thousands of troops in Laos. Using Laotian territory to circumvent borders, these NVA forces posed a direct threat to America's military position in South Vietnam. Unable to be present in Laos, but needing to counteract the NVA, America required a covert military force. The Hmong were ideal candidates for America's secret war—they were renowned as being brave fighters who knew the rocky mountain terrain of Northern Laos well.

All told, the U.S. Central Intelligence Agency conducted covert operations in Laos which employed some 60,000 Hmong volunteers in Special Guerilla Units. The Hmong Fighters interrupted operations on the Ho Chi Minh trail and assisted in downed aircraft recovery operations of American Airmen. In Laos, they valiantly fought the Vietnamese and Laotian Communists for over a decade and were critical to America's war efforts in Vietnam. In all, over 35,000 Hmong lost their lives by the end of our involvement in Vietnam.

Since the end of the Vietnam War, thousands of Hmong and Lao families have resettled around the United States to become legal permanent residents or United States citizens and have greatly contributed to American society. There are currently over 260,000 Hmong people in America. According to the 2010 Census, the heaviest concentrations are in California, Minnesota, Wisconsin, North Carolina, Michigan, Colorado, Georgia, Oklahoma, Oregon, and my home State of Alaska.

Of the Hmong who became U.S. citizens, approximately 6,000 veterans are

still with us today, and they deserve the choice to be buried in national cemeteries. This concept is not without precedent. Currently, burial benefits are available for Philippine Armed Forces veterans who answered the call to serve during World War II, just like the Hmong. This legislation would not grant the small group of Hmong veterans full veteran benefits, but would simply authorize their interment in national cemeteries across the Nation. A small, but deserved token of appreciation and an appropriate honor for their sacrifices towards a common goal of democracy and freedom in the world.

This new legislation is improved from the previous version, S. 200, in that it connects with Public Law 106–207: The Hmong Veterans' Naturalization Act of 2000 which acknowledges Hmong Special Guerilla Unit's contributions during Vietnam and provides a path to validation of a Hmong veteran's service for the purpose of naturalization. Public Law already recognizes the service of Hmong Special Guerilla Unit veterans for the purpose of naturalization, so it is a natural connection to afford them burial rights as well.

Hmong-Americans who fought and risked their lives in secret for America deserve the same public respect and honor we give the men and women they served with and rescued. I believe it's time to honor the service and sacrifice of Hmong Special Guerilla Unit Veterans by allowing them to be buried alongside their brothers in arms in our national cemeteries. Again, I appreciate the support of my colleagues from across the aisle for this legislation and look forward to working with them and others in the Senate to finally getting this approved into law this year.

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

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

S. 2337

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 ''Hmong Veterans' Service Recognition Act''.

SEC. 2. ELIGIBILITY FOR INTERMENT IN NATIONAL CEMETERIES.

(a) IN GENERAL.—Section 2402(a) of title 38, United States Code, is amended by adding at the end the following new paragraph:

''(10) Any individual—

''(A) who—

''(i) was naturalized pursuant to section 2(1) of the Hmong Veterans' Naturalization Act of 2000 (Public Law 106–207; 8 U.S.C. 1423 note); and

''(ii) at the time of the individual's death resided in the United States; or

''(B) who—

''(i) the Secretary determines served with a special guerrilla unit or irregular forces operating from a base in Laos in support of the Armed Forces of the United States at any time during the period beginning February 28, 1961, and ending May 7, 1975; and

''(ii) at the time of the individual's death—

''(I) was a citizen of the United States or an alien lawfully admitted for permanent residence in the United States; and

''(II) resided in the United States.''.

(b) EFFECTIVE DATE.—The amendment made by this Act shall apply with respect to an individual dying on or after the date of the enactment of this Act.

By Mr. BARRASSO (for himself, Mr. HATCH, Mr. ENZI, Mr. MCCAIN, Mr. COBURN, and Mr. CHAMBLISS):

S. 2339. A bill to amend the Patient Protection and Affordable Care Act to require States with failed American Health Benefit Exchanges to reimburse the Federal Government for amounts provided under grants for the establishment and operation of such Exchanges; to the Committee on Finance.

Mr. BARRASSO. Mr. President, yesterday I came to the floor to address remarks made by the majority leader. Just yesterday the majority leader came to the floor and said the Republicans were ''going quiet'' on health care. Senator REID said ObamaCare is no longer high on the Republicans' radar screen. Yesterday I said that it was certainly still very high on my radar screen and that Republicans have every intention of continuing to focus on the Democrats' health care law and all of its harmful side effects.

Americans all across the country have been feeling those damaging side effects of the President's health care law, and the side effects are getting worse. Hard-working middle-class families who didn't want this health care law in the first place are facing higher premiums. They are facing smaller paychecks. They are facing fewer jobs, fewer doctors, and many other problems as a result specifically of the President's health care law.

Today I want to talk about another side effect of the law; that is, the millions, if not billions, of taxpayer dollars that have been absolutely wasted by bureaucrats who set up State health insurance exchanges that have failed. Under the health care law, States could choose to set up their own exchange or to use the Federal exchange. States got Federal grants to help plan which one they would do. If a State decided to set up its own exchange, it got even more money from Washington to cover the costs.

So how much money are we talking about? Well, according to the Congressional Research Service, the Federal Government has awarded grants of over $7.4 billion as of this March.

People all across the country know the Federal exchange was an absolute train wreck when it was launched. In one State after another, the State exchanges also have been collapsing and costing taxpayers a fortune. Now some of those States have absolutely given up. They have decided they want to scrap their own systems and go into the Federal exchange after all—an option they had at first, but they decided to go first to the State exchange and now it has failed. What they have done is they have spent a lot of taxpayer money—money Washington sent to them. Where is the money? The money is gone. Their system doesn't work, and now what they want to do is have a fresh start.

President Obama says Democrats should forcefully defend and be proud of the law. I want to see where the people are now coming to the floor to forcefully defend and be proud of this health care law.

I ask the President—is he proud that these ObamaCare exchanges are failing all across the country? Are Democrats who voted for this health care law ready to forcefully defend all the taxpayer dollars that we now know have been wasted? Democrats don't want to talk about the law's expensive side effects or about the Americans harmed by the law.

Republicans have been offering solutions. Today Senator HATCH and I are introducing legislation that would address these State failures and protect taxpayers. After all, that is what Americans want. They want accountability for their hard-earned taxpayer dollars. This bill, called the State Exchange Accountability Act, says that if the State got Federal money to set up its own exchange and later decided to give up and move back on to the Federal exchange, it would have to pay back the money. It is that simple. Taxpayers shouldn't have to pay twice for the mistakes of incompetent State bureaucrats who couldn't set up a working health care exchange. States would have 10 years to pay back the grants. They would have to pay them back in full. I know State budgets are tight, so they wouldn't have to come up with the whole amount all at once. They would pay back 10 percent of the total each year for the next 10 years. These States that walk away from their exchanges are conceding that they wasted the money they received, and it is only fair that these States should repay the American taxpayers.

The failure of these exchanges and the money squandered on them was a side effect of the health care law. Democrats told States they could set up these exchanges and Washington would pay the bill. So some States didn't really care what it cost. They didn't care if the work was being done well or even done at all. As far as they were concerned, don't worry, whether it works or not it is somebody else's money.

Well, this bill I am introducing today tells these State bureaucracies that it is time for them to care about the money they have wasted. This won't fix all of the harmful side effects the Democrats created with the health care law, but it is a start, and it is the right thing to do.

If you want a sense of how big the problem is, look at an article that ran in Politico on Monday this week. The headline is ''Four States in a Fix Over Their Troubled Exchanges.'' The article talks about four State exchanges

that basically embraced ObamaCare: Massachusetts, Maryland, Nevada, Oregon. It says that these four State exchanges spent at least $474 million and ''are now in shambles.''

Look at it—Maryland, $118 million; Massachusetts, $57 million; Nevada, $51 million; for Oregon, $248 million of taxpayer money from around the country was sent to Oregon for programs that are now in shambles. So now some of these States want even more money to fix what has gone wrong in the first place.

According to Politico, Maryland spent $118 million to set up its own exchange, and State officials did such a bad job that they are now planning to scrap the whole thing and use software from Connecticut's exchange. Massachusetts spent $57 million. Politico called the program in Massachusetts ''fatally crippled.'' Nevada spent $51 million. Politico says salvaging that exchange ''would be a huge feat.'' Oregon spent $248 million to set up its own exchange. It was such a spectacular failure that CNBC ran a headline on May 5 stating ''FBI probing Oregon's ObamaCare exchange.'' The FBI is probing the exchange. The State plans to use the Federal exchange from now on, getting rid of their State exchange. That is the kind of double-dipping our bill goes after.

Why should Democrats in Washington, DC, be telling taxpayers across America that they have to pay for the failures of State officials in Massachusetts, Nevada, Maryland, Oregon, and other States that may find themselves in the same situation?

Democrats have said and the President continues to say that he wants everyone to have a fair shot. Are Americans from other States who have to pay higher taxes because of these failed exchanges getting a fair shot? Well, they are not.

Our bill will start to give a fair shot to Americans who don't want to pay twice to bail out incompetent State bureaucrats. It will give a fair shot to Americans who want to reclaim some of their hard-earned taxpayer dollars.

This is just one of many ideas Republicans have offered and will continue to offer to create a patient-centered approach to health care. The plans we have offered will solve the biggest problems families face, which is the cost of care and access to care, problems that seem to have been ignored when Democrats forced this law through Congress. That means measures that would allow small businesses to pull together in order to buy health insurance for employees. Small businesses deserve a fair shot. It means letting people shop for health insurance that works for them and their families—not what the government says is best for them but what they say is best for themselves and their families. People deserve a fair shot at buying a plan that is best for themselves and their families. It means adequately funding State high-risk pools that help people get insurance—people who have disease, people who are sick—without raising the costs for healthier people. These are just a few of the solutions Republicans have offered and continue to offer to give Americans real health care reform and a real fair shot, health care reform that gives people the care they need from a doctor they choose at lower costs, without all of the harmful and expensive ObamaCare side effects.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 445—RECOGNIZING THE IMPORTANCE OF CANCER RESEARCH AND THE CONTRIBUTIONS OF SCIENTISTS, CLINICIANS, AND PATIENT ADVOCATES ACROSS THE UNITED STATES WHO ARE DEDICATED TO FINDING A CURE FOR CANCER, AND DESIGNATING MAY 2014 AS ''NATIONAL CANCER RESEARCH MONTH''

Mrs. FEINSTEIN (for herself and Mr. ISAKSON) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 445

Whereas in 2014, cancer remains one of the most pressing public health concerns in the United States;

Whereas in 2014, more than 1,600,000 individuals in the United States are expected to be diagnosed with cancer and more than 585,000 individuals in the United States are expected to die from the disease;

Whereas 1 in 2 men in the United States will be diagnosed with cancer during his lifetime, and 1 in 3 women in the United States will be diagnosed with cancer during her lifetime;

Whereas 77 percent of individuals diagnosed with cancer are over the age of 55;

Whereas cancer accounts for approximately 1 in every 4 deaths, is the second most common cause of disease-related death in the United States, and is projected to become the number 1 disease-related killer of individuals in the United States;

Whereas racial and ethnic minorities, as well as low-income and elderly populations, continue to suffer disproportionately in cancer incidence, prevalence, and mortality;

Whereas the term ''cancer'' refers to more than 200 diseases that collectively represent—

(1) the leading cause of death for individuals in the United States under the age of 85; and

(2) the second leading cause of death for all individuals in the United States;

Whereas cancer is expected to cost the United States economy an estimated $216,000,000,000 in 2014, and the economic burden of cancer is expected to rise as the number of cancer deaths increases;

Whereas the United States investment in cancer research has yielded substantial advances in cancer research and has saved many lives;

Whereas scholars estimate that every 1 percent decline in cancer mortality saves the United States economy $500,000,000,000;

Whereas advancements in understanding the causes, mechanisms, diagnoses, treatment, and prevention of cancer have led to cures for many types of cancer and have converted other types of cancer into manageable chronic conditions;

Whereas the 5-year survival rate for all types of cancer was greater than 65 percent in 2011, improving between 1981 and 2011, and more than 13,700,000 cancer survivors were living in the United States in 2011;

Whereas therapy and effective screening tools for some types of cancer remain elusive, and some cancers, including pancreatic, liver, lung, ovarian, and brain cancer, continue to have extraordinarily high mortality rates and 5-year survival rates that are typically less than 50 percent;

Whereas partnerships among research scientists, the general public, cancer survivors, patient advocates, philanthropic organizations, industry, and Federal, State, and local governments have led to advanced breakthroughs, early detection tools that have increased survival rates, and a better quality of life for cancer survivors;

Whereas precision medicine holds great promise in treating cancer; and

Whereas advances in cancer research have had significant implications for the treatment of other costly diseases, such as diabetes, heart disease, Alzheimer's disease, HIV/AIDS, and macular degeneration: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the importance of cancer research and the invaluable contributions of researchers in the United States and around the world who are dedicated to reversing the cancer epidemic;

(2) designates May 2014 as ''National Cancer Research Month''; and

(3) supports efforts to establish cancer research as a national and international priority to eventually eliminate the more than 200 diseases that collectively represent cancer.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3065. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 3474, to amend the Internal Revenue Code of 1986 to allow employers to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of the employer mandate under the Patient Protection and Affordable Care Act; which was ordered to lie on the table.

SA 3066. Mr. MCCAIN (for himself, Mr. COBURN, and Mr. LEE) submitted an amendment intended to be proposed by him to the bill H.R. 3474, supra; which was ordered to lie on the table.

SA 3067. Mr. MCCAIN (for himself, Mr. COBURN, and Mr. LEE) submitted an amendment intended to be proposed by him to the bill H.R. 3474, supra; which was ordered to lie on the table.

SA 3068. Mr. MCCAIN (for himself, Mr. COBURN, and Mr. LEE) submitted an amendment intended to be proposed by him to the bill H.R. 3474, supra; which was ordered to lie on the table.

SA 3069. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill H.R. 3474, supra; which was ordered to lie on the table.

SA 3070. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill H.R. 3474, supra; which was ordered to lie on the table.

SA 3071. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill H.R. 3474, supra; which was ordered to lie on the table.

SA 3072. Mr. ROBERTS (for himself, Mr. ENZI, Mr. HATCH, Mr. BURR, Mr. FLAKE, Mr. ISAKSON, Mr. CORNYN, Mr. THUNE, Mr. CRAPO, and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the bill

H.R. 3474, supra; which was ordered to lie on the table.

SA 3073. Mr. ROBERTS (for himself and Mr. BARRASSO) submitted an amendment intended to be proposed by him to the bill H.R. 3474, supra; which was ordered to lie on the table.

SA 3074. Mr. ROBERTS (for himself, Mr. FLAKE, Mr. ISAKSON, Mr. THUNE, Mr. ENZI, Mr. CORNYN, Mr. HATCH, Mr. CRAPO, and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the bill H.R. 3474, supra; which was ordered to lie on the table.

SA 3075. Ms. MURKOWSKI (for herself and Mr. BEGICH) submitted an amendment intended to be proposed by her to the bill H.R. 3474, supra; which was ordered to lie on the table.

SA 3076. Mr. BARRASSO (for himself, Mr. HATCH, Mr. ROBERTS, Mr. ENZI, and Mr. ISAKSON) submitted an amendment intended to be proposed by him to the bill H.R. 3474, supra; which was ordered to lie on the table.

SA 3077. Mr. THUNE (for himself, Mr. ROBERTS, Mr. ISAKSON, and Mr. FLAKE) submitted an amendment intended to be proposed by him to the bill H.R. 3474, supra; which was ordered to lie on the table.

SA 3078. Mr. THUNE (for himself, Mr. CORNYN, Mr. ROBERTS, and Mr. ISAKSON) submitted an amendment intended to be proposed by him to the bill H.R. 3474, supra; which was ordered to lie on the table.

SA 3079. Mr. THUNE (for himself, Mr. CARDIN, and Mr. ROBERTS) submitted an amendment intended to be proposed by him to the bill H.R. 3474, supra; which was ordered to lie on the table.

SA 3080. Mr. THUNE submitted an amendment intended to be proposed by him to the bill H.R. 3474, supra; which was ordered to lie on the table.

SA 3081. Mr. COONS (for himself, Mr. MORAN, Ms. STABENOW, and Ms. MURKOWSKI) submitted an amendment intended to be proposed by him to the bill H.R. 3474, supra; which was ordered to lie on the table.

SA 3082. Mr. KING submitted an amendment intended to be proposed by him to the bill H.R. 3474, supra; which was ordered to lie on the table.

SA 3083. Mr. BOOKER (for himself and Mr. SCOTT) submitted an amendment intended to be proposed by him to the bill H.R. 3474, supra; which was ordered to lie on the table.

SA 3084. Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill H.R. 3474, supra; which was ordered to lie on the table.

SA 3085. Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill H.R. 3474, supra; which was ordered to lie on the table.

SA 3086. Mr. HATCH (for himself, Mr. ALEXANDER, Mr. COATS, and Mr. THUNE) submitted an amendment intended to be proposed by him to the bill H.R. 3474, supra; which was ordered to lie on the table.

SA 3087. Mr. HATCH (for himself, Mr. ALEXANDER, and Mr. THUNE) submitted an amendment intended to be proposed by him to the bill H.R. 3474, supra; which was ordered to lie on the table.

SA 3088. Mr. BURR (for himself and Mr. MANCHIN) submitted an amendment intended to be proposed by him to the bill H.R. 3474, supra; which was ordered to lie on the table.

SA 3089. Mr. REID proposed an amendment to amendment SA 3060 proposed by Mr. WYDEN to the bill H.R. 3474, supra.

SA 3090. Mr. REID proposed an amendment to amendment SA 3089 proposed by Mr. REID to the amendment SA 3060 proposed by Mr. WYDEN to the bill H.R. 3474, supra.

SA 3091. Mr. REID proposed an amendment to the bill H.R. 3474, supra.

SA 3092. Mr. REID proposed an amendment to amendment SA 3091 proposed by Mr. REID to the bill H.R. 3474, supra.

SA 3093. Mr. REID proposed an amendment to the bill H.R. 3474, supra.

SA 3094. Mr. REID proposed an amendment to amendment SA 3093 proposed by Mr. REID to the bill H.R. 3474, supra.

SA 3095. Mr. REID proposed an amendment to amendment SA 3094 proposed by Mr. REID to the amendment SA 3093 proposed by Mr. REID to the bill H.R. 3474, supra.

SA 3096. Mr. REID (for Mr. COONS) proposed an amendment to the resolution S. Res. 314, commemorating and supporting the goals of World AIDS Day.

SA 3097. Mr. REID (for Mr. COONS) proposed an amendment to the resolution S. Res. 314, supra.

SA 3098. Ms. CANTWELL (for herself, Mr. THUNE, Mr. CORNYN, Mr. NELSON, Mrs. MURRAY, and Mr. ENZI) submitted an amendment intended to be proposed by her to the bill H.R. 3474, to amend the Internal Revenue Code of 1986 to allow employers to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of the employer mandate under the Patient Protection and Affordable Care Act; which was ordered to lie on the table.

SA 3099. Mrs. HAGAN submitted an amendment intended to be proposed by her to the bill H.R. 3474, supra; which was ordered to lie on the table.

SA 3100. Mr. GRASSLEY (for himself and Mr. NELSON) submitted an amendment intended to be proposed by him to the bill H.R. 3474, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3065. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 3474, to amend the Internal Revenue Code of 1986 to allow employers to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of the employer mandate under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE __—FOREIGN EARNINGS REINVESTMENT

SEC. __01. SHORT TITLE.

This title may be cited as the ''Foreign Earnings Reinvestment Act''.

SEC. __02. ALLOWANCE OF TEMPORARY DIVIDENDS RECEIVED DEDUCTION FOR DIVIDENDS RECEIVED FROM A CONTROLLED FOREIGN CORPORATION.

(a) APPLICABILITY OF PROVISION.—

(1) IN GENERAL.—Subsection (f) of section 965 is amended to read as follows:

''(f) ELECTION; ELECTION YEAR.—

''(1) IN GENERAL.—The taxpayer may elect to apply this section to—

''(A) the taxpayer's last taxable year which begins before the date of the enactment of the Foreign Earnings Reinvestment Act, or

''(B) the taxpayer's first taxable year which begins during the 1-year period beginning on such date.

Such election may be made for a taxable year only if made on or before the due date (including extensions) for filing the return of tax for such taxable year.

''(C) ELECTION YEAR.—For purposes of this section, the term 'election year' means the taxable year—

''(i) which begins after the date that is one year before the date of the enactment of the Foreign Earnings Reinvestment Act, and

''(ii) to which the taxpayer elects under paragraph (1) to apply this section.''.

(2) CONFORMING AMENDMENTS.—

(A) EXTRAORDINARY DIVIDENDS.—Section 965(b)(2) is amended—

(i) by striking ''June 30, 2003'' and inserting ''April 30, 2014'', and

(ii) by adding at the end the following new sentence: ''The amounts described in clauses (i), (ii), and (iii) shall not include any amounts which were taken into account in determining the deduction under subsection (a) for any prior taxable year.''.

(B) DETERMINATIONS RELATING TO RELATED PARTY INDEBTEDNESS.—Section 965(b)(3)(B) is amended by striking ''October 3, 2004'' and inserting ''April 30, 2014''.

(C) DETERMINATIONS RELATING TO BASE PERIOD.—Section 965(c)(2) is amended by striking ''June 30, 2003'' and inserting ''April 30, 2014''.

(b) DEDUCTION INCLUDES CURRENT AND ACCUMULATED FOREIGN EARNINGS.—

(1) IN GENERAL.—Paragraph (1) of section 965(b) is amended to read as follows:

''(1) IN GENERAL.—The amount of dividends taken into account under subsection (a) shall not exceed the sum of the current and accumulated earnings and profits described in section 959(c)(3) for the year a deduction is claimed under subsection (a), without diminution by reason of any distributions made during the election year, for all controlled foreign corporations of the United States shareholder.''.

(2) CONFORMING AMENDMENTS.—

(A) Section 965(c), as amended by subsection (a), is amended by striking paragraph (1) and by redesignating paragraphs (2), (3), (4), and (5), as paragraphs (1), (2), (3), and (4), respectively.

(B) Paragraph (4) of section 965(c), as redesignated by subparagraph (A), is amended to read as follows:

''(4) CONTROLLED GROUPS.—All United States shareholders which are members of an affiliated group filing a consolidated return under section 1501 shall be treated as one United States shareholder.''.

(c) AMOUNT OF DEDUCTION.—

(1) IN GENERAL.—Paragraph (1) of section 965(a) is amended by striking ''85 percent'' and inserting ''75 percent''.

(2) BONUS DEDUCTION IN SUBSEQUENT TAXABLE YEAR FOR INCREASING JOBS.—Section 965 is amended by adding at the end the following new subsection:

''(g) BONUS DEDUCTION.—

''(1) IN GENERAL.—In the case of any taxpayer who makes an election to apply this section, there shall be allowed as a deduction for the first taxable year following the election year an amount equal to the applicable percentage of the cash dividends which are taken into account under subsection (a) with respect to such taxpayer for the election year.

''(2) APPLICABLE PERCENTAGE.—For purposes of paragraph (1), the applicable percentage is the amount which bears the same ratio (not greater than 1) to 10 percent as—

''(A) the excess (if any) of—

''(i) the qualified payroll of the taxpayer for the calendar year which begins with or within the first taxable year following the election year, over

''(ii) the qualified payroll of the taxpayer for calendar year 2013, bears to

''(B) 10 percent of the qualified payroll of the taxpayer for calendar year 2013.

''(3) QUALIFIED PAYROLL.—For purposes of this paragraph:

''(A) IN GENERAL.—The term 'qualified payroll' means, with respect to a taxpayer for any calendar year, the aggregate wages (as defined in section 3121(a)) paid by the corporation during such calendar year.

''(B) EXCEPTION FOR CHANGES IN OWNERSHIP OF TRADES OR BUSINESSES.—

''(i) ACQUISITIONS.—If, after December 31, 2012, and before the close of the first taxable year following the election year, a taxpayer acquires the trade or business of a predecessor, then the qualified payroll of such taxpayer for any calendar year shall be increased by so much of the qualified payroll of the predecessor for such calendar year as was attributable to the trade or business acquired by the taxpayer.

''(ii) DISPOSITIONS.—If, after December 31, 2012, and before the close of the first taxable year following the election year, a taxpayer disposes of a trade or business, then—

''(I) the qualified payroll of such taxpayer for calendar year 2013 shall be decreased by the amount of wages for such calendar year as were attributable to the trade or business which was disposed of by the taxpayer, and

''(II) if the disposition occurs after the beginning of the first taxable year following the election year, the qualified payroll of such taxpayer for the calendar year which begins with or within such taxable year shall be decreased by the amount of wages for such calendar year as were attributable to the trade or business which was disposed of by the taxpayer.

''(C) SPECIAL RULE.—For purposes of determining qualified payroll for any calendar year after calendar year 2014, such term shall not include wages paid to any individual if such individual received compensation from the taxpayer for services performed—

''(i) after the date of the enactment of this paragraph, and

''(ii) at a time when such individual was not an employee of the taxpayer.''.

(3) REDUCTION FOR FAILURE TO MAINTAIN EMPLOYMENT LEVELS.—Paragraph (4) of section 965(b) is amended to read as follows:

''(4) REDUCTION IN BENEFITS FOR FAILURE TO MAINTAIN EMPLOYMENT LEVELS.—

''(A) IN GENERAL.—If, during the period consisting of the calendar month in which the taxpayer first receives a distribution described in subsection (a)(1) and the succeeding 23 calendar months, the taxpayer does not maintain an average employment level at least equal to the taxpayer's prior average employment, an additional amount equal to $75,000 multiplied by the number of employees by which the taxpayer's average employment level during such period falls below the prior average employment (but not exceeding the aggregate amount allowed as a deduction pursuant to subsection (a)(1)) shall be taken into income by the taxpayer during the taxable year that includes the final day of such period.

''(B) AVERAGE EMPLOYMENT LEVEL.—For purposes of this paragraph, the taxpayer's average employment level for a period shall be the average number of full-time United States employees of the taxpayer, measured at the end of each month during the period.

''(C) PRIOR AVERAGE EMPLOYMENT.—For purposes of this paragraph, the taxpayer's 'prior average employment' shall be the average number of full-time United States employees of the taxpayer during the period consisting of the 24 calendar months immediately preceding the calendar month in which the taxpayer first receives a distribution described in subsection (a)(1).

''(D) FULL-TIME UNITED STATES EMPLOYEE.—For purposes of this paragraph—

''(i) IN GENERAL.—The term 'full-time United States employee' means an individual who provides services in the United States as a full-time employee, based on the employer's standards and practices; except that regardless of the employer's classification of the employee, an employee whose normal schedule is 40 hours or more per week is considered a full-time employee.

''(ii) EXCEPTION FOR CHANGES IN OWNERSHIP OF TRADES OR BUSINESSES.—Such term does not include—

''(I) any individual who was an employee, on the date of acquisition, of any trade or business acquired by the taxpayer during the 24-month period referred to in subparagraph (A), and

''(II) any individual who was an employee of any trade or business disposed of by the taxpayer during the 24-month period referred to in subparagraph (A) or the 24-month period referred to in subparagraph (C).

''(E) AGGREGATION RULES.—In determining the taxpayer's average employment level and prior average employment, all domestic members of a controlled group shall be treated as a single taxpayer.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years ending after the date of the enactment of this Act.

SA 3066. Mr. MCCAIN (for himself, Mr. COBURN, and Mr. LEE) submitted an amendment intended to be proposed by him to the bill H.R. 3474, to amend the Internal Revenue Code of 1986 to allow employers to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of the employer mandate under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

Strike section 123.
Strike section 121.

SA 3067. Mr. MCCAIN (for himself, Mr. COBURN, and Mr. LEE) submitted an amendment intended to be proposed by him to the bill H.R. 3474, to amend the Internal Revenue Code of 1986 to allow employers to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of the employer mandate under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

SA 3068. Mr. MCCAIN (for himself, Mr. COBURN, and Mr. LEE) submitted an amendment intended to be proposed by him to the bill H.R. 3474, to amend the Internal Revenue Code of 1986 to allow employers to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of the employer mandate under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

Strike section 129.

SA 3069. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill H.R. 3474, to amend the Internal Revenue Code of 1986 to allow employers to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of the employer mandate under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE ____—OTHER PROVISIONS

SEC. _01. EMPLOYEE PAYROLL TAX HOLIDAY FOR NEWLY HIRED VETERANS.

(a) IN GENERAL.—Subsection (d) of section 3111 is amended to read as follows:

''(d) SPECIAL EXEMPTION FOR ELIGIBLE VETERANS HIRED DURING CERTAIN CALENDAR QUARTERS.—

''(1) IN GENERAL.—Subsection (a) shall not apply to 50 percent of the wages paid by the employer with respect to employment during the holiday period of any eligible veteran for services performed—

''(A) in a trade or business of the employer, or

''(B) in the case of an employer exempt from tax under section 501(a), in furtherance of the activities related to the purpose or function constituting the basis of the employer's exemption under such section.

''(2) HOLIDAY PERIOD.—For purposes of this subsection, the term 'holiday period' means the period of 4 consecutive calendar quarters beginning with the first day of the first calendar quarter beginning after the date of the enactment of the EXPIRE Act of 2014.

''(3) ELIGIBLE VETERAN.—For purposes of this subsection—

''(A) IN GENERAL.—The term 'eligible veteran' means a veteran who—

''(i) begins work for the employer during the holiday period,

''(ii) was discharged or released from the Armed Forces of the United States under conditions other than dishonorable, and

''(iii) is not an individual described in section 51(i)(1) (applied by substituting 'employer' for 'taxpayer' each place it appears).

''(B) VETERAN.—The term 'veteran' means any individual who—

''(i) has served on active duty (other than active duty for training) in the Armed Forces of the United States for a period of more than 180 days, or has been discharged or released from active duty in the Armed Forces of the United States for a service-connected disability (within the meaning of section 101 of title 38, United States Code),

''(ii) has not served on extended active duty (as such term is used in section 51(d)(3)(B)) in the Armed Forces of the United States on any day during the 60-day period ending on the hiring date, and

''(iii) provides to the employer a copy of the individual's DD Form 214, Certificate of Release or Discharge from Active Duty, that includes the nature and type of discharge.

''(4) ELECTION.—An employer may elect not to have this subsection apply. Such election shall be made in such manner as the Secretary may require.

''(5) COORDINATION WITH WORK OPPORTUNITY CREDIT.—For coordination with the work opportunity credit, see section 51(3)(D).''.

(b) COORDINATION WITH WORK OPPORTUNITY CREDIT.—

(1) IN GENERAL.—Paragraph (3) of section 51(d) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

''(D) DENIAL OF CREDIT FOR VETERANS SUBJECT TO 50 PERCENT PAYROLL TAX HOLIDAY.—If section 3111(d)(1) (as amended by the EXPIRE Act of 2014) applies to any wages paid by an employer, the term 'qualified veteran' does not include any individual who begins work for the employer during the holiday period (as defined in section 3111(d)(2)) unless the employer makes an election not to have section 3111(d) apply.''.

(2) CONFORMING AMENDMENT.—Subsection (c) of section 51 of such Code is amended by striking paragraph (5).

SA 3070. Mrs. SHAHEEN submitted an amendment intended to be proposed

by her to the bill H.R. 3474, to amend the Internal Revenue Code of 1986 to allow employers to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of the employer mandate under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE ____—OTHER PROVISIONS

SEC. ___01. POINT OF ORDER AGAINST LEGISLATION THAT WOULD AUTHORIZE STATES TO REQUIRE REMOTE SALES TAX COLLECTION WITHOUT CERTAIN LIMITATIONS.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, or conference report that authorizes States to require remote sales tax collection unless such legislation includes language similar to the model limitation in subsection (b).

(b) MODEL LIMITATION.—The model limitation under this subsection is as follows:

(1) IN GENERAL.—The authority of any State to require remote sales tax collection shall not apply with respect to any remote seller that is not a qualifying remote seller.

(2) QUALIFYING REMOTE SELLER.—For purposes of this subsection—

(A) IN GENERAL.—The term ''qualifying remote seller'' means—

(i) any remote seller that meets the ownership requirements of subparagraph (B); or

(ii) any remote seller the majority of domestic employees of which are primarily employed at a location in a participating State.

(B) OWNERSHIP REQUIREMENTS.—A remote seller meets the ownership requirements of this subparagraph if—

(i) in the case of a remote seller that is a publicly traded corporation, more than 50 percent of the covered employees (as defined in section 162(m)(3)) of the Internal Revenue Code of 1986) of such corporation reside in participating States;

(ii) in the case of a remote seller that is a corporation (other than a publicly traded corporation), more than 50 percent of the stock (by vote or value) of such corporation is held by individuals residing in participating States;

(iii) in the case of a remote seller that is a partnership, more than 50 percent of the profits interests or capital interests in such partnership is held by individuals residing in participating States; and

(iv) in the case of any other remote seller, more than 50 percent of the beneficial interests in the entity is held by individuals residing in participating States.

(C) ATTRIBUTION RULES.—For purposes of subparagraph (B), the rules of section 318(a) of the Internal Revenue Code of 1986 shall apply.

(D) AGGREGATION RULES.—For purposes of this paragraph, all persons treated as a single employer under subsection (a) or (b) of section 52 of the Internal Revenue Code of 1986 or subsection (m) or (o) of section 414 of such Code shall be treated as one person.

(3) PARTICIPATING STATE.—The term ''participating State'' means—

(A) a Member State under the Streamlined Sales and Use Tax Agreement which has exercised authority under subsection (a); or

(B) a State that—

(i) is not a Member State under the Streamlined Sales and Use Tax Agreement;

(ii) enacts legislation to exercise the authority to require remote sales tax collection; and

(iii) implements such other requirements as Congress shall provide.

(4) STREAMLINED SALES AND USE TAX AGREEMENT.—For purposes of this subsection, the term ''Streamlined Sales and Use Tax Agreement'' means the multi-State agreement with that title adopted on November 12, 2002, as in effect on the date of the enactment of this Act and as further amended from time to time.

(c) WAIVER AND APPEAL.—

(1) WAIVER.—Subsection (a) may be waived or suspended in the Senate only by an affirmative vote of three-fifths of the Members, duly chosen and sworn.

(2) APPEAL.—An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under subsection (a).

SA 3071. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill H.R. 3474, to amend the Internal Revenue Code of 1986 to allow employers to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of the employer mandate under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE ____—OTHER PROVISIONS

SEC. __01. SPECIAL CHANGE IN STATUS RULE FOR EMPLOYEES WHO BECOME ELIGIBLE FOR TRICARE.

(a) IN GENERAL.—Subsection (g) of section 125 is amended by adding at the end the following new paragraph:

''(5) CHANGE IN STATUS RELATING TO TRICARE ELIGIBILITY.—For purposes of this section, if a cafeteria plan permits an employee to revoke an election during a period of coverage and to make a new election based on a change in status event, an event that causes the employee to become eligible for coverage under the TRICARE program shall be treated as a change in status event.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to events occurring after the date of the enactment of this Act.

SA 3072. Mr. ROBERTS (for himself, Mr. ENZI, Mr. HATCH, Mr. BURR, Mr. FLAKE, Mr. ISAKSON, Mr. CORNYN, Mr. THUNE, Mr. CRAPO, and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the bill H.R. 3474, to amend the Internal Revenue Code of 1986 to allow employers to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of the employer mandate under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE ____—OTHER PROVISIONS

SEC. __01. APPLICABLE STANDARD FOR DETERMINATIONS OF WHETHER AN ORGANIZATION IS OPERATED EXCLUSIVELY FOR THE PROMOTION OF SOCIAL WELFARE.

(a) IN GENERAL.—The standard and definitions as in effect on January 1, 2010, which are used to determine whether an organization is operated exclusively for the promotion of social welfare for purposes of section 501(c)(4) of the Internal Revenue Code of 1986 shall apply for purposes of determining the status of organizations under section 501(c)(4) of the Internal Revenue Code of 1986 after the date of the enactment of this Act.

(b) PROHIBITION ON MODIFICATION OF STANDARD.—The Secretary of the Treasury may not (nor may any delegate of such Secretary) issue, revise, or finalize any regulation (including the proposed regulations published at 78 Fed. Reg. 71535 (November 29, 2013)), revenue ruling, or other guidance not limited to a particular taxpayer relating to the standard and definitions specified in subsection (a).

(c) APPLICATION TO ORGANIZATIONS.—Except as provided in subsection (d), this section shall apply with respect to any organization claiming tax exempt status under section 501(c)(4) of the Internal Revenue Code of 1986 which was created on, before, or after the date of the enactment of this Act.

(d) SUNSET.—This section shall not apply after the one-year period beginning on the date of the enactment of this Act.

SA 3073. Mr. ROBERTS (for himself and Mr. BARRASSO) submitted an amendment intended to be proposed by him to the bill H.R. 3474, to amend the Internal Revenue Code of 1986 to allow employers to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of the employer mandate under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. PROTECTING PATIENTS FROM HIGHER PREMIUMS.

Section 9010 of the Patient Protection and Affordable Care Act (Public Law 111–148), as amended by section 10905 of such Act and by section 1406 of the Health Care and Education Reconciliation Act of 2010 (Public Law 111–152), is repealed.

SA 3074. Mr. ROBERTS (for himself, Mr. FLAKE, Mr. ISAKSON, Mr. THUNE, Mr. ENZI, Mr. CORNYN, Mr. HATCH, Mr. CRAPO, and Mr. GRASSLEY) submitted an amendment intended to be proposed by him to the bill H.R. 3474, to amend the Internal Revenue Code of 1986 to allow employers to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of the employer mandate under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE ____—OTHER PROVISIONS

SEC. __01. PROHIBITION ON PERFORMANCE AWARDS TO IRS EMPLOYEES WHO OWE BACK TAXES.

(a) IN GENERAL.—The Commissioner of the Internal Revenue Service shall not provide any performance award (including, but not limited to, bonuses, step increases, and time off) to an employee of the Internal Revenue Service who owes an outstanding Federal tax debt.

(b) OUTSTANDING FEDERAL TAX DEBT.—For purposes of this section, the term ''outstanding Federal tax debt'' means any outstanding debt under the Internal Revenue Code of 1986 which has not been paid after an assessment of a tax, penalty, or interest and

which is not subject to further appeal or a petition for redetermination under such Code. A debt shall not fail to be treated as an outstanding Federal tax debt merely because it is the subject of an installment agreement under section 6159 of such Code or an offer-in-compromise under section 7121 of such Code.

SA 3075. Ms. MURKOWSKI (for herself and Mr. BEGICH) submitted an amendment intended to be proposed by her to the bill H.R. 3474, to amend the Internal Revenue Code of 1986 to allow employers to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of the employer mandate under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE __—EXTENSION OF OTHER PROVISIONS

SEC. __01. EXTENSION OF CREDIT FOR THE PRODUCTION OF LOW SULFUR DIESEL FUEL.

(a) IN GENERAL.—Paragraph (4) of section 45H(c) is amended by striking ''earlier of the date which is 1 year after the date'' and inserting ''later of the date''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to expenses paid or incurred after December 31, 2009, in taxable years ending after such date.

SA 3076. Mr. BARRASSO (for himself, Mr. HATCH, Mr. ROBERTS, Mr. ENZI, and Mr. ISAKSON) submitted an amendment intended to be proposed by him to the bill H.R. 3474, to amend the Internal Revenue Code of 1986 to allow employers to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of the employer mandate under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE ___—OTHER PROVISIONS

SEC. _____. PROTECTING PATIENTS FROM HIGHER PREMIUMS.

(a) IN GENERAL.—Subsection (a)(1) of section 9010 of the Patient Protection and Affordable Care Act (Public Law 111-148), as amended by section 10905 of such Act and by section 1406 of the Health Care and Education Reconciliation Act of 2010 (Public Law 111-152), is amended by striking ''2013'' and inserting ''2015''.

(b) CONFORMING AMENDMENTS.—

(1) Subsection (j) of section 9010 of the Patient Protection and Affordable Care Act (Public Law 111-148), as amended by section 10905 of such Act and by section 1406 of the Health Care and Education Reconciliation Act of 2010 (Public Law 111-152), is amended by striking ''2013'' and inserting ''2015''.

(2) Subsection (e) of section 9010 of the Patient Protection and Affordable Care Act (Public Law 111-148), as amended by section 10905 of such Act and by section 1406 of the Health Care and Education Reconciliation Act of 2010 (Public Law 111-152), is amended—

(A) in paragraph (1)—

(i) by striking ''2019'' in the heading and inserting ''2021'',

(ii) by striking ''2019'' and inserting ''2021'',

(iii) by striking ''2018'' in the last line of the table and inserting ''2020'',

(iv) by striking ''2017'' in the 4th line of the table and inserting ''2019'',

(v) by striking ''2016'' in the 3rd line of the table and inserting ''2018'',

(vi) by striking ''2015'' in the 2nd line of the table and inserting ''2017'', and

(vii) by striking ''2014'' in the 1st line of the table and inserting ''2016'', and

(B) in paragraph (2)—

(i) by striking ''2018'' in the heading and inserting ''2020'', and

(ii) by striking ''2018'' and inserting ''2020''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in section 9010 of the Patient Protection and Affordable Care Act.

SA 3077. Mr. THUNE (for himself, Mr. ROBERTS, Mr. ISAKSON, and Mr. FLAKE) submitted an amendment intended to be proposed by him to the bill H.R. 3474, to amend the Internal Revenue Code of 1986 to allow employers to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of the employer mandate under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

Strike section 127 and insert the following:

SEC. 127. PERMANENT EXTENSION OF EXPENSING CERTAIN DEPRECIABLE BUSINESS ASSETS FOR SMALL BUSINESS.

(a) IN GENERAL.—

(1) DOLLAR LIMITATION.—Paragraph (1) of section 179(b) is amended by striking ''shall not exceed—'' and all that follows and inserting ''shall not exceed $500,000.''.

(2) REDUCTION IN LIMITATION.—Paragraph (2) of section 179(b) is amended by striking ''exceeds—'' and all that follows and inserting ''exceeds $2,000,000.''.

(b) COMPUTER SOFTWARE.—Clause (ii) of section 179(d)(1)(A) is amended by striking '', to which section 167 applies, and which is placed in service in a taxable year beginning after 2002 and before 2014'' and inserting ''and to which section 167 applies''.

(c) ELECTION.—Paragraph (2) of section 179(c) is amended—

(1) by striking ''may not be revoked'' and all that follows through ''and before 2014'', and

(2) by striking ''IRREVOCABLE'' in the heading thereof.

(d) AIR CONDITIONING AND HEATING UNITS.—Paragraph (1) of section 179(d) is amended by striking ''and shall not include air conditioning or heating units''.

(e) QUALIFIED REAL PROPERTY.—Subsection (f) of section 179 is amended—

(1) by striking ''beginning in 2010, 2011, 2012, or 2013'' in paragraph (1), and

(2) by striking paragraphs (3) and (4).

(f) INFLATION ADJUSTMENT.—Subsection (b) of section 179 is amended by adding at the end the following new paragraph:

''(6) INFLATION ADJUSTMENT.—

''(A) IN GENERAL.—In the case of any taxable year beginning after 2014, the dollar amounts in paragraphs (1) and (2) shall each be increased by an amount equal to—

''(i) such dollar amount, multiplied by

''(ii) the cost-of-living adjustment determined under section 1(c)(2)(A) for such calendar year, determined by substituting calendar year 2013 for calendar year 2012 in clause (ii) thereof.

''(B) ROUNDING.—The amount of any increase under subparagraph (A) shall be rounded to the nearest multiple of $10,000.''.

(g) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2013.

SA 3078. Mr. THUNE (for himself, Mr. CORNYN, Mr. ROBERTS, and Mr. ISAKSON) submitted an amendment intended to be proposed by him to the bill H.R. 3474, to amend the Internal Revenue Code of 1986 to allow employers to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of the employer mandate under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

Strike section 111 and insert the following:

SEC. 111. RESEARCH CREDIT SIMPLIFIED AND MADE PERMANENT.

(a) IN GENERAL.—Subsection (a) of section 41 is amended to read as follows:

''(a) IN GENERAL.—For purposes of section 38, the research credit determined under this section for the taxable year shall be an amount equal to the sum of—

''(1) 20 percent of so much of the qualified research expenses for the taxable year as exceeds 50 percent of the average qualified research expenses for the 3 taxable years preceding the taxable year for which the credit is being determined,

''(2) 20 percent of so much of the basic research payments for the taxable year as exceeds 50 percent of the average basic research payments for the 3 taxable years preceding the taxable year for which the credit is being determined, plus

''(3) 20 percent of the amounts paid or incurred by the taxpayer in carrying on any trade or business of the taxpayer during the taxable year (including as contributions) to an energy research consortium for energy research.''.

(b) REPEAL OF TERMINATION.—Section 41 is amended by striking subsection (h).

(c) CONFORMING AMENDMENTS.—

(1) Subsection (c) of section 41 is amended to read as follows:

''(c) DETERMINATION OF AVERAGE RESEARCH EXPENSES FOR PRIOR YEARS.—

''(1) SPECIAL RULE IN CASE OF NO QUALIFIED RESEARCH EXPENDITURES IN ANY OF 3 PRECEDING TAXABLE YEARS.—In any case in which the taxpayer has no qualified research expenses in any one of the 3 taxable years preceding the taxable year for which the credit is being determined, the amount determined under subsection (a)(1) for such taxable year shall be equal to 10 percent of the qualified research expenses for the taxable year.

''(2) CONSISTENT TREATMENT OF EXPENSES.—

''(A) IN GENERAL.—Notwithstanding whether the period for filing a claim for credit or refund has expired for any taxable year taken into account in determining the average qualified research expenses, or average basic research payments, taken into account under subsection (a), the qualified research expenses and basic research payments taken into account in determining such averages shall be determined on a basis consistent with the determination of qualified research expenses and basic research payments, respectively, for the credit year.

''(B) PREVENTION OF DISTORTIONS.—The Secretary may prescribe regulations to prevent distortions in calculating a taxpayer's qualified research expenses or basic research payments caused by a change in accounting methods used by such taxpayer between the current year and a year taken into account in determining the average qualified research expenses or average basic research payments taken into account under subsection (a).''.

(2) Section 41(e) is amended—

(A) by striking all that precedes paragraph (6) and inserting the following:

''(e) BASIC RESEARCH PAYMENTS.—For purposes of this section—

''(1) IN GENERAL.—The term 'basic research payment' means, with respect to any taxable year, any amount paid in cash during such taxable year by a corporation to any qualified organization for basic research but only if—

''(A) such payment is pursuant to a written agreement between such corporation and such qualified organization, and

''(B) such basic research is to be performed by such qualified organization.

''(2) EXCEPTION TO REQUIREMENT THAT RESEARCH BE PERFORMED BY THE ORGANIZATION.—In the case of a qualified organization described in subparagraph (C) or (D) of paragraph (3), subparagraph (B) of paragraph (1) shall not apply.'',

(B) by redesignating paragraphs (6) and (7) as paragraphs (3) and (4), respectively, and

(C) in paragraph (4) as so redesignated, by striking subparagraphs (B) and (C) and by redesignating subparagraphs (D) and (E) as subparagraphs (B) and (C), respectively.

(3) Section 41(f)(3)is amended—

(A)(i) by striking '', and the gross receipts'' in subparagraph (A)(i) and all that follows through ''determined under clause (iii)'',

(ii) by striking clause (iii) of subparagraph (A) and redesignating clauses (iv), (v), and (vi), thereof, as clauses (iii), (iv), and (v), respectively,

(iii) by striking ''and (iv)'' each place it appears in subparagraph (A)(iv) (as so redesignated) and inserting ''and (iii)'',

(iv) by striking subclause (IV) of subparagraph (A)(iv) (as so redesignated), by striking '', and'' at the end of subparagraph (A)(iv)(III) (as so redesignated) and inserting a period, and by adding ''and'' at the end of subparagraph (A)(iv)(II) (as so redesignated),

(v) by striking ''(A)(vi)'' in subparagraph (B) and inserting ''(A)(v)'', and

(vi) by striking ''(A)(iv)(II)'' in subparagraph (B)(i)(II) and inserting ''(A)(iii)(II)'',

(B) by striking '', and the gross receipts of the predecessor,'' in subparagraph (A)(iv)(II) (as so redesignated),

(C) by striking '', and the gross receipts of,'' in subparagraph (B),

(D) by striking '', or gross receipts of,'' in subparagraph (B)(i)(I), and

(E) by striking subparagraph (C).

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to taxable years beginning after December 31, 2013.

(2) SUBSECTION (b).—The amendment made by subsection (b) shall apply to amounts paid or incurred after December 31, 2013.

SA 3079. Mr. THUNE (for himself, Mr. CARDIN, and Mr. ROBERTS) submitted an amendment intended to be proposed by him to the bill H.R. 3474, to amend the Internal Revenue Code of 1986 to allow employers to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of the employer mandate under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

Strike sections 137 and 138 and insert the following:

SEC. 137. PERMANENT RULE REGARDING BASIS ADJUSTMENT TO STOCK OF S CORPORATIONS MAKING CHARITABLE CONTRIBUTIONS OF PROPERTY.

(a) IN GENERAL.—Section 1367(a)(2) is amended by striking the last sentence.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to contributions made in taxable years beginning after December 31, 2013.

SEC. 138. REDUCED RECOGNITION PERIOD FOR BUILT-IN GAINS OF S CORPORATIONS MADE PERMANENT.

(a) IN GENERAL.—Paragraph (7) of section 1374(d) is amended to read as follows:

''(7) RECOGNITION PERIOD.—

''(A) IN GENERAL.—The term recognition period means the 5-year period beginning with the 1st day of the 1st taxable year for which the corporation was an S corporation. For purposes of applying this section to any amount includible in income by reason of distributions to shareholders pursuant to section 593(e), the preceding sentence shall be applied without regard to the phrase 5-year.

''(B) INSTALLMENT SALES.—If an S corporation sells an asset and reports the income from the sale using the installment method under section 453, the treatment of all payments received shall be governed by the provisions of this paragraph applicable to the taxable year in which such sale was made.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2013.

SA 3080. Mr. THUNE submitted an amendment intended to be proposed by him to the bill H.R. 3474, to amend the Internal Revenue Code of 1986 to allow employers to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of the employer mandate under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

Strike section 106 and insert the following:

SEC. 106. PERMANENT EXTENSION OF DEDUCTION OF STATE AND LOCAL GENERAL SALES TAXES.

(a) IN GENERAL.—Section 164(b)(5) is amended by striking subparagraph (I).

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2013.

SA 3081. Mr. COONS (for himself, Mr. MORAN, Ms. STABENOW, and Ms. MURKOWSKI) submitted an amendment intended to be proposed by him to the bill H.R. 3474, to amend the Internal Revenue Code of 1986 to allow employers to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of the employer mandate under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE __—MASTER LIMITED PARTNERSHIPS

SEC. __01. SHORT TITLE.

This title may be cited as the ''Master Limited Partnerships Parity Act''.

SEC. __02. EXTENSION OF PUBLICLY TRADED PARTNERSHIP OWNERSHIP STRUCTURE TO ENERGY POWER GENERATION PROJECTS, TRANSPORTATION FUELS, AND RELATED ENERGY ACTIVITIES.

(a) IN GENERAL.—Subparagraph (E) of section 7704(d)(1) is amended—

(1) by striking ''income and gains derived from the exploration'' and inserting ''income and gains derived from the following:

''(i) MINERALS, NATURAL RESOURCES, ETC.—The exploration'',

(2) by inserting ''or'' before ''industrial source'',

(3) by inserting a period after ''carbon dioxide'', and

(4) by striking '', or the transportation or storage'' and all that follows and inserting the following:

''(ii) RENEWABLE ENERGY.—The generation of electric power exclusively utilizing any resource described in section 45(c)(1) or energy property described in section 48 (determined without regard to any termination date), or in the case of a facility described in paragraph (3) or (7) of section 45(d) (determined without regard to any placed in service date or date by which construction of the facility is required to begin), the accepting or processing of such resource.

''(iii) ELECTRICITY STORAGE DEVICES.—The receipt and sale of electric power that has been stored in a device directly connected to the grid.

''(iv) COMBINED HEAT AND POWER.—The generation, storage, or distribution of thermal energy exclusively utilizing property described in section 48(c)(3) (determined without regard to subparagraphs (B) and (D) thereof and without regard to any placed in service date).

''(v) RENEWABLE THERMAL ENERGY.—The generation, storage, or distribution of thermal energy exclusively using any resource described in section 45(c)(1) or energy property described in clause (i) or (iii) of section 48(a)(3)(A).

''(vi) WASTE HEAT TO POWER.—The use of recoverable waste energy, as defined in section 371(5) of the Energy Policy and Conservation Act (42 U.S.C. 6341(5)) (as in effect on the date of the enactment of the Master Limited Partnerships Parity Act).

''(vii) RENEWABLE FUEL INFRASTRUCTURE.—The storage or transportation of any fuel described in subsection (b), (c), (d), or (e) of section 6426.

''(viii) RENEWABLE FUELS.—The production, storage, or transportation of any renewable fuel described in section 211(o)(1)(J) of the Clean Air Act (42 U.S.C. 7545(o)(1)(J)) (as in effect on the date of the enactment of the Master Limited Partnerships Parity Act) or section 40A(d)(1).

''(ix) RENEWABLE CHEMICALS.—The production, storage, or transportation of any renewable chemical (as defined in paragraph (6)).

''(x) ENERGY EFFICIENT BUILDINGS.—The audit and installation through contract or other agreement of any energy efficient building property described in section 179D(c)(1).

''(xi) GASIFICATION WITH SEQUESTRATION.—The production of any product from a project that meets the requirements of subparagraphs (A) and (B) of section 48B(c)(1) and that separates and sequesters in secure geological storage (as determined under section 45Q(d)(2)) at least 75 percent of such project's total qualified carbon dioxide (as defined in section 45Q(b)).

''(xii) CARBON CAPTURE AND SEQUESTRATION.—The generation or storage of electric power produced from any facility which is a qualified facility described in section 45Q(c) and which disposes of any captured qualified carbon dioxide (as defined in section 45Q(b)) in secure geological storage (as determined under section 45Q(d)(2)).''.

(b) RENEWABLE CHEMICAL.—Section 7704(d) is amended by adding at the end the following new paragraph:

''(6) RENEWABLE CHEMICAL.—The term 'renewable chemical' means a monomer, polymer, plastic, formulated product, or chemical substance produced from renewable biomass (as defined in section 9001(12) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8101(12)), as in effect on the

date of the enactment of the Master Limited Partnerships Parity Act).''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act, in taxable years ending after such date.

SA 3082. Mr. KING submitted an amendment intended to be proposed by him to the bill H.R. 3474, to amend the Internal Revenue Code of 1986 to allow employers to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of the employer mandate under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. REQUIREMENTS WITH RESPECT TO MEDICAL DEVICE PRICING.

(a) PROHIBITION ON CONFIDENTIALITY CLAUSES WITH RESPECT TO PRICING.—A medical device manufacturer may not require hospitals or other buyers to sign purchasing agreements that contain confidentiality clauses restricting such hospitals or buyers from revealing to third parties the prices paid for medical devices.

(b) REPORTING ON SALES PRICES.—The Secretary of Health and Human Services shall require medical device manufacturers to submit to such Secretary a quarterly report on the average and median sales prices of covered devices, as defined in section 1128G(e) of the Social Security Act.

SA 3083. Mr. BOOKER (for himself and Mr. SCOTT) submitted an amendment intended to be proposed by him to the bill H.R. 3474, to amend the Internal Revenue Code of 1986 to allow employers to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of the employer mandate under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE __—LEVERAGING AND ENERGIZING AMERICA'S APPRENTICESHIP PROGRAMS

SEC. __01. SHORT TITLE.

This title may be cited as the ''Leveraging and Energizing America's Apprenticeship Programs Act'' or the ''LEAP Act''.

SEC. __02. CREDIT FOR EMPLOYEES PARTICIPATING IN QUALIFIED APPRENTICESHIP PROGRAMS.

(a) IN GENERAL.—Subpart D of part IV of subchapter A of chapter 1 is amended by adding at the end the following new section:

''SEC. 45S. EMPLOYEES PARTICIPATING IN QUALIFIED APPRENTICESHIP PROGRAMS.

''(a) IN GENERAL.—For purposes of section 38, the apprenticeship credit determined under this section for the taxable year is an amount equal to the sum of the applicable credit amounts (as determined under subsection (b)) for each of apprentice of the employer that exceeds the applicable apprenticeship level (as determined under subsection (e)) during such taxable year.

''(b) APPLICABLE CREDIT AMOUNT.—For purposes of subsection (a), the applicable credit amount for each apprentice for each taxable year is equal to—

''(1) in the case of an apprentice who has not attained 25 years of age at the close of the taxable year, $1,500, or

''(2) in the case of an apprentice who has attained 25 years of age at the close of the taxable year, $1,000.

''(c) LIMITATION ON NUMBER OF YEARS WHICH CREDIT MAY BE TAKEN INTO ACCOUNT.—The apprenticeship credit shall not be allowed for more than 2 taxable years with respect to any apprentice.

''(d) APPRENTICE.—For purposes of this section, the term 'apprentice' means any employee who is employed by the employer—

''(1) in an officially recognized apprenticeable occupation, as determined by the Office of Apprenticeship of the Employment and Training Administration of the Department of Labor, and

''(2) pursuant to an apprentice agreement registered with—

''(A) the Office of Apprenticeship of the Employment and Training Administration of the Department of Labor, or

''(B) a recognized State apprenticeship agency, as determined by the Office of Apprenticeship of the Employment and Training Administration of the Department of Labor.

''(e) APPLICABLE APPRENTICESHIP LEVEL.—

''(1) IN GENERAL.—For purposes this section, the applicable apprenticeship level shall be equal to—

''(A) in the case of any apprentice described in subsection (b)(1), the amount equal to 80 percent of the average number of such apprentices of the employer for the 3 taxable years preceding the taxable year for which the credit is being determined, rounded to the next lower whole number; and

''(B) in the case of any apprentices described in subsection (b)(2), the amount equal to 80 percent of the average number of such apprentices of the employer for the 3 taxable years preceding the taxable year for which the credit is being determined, rounded to the next lower whole number.

''(2) FIRST YEAR OF NEW APPRENTICESHIP PROGRAMS.—In the case of an employer which did not have any apprentices during any taxable year in the 3 taxable years preceding the taxable year for which the credit is being determined, the applicable apprenticeship level shall be equal to zero.

''(f) COORDINATION WITH OTHER CREDITS.—The amount of credit otherwise allowable under sections 45A, 51(a), and 1396(a) with respect to any employee shall be reduced by the credit allowed by this section with respect to such employee.

''(g) CERTAIN RULES TO APPLY.—Rules similar to the rules of subsections (i)(1) and (k) of section 51 shall apply for purposes of this section.''.

(b) CREDIT MADE PART OF GENERAL BUSINESS CREDIT.—Subsection (b) of section 38, as amended by this Act, is amended by striking ''plus'' at the end of paragraph (36), by striking the period at the end of paragraph (37) and inserting '', plus'', and by adding at the end the following new paragraph:

''(38) the apprenticeship credit determined under section 45S(a).''.

(c) DENIAL OF DOUBLE BENEFIT.—Subsection (a) of section 280C is amended by inserting ''45S(a),'' after ''45P(a),''.

(d) CLERICAL AMENDMENT.—The table of sections for subpart D of part IV of subchapter A of chapter 1 is amended by adding at the end the following new item:

''Sec. 45S. Employees participating in qualified apprenticeship programs.''.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to individuals commencing apprenticeship programs after the date of the enactment of this Act.

SEC. 3. LIMITATION ON GOVERNMENT PRINTING COSTS.

Not later than 90 days after the date of enactment of this Act, the Director of the Office of Management and Budget shall coordinate with the heads of Federal departments and independent agencies to—

(1) determine which Government publications could be available on Government websites and no longer printed and to devise a strategy to reduce overall Government printing costs over the 10-year period beginning with fiscal year 2015, except that the Director shall ensure that essential printed documents prepared for social security recipients, medicare beneficiaries, and other populations in areas with limited Internet access or use continue to remain available;

(2) establish government wide Federal guidelines on employee printing; and

(3) issue guidelines requiring every department, agency, commission, or office to list at a prominent place near the beginning of each publication distributed to the public and issued or paid for by the Federal Government—

(A) the name of the issuing agency, department, commission, or office;

(B) the total number of copies of the document printed;

(C) the collective cost of producing and printing all of the copies of the document; and

(D) the name of the entity publishing the document.

SA 3084. Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill H.R. 3474, to amend the Internal Revenue Code of 1986 to allow employers to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of the employer mandate under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE ___—OTHER PROVISIONS

SEC. __01. PROHIBITION ON USE OF WAIVER THREATENING BALD EAGLES.

(a) IN GENERAL.—Subsection (e) of section 45 is amended by adding at the end the following new paragraph:

''(12) PROTECTION OF BALD EAGLES.—

''(A) IN GENERAL.—Sales shall be taken into account under this section only with respect to electricity produced by a taxpayer who does not have in effect a waiver granted by the Federal government or any agency or instrumentality thereof from any Federal law or provision thereof protecting the life, well-being, or habitat of the bald eagle.

''(B) RECAPTURE OF BENEFIT.—In the case of any taxpayer—

''(i) who has in effect a waiver described in subparagraph (A) as of the date of the enactment of this paragraph, and

''(ii) who has claimed the credit under section 38 by reason of this section for any preceding taxable year,

the tax imposed under subtitle A on the taxpayer for the taxable year that includes such date of enactment shall be increased by so much of such credit as was allowed under section 38, and the general business carryforwards under section 39 shall be adjusted so as to recapture the portion of such credit which is equal to such amount.

''(C) RENUNCIATION OF WAIVER.—Any taxpayer to whom subparagraph (B) would otherwise apply (but for the second sentence of this subparagraph) may elect to renounce in writing the waiver described in subparagraph (A). If such renunciation is made to the Secretary and to the appropriate Federal officer of the agency that issued such waiver not later than 12 months after the date of the enactment of this paragraph, such taxpayer

shall be exempt from the increase in tax under subparagraph (B).''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to electricity produced and sold after the date of the enactment of this Act.

SA 3085. Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill H.R. 3474, to amend the Internal Revenue Code of 1986 to allow employers to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of the employer mandate under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

On page 23, strike line 5 and all that follows through line 21 and insert the following:

(a) PERMANENT EXTENSION.—Section 45P is amended by striking subsection (f).

(b) EXPANSION OF CREDIT.—

(1) EXPANSION TO 100 PERCENT OF ELIGIBLE DIFFERENTIAL WAGE PAYMENTS.—Subsection (a) of section 45P is amended by striking ''20 percent of''.

(2) ADJUSTMENT FOR INFLATION.—Subsection (b) of section 45P is amended by adding at the end the following new paragraph:

''(4) ADJUSTMENT FOR INFLATION.—In the case of any taxable year beginning after 2014, the $20,000 amount in paragraph (1) shall be increased by an amount equal to—

''(A) such dollar amount, multiplied by

''(B) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins, by substituting 'calendar year 2013' for 'calendar year 1992' in subparagraph (B) thereof.

If the amount as increased under the preceding sentence is not a multiple of $100, such amount shall be rounded to the nearest multiple of $100.''.

(3) APPLICABILITY TO ALL EMPLOYERS.—

(A) IN GENERAL.—Subsection (a) of section 45P, as amended by paragraph (1), is amended by striking ''eligible small business employer'' and inserting ''eligible employer''.

(B) CONFORMING AMENDMENTS.—Paragraph (3) of section 45P(b) is amended—

(i) in subparagraph (A)—

(I) by striking ''eligible small business employer'' and inserting ''eligible employer'', and

(II) by striking ''any employer which'' and all that follows and inserting ''any employer which, under a written plan of the employer, provides eligible differential wage payments to every qualified employee of the employer.'', and

(ii) by striking ''ELIGIBLE SMALL BUSINESS EMPLOYER'' in the heading and inserting ''ELIGIBLE EMPLOYER''.

SA 3086. Mr. HATCH (for himself, Mr. ALEXANDER, Mr. COATS, and Mr. THUNE) submitted an amendment intended to be proposed by him to the bill H.R. 3474, to amend the Internal Revenue Code of 1986 to allow employers to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of the employer mandate under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE __—ELIMINATION OF INDIVIDUAL MANDATE

SEC. __01. RESTORING INDIVIDUAL LIBERTY.

Sections 1501 and 1502 and subsections (a), (b), (c), and (d) of section 10106 of the Patient Protection and Affordable Care Act (and the amendments made by such sections and subsections) are repealed and the Internal Revenue Code of 1986 shall be applied and administered as if such provisions and amendments had never been enacted.

SA 3087. Mr. HATCH (for himself, Mr. ALEXANDER, and Mr. THUNE) submitted an amendment intended to be proposed by him to the bill H.R. 3474, to amend the Internal Revenue Code of 1986 to allow employers to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of the employer mandate under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE __—REPEAL OF EMPLOYER MANDATE

SEC. ___. PROTECT JOB CREATION.

Sections 1513 and 1514 and subsections (e), (f), and (g) of section 10106 of the Patient Protection and Affordable Care Act (and the amendments made by such sections and subsections) are repealed and the Internal Revenue Code of 1986 shall be applied and administered as if such provisions and amendments had never been enacted.

SA 3088. Mr. BURR (for himself and Mr. MANCHIN) submitted an amendment intended to be proposed by him to the bill H.R. 3474, to amend the Internal Revenue Code of 1986 to allow employers to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of the employer mandate under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE V—OTHER PROVISIONS

SEC. 501. RESTRICTION ON DISCRETIONARY BONUSES FOR EMPLOYEES OF THE INTERNAL REVENUE SERVICE.

(a) IN GENERAL.—The Secretary of the Treasury (or the Secretary's delegate) shall not provide any discretionary performance award to any employee of the Internal Revenue Service with respect to whom there is substantial evidence of misconduct or seriously delinquent tax debt.

(b) COORDINATION WITH COLLECTIVE BARGAINING AGREEMENTS.—For the purpose of any collective bargaining agreement with the Internal Revenue Service, the Secretary of the Treasury (or the Secretary's delegate) shall consider the denial or withholding of a discretionary performance award for any employee with respect to whom there is substantial evidence of misconduct described in subsection (c)(1) or seriously delinquent tax debt as an action necessary to protect the integrity of the Internal Revenue Service.

(c) TERMS.—For purposes of this section—

(1) MISCONDUCT.—The term ''misconduct'' includes—

(A) any misuse of, or delinquency with respect to, a travel charge card obtained through the Federal Government;

(B) any violation of section 1203(b) of the Internal Revenue Service Restructuring and Reform Act of 1998;

(C) any offense consisting of the possession or use of a controlled substance;

(D) violent threats;

(E) fraudulent behavior, including fraudulently claiming unemployment benefits and fraudulently entering attendance and leave on time sheets; and

(F) any other behavior determined by the Secretary (or the Secretary's delegate) under regulations.

(2) SERIOUSLY DELINQUENT TAX DEBT.—The term ''seriously delinquent tax debt'' means an outstanding debt under the Internal Revenue Code of 1986 for which a notice of lien has been filed in public records pursuant to section 6323 of such Code, except that such term does not include—

(A) a debt that is being paid in a timely manner pursuant to an agreement under section 6159 or section 7122 of such Code; and

(B) a debt with respect to which a collection due process hearing under section 6330 of such Code, or relief under subsection (a), (b), or (f) of section 6015 of such Code, is requested or pending.

(3) DISCRETIONARY PERFORMANCE AWARDS.—The term ''discretionary performance award'' includes—

(A) any performance award based on an employee's performance as reflected in the most recent rating of record;

(B) any special act and manager award, or any similar award based on individual or group achievements;

(C) any suggestion awards based on the adoption of employee suggestions; and

(D) any quality step increase or within grade pay increase based on performance ratings.

SA 3089. Mr. REID proposed an amendment to amendment SA 3060 proposed by Mr. WYDEN to the bill H.R. 3474, to amend the Internal Revenue Code of 1986 to allow employers to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of the employer mandate under the Patient Protection and Affordable Care Act; as follows:

At the end, add the following:

This Act shall become effective 1 day after enactment.

SA 3090. Mr. REID proposed an amendment to amendment SA 3089 proposed by Mr. REID to the amendment SA 3060 proposed by Mr. WYDEN to the bill H.R. 3474, to amend the Internal Revenue Code of 1986 to allow employers to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of the employer mandate under the Patient Protection and Affordable Care Act; as follows:

In the amendment, strike ''1 day'' and insert ''2 days''.

SA 3091. Mr. REID proposed an amendment to the bill H.R. 3474, to amend the Internal Revenue Code of 1986 to allow employers to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of the employer mandate under the Patient Protection and Affordable Care Act; as follows:

At the end, add the following:

This Act shall become effective 3 days after enactment.

SA 3092. Mr. REID proposed an amendment to amendment SA 3091 proposed by Mr. REID to the bill H.R. 3474,

to amend the Internal Revenue Code of 1986 to allow employers to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of the employer mandate under the Patient Protection and Affordable Care Act; as follows:

In the amendment, strike ''3 days'' and insert ''4 days''.

SA 3093. Mr. REID proposed an amendment to the bill H.R. 3474, to amend the Internal Revenue Code of 1986 to allow employers to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of the employer mandate under the Patient Protection and Affordable Care Act; as follows:

At the end, add the following:

This Act shall become effective 5 days after enactment.

SA 3094. Mr. REID proposed an amendment to amendment SA 3093 proposed by Mr. REID to the bill H.R. 3474, to amend the Internal Revenue Code of 1986 to allow employers to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of the employer mandate under the Patient Protection and Affordable Care Act; as follows:

In the amendment, strike ''5 days''and insert ''6 days''.

SA 3095. Mr. REID proposed an amendment to amendment SA 3094 proposed by Mr. REID to the amendment SA 3093 proposed by Mr. REID to the bill H.R. 3474, to amend the Internal Revenue Code of 1986 to allow employers to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of the employer mandate under the Patient Protection and Affordable Care Act; as follows:

In the amendment, strike ''6'' and insert ''7''.

SA 3096. Mr. REID (for Mr. COONS) proposed an amendment to the resolution S. Res. 314, commemorating and supporting the goals of World AIDS Day; as follows:

On page 5, beginning on line 6, strike '', as well as'' and all that follows through ''AIDS'' on line 8.

SA 3097. Mr. REID (for Mr. COONS) proposed an amendment to the resolution S. Res. 314, commemorating and supporting the goals of World AIDS Day; as follows:

Strike the second through fourth whereas clauses of the preamble and insert the following:

Whereas the 2001 United Nations Declaration of Commitment on HIV/AIDS Global mobilized global attention and commitment to the HIV/AIDS epidemic and set out a series of national targets and global actions to reverse the epidemic;

Whereas the 2011 United Nations General Assembly High Level Meeting on AIDS addressed the progress of intensified efforts to eliminate HIV and AIDS, including redoubling efforts to achieve by 2015 universal access to HIV prevention, treatment, care, and support, and to eliminate gender inequalities and gender-based abuse and violence and increase the capacity of women and adolescent girls to protect themselves from the risk of HIV infection;

SA 3098. Ms. CANTWELL (for herself, Mr. THUNE, Mr. CORNYN, Mr. NELSON, Mrs. MURRAY, and Mr. ENZI) submitted an amendment intended to be proposed by her to the bill H.R. 3474, to amend the Internal Revenue Code of 1986 to allow employers to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of the employer mandate under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

Beginning on page 8, strike line 19 and all that follows through page 9, line 3 and insert the following:

SEC. 106. PERMANENT EXTENSION OF DEDUCTION FOR STATE AND LOCAL GENERAL SALES TAXES.

(a) IN GENERAL.—Subparagraph (I) of section 164(b)(5) is amended by striking '', and before January 1, 2014''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2013.

SA 3099. Mrs. HAGAN submitted an amendment intended to be proposed by her to the bill H.R. 3474, to amend the Internal Revenue Code of 1986 to allow employers to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of the employer mandate under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. EXTENSION OF DUTY-FREE TREATMENT FOR CERTAIN TROUSERS, BREECHES, OR SHORTS IMPORTED FROM NICARAGUA.

(a) DUTY-FREE TREATMENT.—Notwithstanding the termination of the tariff preference level program for imports of apparel articles from Nicaragua and subject to subsection (b), eligible apparel articles shall enter the United States free of duty if such eligible apparel articles are accompanied by an earned import allowance certificate for the amount of credits equal to the total square meter equivalents of fabric in such eligible apparel articles, in accordance with the program established under subsection (c).

(b) QUANTITATIVE LIMITATION.—

(1) INITIAL LIMITATION.—Subject to paragraphs (2) and (3), duty-free treatment under this section shall be extended for a covered calendar year to an initial limit of not more than 50,000,000 square meter equivalents of eligible apparel articles unless that amount is increased pursuant to paragraph (3) for such year.

(2) EXPORT SUCCESS FACTOR.—If during a covered calendar year the Secretary of Commerce determines that duty-free treatment under this section has been extended to 90 percent or more of the initial limit for such year prior to the end of such year, the Commissioner shall—

(A) extend such treatment to an additional amount of square meter equivalents of eligible apparel articles that is equal to 10 percent of the initial limit for such year; and

(B) publish notice of the extension in the Federal Register.

(3) EXPORT SUCCESS PATTERN.—

(A) THREE YEAR INCREASE.—Subject to subparagraph (B), if the Commissioner takes the action described in paragraph (2) for a period of 3 consecutive covered calendar years, for subsequent covered calendar years the Commissioner shall—

(i) increase the initial limit for subsequent covered calendar years by an additional amount of square meter equivalents of eligible apparel articles that is equal to 10 percent of the initial limit for each covered calendar year of the previous 3-year period; and

(ii) publish notice of such increase in the Federal Register.

(B) ADDITIONAL INCREASES.—If the initial limit is increased under subparagraph (A) for a period of 3 consecutive covered calendar years, the initial limit for each such year—

(i) shall be increased under paragraph (2), if the requirements of such paragraph are met for such year; and

(ii) may be eligible for an additional increase under subparagraph (A) no more frequently than once every 3 years.

(c) EARNED IMPORT ALLOWANCE PROGRAM.—

(1) MATCHING REQUIREMENT.—The aggregate square meter equivalents of eligible apparel articles of each producer or entity controlling production that may receive duty-free treatment under this section during a covered calendar year may not exceed the aggregate square meter equivalents of fabric wholly formed in the United States of yarns wholly formed in the United States that was previously exported from the United States by such producer or entity and for which the producer or entity has available credits in its account established under paragraph (3)(B).

(2) REQUIREMENT FOR PROGRAM.—The Secretary of Commerce shall establish a program to provide earned import allowance certificates to any producer or entity controlling production of eligible apparel articles for purposes of subsection (a), based on the elements described in paragraph (3).

(3) ELEMENTS.—The elements described in this paragraph are the following:

(A) CREDITS.—One credit shall be issued to a producer or an entity controlling production for every one square meter equivalent of fabric wholly formed in the United States from yarns wholly formed in the United States that such producer or entity demonstrates has been exported from the customs territory of the United States.

(B) ACCOUNTS.—If requested by a producer or entity controlling production, the Secretary of Commerce shall create and maintain an account for such producer or entity into which credits issued under subparagraph (A) may be deposited.

(C) CERTIFICATES.—A producer or entity controlling production may redeem credits issued under subparagraph (A) for earned import allowance certificates for such number of credits such producer or entity may request and has available, subject to the calendar year limits under subsection (b).

(D) DOCUMENTATION.—The Secretary of Commerce may require that a producer or entity controlling production submit documentation to verify the export of fabric wholly formed in the United States of yarns wholly formed in the United States.

(E) VERIFICATION.—The Secretary of Commerce may reconcile discrepancies in the information provided under subparagraph (D) and verify the accuracy of such information.

(F) ELECTRONIC INFORMATION.—The program shall be established so as to allow, to

the extent feasible, the submission, storage, retrieval, and disclosure of information in electronic format, including information with respect to the earned import allowance certificates.

(G) SCHEDULE.—The Secretary of Commerce shall establish procedures to carry out the program under this subsection by the date that is 90 days after the date of the enactment of this Act, and may establish additional requirements to carry out the program.

(H) PENALTIES.—If an importer, producer, or entity controlling production enters into the customs territory of the United States eligible apparel articles for which there are insufficient earned credits, the Commissioner may impose on such importer, producer, or entity a penalty equal to the value of such eligible apparel articles, in addition to existing penalties under section 592 of the Tariff Act of 1930 (19 U.S.C. 1592), as appropriate.

(4) DETERMINATION OF QUANTITY OF SME.—For purposes of determining the quantity of ''square meter equivalents'' under this section, the conversion factors listed in Correlation: U.S. Textile and Apparel Category System with the Harmonized Tariff Schedule of the United States of America, 2013, or successor publication of the Office of Textiles and Apparel of the Department of Commerce, shall apply.

(d) DEFINITIONS.—In this section:

(1) COMMISSIONER.—The term ''Commissioner'' means the Commissioner responsible for U.S. Customs and Border Protection.

(2) COVERED CALENDAR YEAR.—The term ''covered calendar year'' means a calendar year during the 10-year period referred to in subsection (e).

(3) ELIGIBLE APPAREL ARTICLE.—The term ''eligible apparel article'' means woven trousers, breeches, or shorts that are apparel articles described in subdivisions (a) and (b) of U.S. Note 15 to subchapter XV of chapter 99 of the HTS imported from Nicaragua.

(4) ENTER; ENTRY.—The terms ''enter'' and ''entry'' include a withdrawal from warehouse for consumption.

(5) ENTITY CONTROLLING PRODUCTION.—The term ''entity controlling production'' means a person or other entity or group that is not a producer and that controls the production process in Nicaragua through a contractual relationship or other indirect means.

(6) FABRIC WHOLLY FORMED IN THE UNITED STATES OF YARN WHOLLY FORMED IN THE UNITED STATES.—

(A) IN GENERAL.—The term ''fabric wholly formed in the United States of yarn wholly formed in the United States'' means fabric—

(i) woven in the United States from fibers or from yarns, the constituent staple fibers of which are spun in the United States or the continuous filament of which is extruded in the United States;

(ii) for which any dyeing, printing, or finishing is performed in the United States; and

(iii) exported to Nicaragua on or after April 1, 2014.

(B) DE MINIMIS EXCEPTION.—Fabric that contains yarns not wholly formed in the United States shall be considered ''fabric wholly formed in the United States of yarn wholly formed in the United States'' if the total weight of all yarns not wholly formed in the United States is not more than 10 percent of the total weight of the fabric, except that any elastomeric yarn contained in the fabric must be wholly formed in the United States.

(7) HTS.—The term ''HTS'' means the Harmonized Tariff Schedule of the United States as in effect on the day before the date of the enactment of this Act.

(8) INITIAL LIMIT.—The term ''initial limit'' means the quantity of square meter equivalents of eligible apparel articles that may be extended duty-free treatment under this section on the first day of a calendar year.

(9) PRODUCER.—The term ''producer'' means a person or other entity or group that exercises direct, daily operational control over the production process in Nicaragua.

(10) TARIFF PREFERENCE LEVEL PROGRAM FOR IMPORTS OF APPAREL ARTICLES FROM NICARAGUA.—The term ''tariff preference level program for imports of apparel articles from Nicaragua'' refers to the preferential tariff treatment for nonoriginating apparel goods of Nicaragua established pursuant to Article 3.28 of the Dominican Republic-Central America-United States Free Trade Agreement and the letters described in subparagraphs (A) and (B) of section 1634(a)(2) of the Miscellaneous Trade and Technical Corrections Act of 2006 (title XIV of Public Law 109–280; 120 Stat. 1167).

(e) EFFECTIVE PERIOD.—Duty-free treatment under this section shall be in effect for the 10-year period beginning on January 1, 2015.

SA 3100. Mr. GRASSLEY (for himself and Mr. NELSON) submitted an amendment intended to be proposed by him to the bill H.R. 3474, to amend the Internal Revenue Code of 1986 to allow employers to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of the employer mandate under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE __—CERTIFIED PROFESSIONAL EMPLOYER ORGANIZATIONS

SEC. __01. CERTIFIED PROFESSIONAL EMPLOYER ORGANIZATIONS.

(a) EMPLOYMENT TAXES.—Chapter 25 is amended by adding at the end the following new section:

''SEC. 3511. CERTIFIED PROFESSIONAL EMPLOYER ORGANIZATIONS.

''(a) GENERAL RULES.—For purposes of the taxes, and other obligations, imposed by this subtitle—

''(1) a certified professional employer organization shall be treated as the employer (and no other person shall be treated as the employer) of any work site employee performing services for any customer of such organization, but only with respect to remuneration remitted by such organization to such work site employee, and

''(2) exclusions, definitions, and other rules which are based on the type of employer and which would (but for paragraph (1)) apply shall apply with respect to such taxes imposed on such remuneration.

''(b) SUCCESSOR EMPLOYER STATUS.—For purposes of sections 3121(a)(1), 3231(e)(2)(C), and 3306(b)(1)—

''(1) a certified professional employer organization entering into a service contract with a customer with respect to a work site employee shall be treated as a successor employer and the customer shall be treated as a predecessor employer during the term of such service contract, and

''(2) a customer whose service contract with a certified professional employer organization is terminated with respect to a work site employee shall be treated as a successor employer and the certified professional employer organization shall be treated as a predecessor employer.

''(c) LIABILITY OF CERTIFIED PROFESSIONAL EMPLOYER ORGANIZATION.—Solely for purposes of its liability for the taxes, and other obligations, imposed by this subtitle—

''(1) a certified professional employer organization shall be treated as the employer of any individual (other than a work site employee or a person described in subsection (f)) who is performing services covered by a contract meeting the requirements of section 7705(e)(2), but only with respect to remuneration remitted by such organization to such individual, and

''(2) exclusions, definitions, and other rules which are based on the type of employer and which would (but for paragraph (1)) apply shall apply with respect to such taxes imposed on such remuneration.

''(d) TREATMENT OF CREDITS.—

''(1) IN GENERAL.—For purposes of any credit specified in paragraph (2)—

''(A) such credit with respect to a work site employee performing services for the customer applies to the customer, not the certified professional employer organization,

''(B) the customer, and not the certified professional employer organization, shall take into account wages and employment taxes—

''(i) paid by the certified professional employer organization with respect to the work site employee, and

''(ii) for which the certified professional employer organization receives payment from the customer, and

''(C) the certified professional employer organization shall furnish the customer with any information necessary for the customer to claim such credit.

''(2) CREDITS SPECIFIED.—A credit is specified in this paragraph if such credit is allowed under—

''(A) section 41 (credit for increasing research activity),

''(B) section 45A (Indian employment credit),

''(C) section 45B (credit for portion of employer social security taxes paid with respect to employee cash tips),

''(D) section 45C (clinical testing expenses for certain drugs for rare diseases or conditions),

''(E) section 45R (employee health insurance expenses of small employers),

''(F) section 51 (work opportunity credit),

''(G) section 1396 (empowerment zone employment credit),

''(H) 1400(d) (DC Zone employment credit),

''(I) Section 1400H (renewal community employment credit), and

''(J) any other section as provided by the Secretary.

''(e) SPECIAL RULE FOR RELATED PARTY.—This section shall not apply in the case of a customer which bears a relationship to a certified professional employer organization described in section 267(b) or 707(b). For purposes of the preceding sentence, such sections shall be applied by substituting '10 percent' for '50 percent'.

''(f) SPECIAL RULE FOR CERTAIN INDIVIDUALS.—For purposes of the taxes imposed under this subtitle, an individual with net earnings from self-employment derived from the customer's trade or business is not a work site employee with respect to remuneration paid by a certified professional employer organization.

''(g) REGULATIONS.—The Secretary shall prescribe such regulations as may be necessary or appropriate to carry out the purposes of this section.''.

(b) CERTIFIED PROFESSIONAL EMPLOYER ORGANIZATION DEFINED.—Chapter 79 is amended by adding at the end the following new section:

''SEC. 7705. CERTIFIED PROFESSIONAL EMPLOYER ORGANIZATIONS DEFINED.

''(a) IN GENERAL.—For purposes of this title, the term 'certified professional employer organization' means a person who has been certified by the Secretary for purposes

of section 3511 as meeting the requirements of subsection (b).

''(b) GENERAL REQUIREMENTS.—A person meets the requirements of this subsection if such person—

''(1) demonstrates that such person (and any owner, officer, and such other persons as may be specified in regulations) meets such requirements as the Secretary shall establish with respect to tax status, background, experience, business location, and annual financial audits,

''(2) computes its taxable income using an accrual method of accounting unless the Secretary approves another method,

''(3) agrees that it will satisfy the bond and independent financial review requirements of subsection (c) on an ongoing basis,

''(4) agrees that it will satisfy such reporting obligations as may be imposed by the Secretary,

''(5) agrees to verify on such periodic basis as the Secretary may prescribe that it continues to meet the requirements of this subsection, and

''(6) agrees to notify the Secretary in writing within such time as the Secretary may prescribe of any change that materially affects whether it continues to meet the requirements of this subsection.

''(c) BOND AND INDEPENDENT FINANCIAL REVIEW REQUIREMENTS.—

''(1) IN GENERAL.—An organization meets the requirements of this paragraph if such organization—

''(A) meets the bond requirements of paragraph (2), and

''(B) meets the independent financial review requirements of paragraph (3).

''(2) BOND.—

''(A) IN GENERAL.—A certified professional employer organization meets the requirements of this paragraph if the organization has posted a bond for the payment of taxes under subtitle C (in a form acceptable to the Secretary) in an amount at least equal to the amount specified in subparagraph (B).

''(B) AMOUNT OF BOND.—For the period April 1 of any calendar year through March 31 of the following calendar year, the amount of the bond required is equal to the greater of—

''(i) 5 percent of the organization's liability under section 3511 for taxes imposed by subtitle C during the preceding calendar year (but not to exceed $1,000,000), or

''(ii) $50,000.

''(3) INDEPENDENT FINANCIAL REVIEW REQUIREMENTS.—A certified professional employer organization meets the requirements of this paragraph if such organization—

''(A) has, as of the most recent review date, caused to be prepared and provided to the Secretary (in such manner as the Secretary may prescribe) an opinion of an independent certified public accountant that the certified professional employer organization's financial statements are presented fairly in accordance with generally accepted accounting principles, and

''(B) provides, not later than the last day of the second month beginning after the end of each calendar quarter, to the Secretary from an independent certified public accountant an assertion regarding Federal employment tax payments and an examination level attestation on such assertion.

Such assertion shall state that the organization has withheld and made deposits of all taxes imposed by chapters 21, 22, and 24 of the Internal Revenue Code in accordance with regulations imposed by the Secretary for such calendar quarter and such examination level attestation shall state that such assertion is fairly stated, in all material respects.

''(4) CONTROLLED GROUP RULES.—For purposes of the requirements of paragraphs (2) and (3), all professional employer organizations that are members of a controlled group within the meaning of sections 414(b) and (c) shall be treated as a single organization.

''(5) FAILURE TO FILE ASSERTION AND ATTESTATION.—If the certified professional employer organization fails to file the assertion and attestation required by paragraph (3) with respect to any calendar quarter, then the requirements of paragraph (3) with respect to such failure shall be treated as not satisfied for the period beginning on the due date for such attestation.

''(6) REVIEW DATE.—For purposes of paragraph (3)(A), the review date shall be 6 months after the completion of the organization's fiscal year.

''(d) SUSPENSION AND REVOCATION AUTHORITY.—The Secretary may suspend or revoke a certification of any person under subsection (b) for purposes of section 3511 if the Secretary determines that such person is not satisfying the representations or requirements of subsections (b) or (c), or fails to satisfy applicable accounting, reporting, payment, or deposit requirements.

''(e) WORK SITE EMPLOYEE.—For purposes of this title—

''(1) IN GENERAL.—The term 'work site employee' means, with respect to a certified professional employer organization, an individual who—

''(A) performs services for a customer pursuant to a contract which is between such customer and the certified professional employer organization and which meets the requirements of paragraph (2), and

''(B) performs services at a work site meeting the requirements of paragraph (3).

''(2) SERVICE CONTRACT REQUIREMENTS.—A contract meets the requirements of this paragraph with respect to an individual performing services for a customer if such contract is in writing and provides that the certified professional employer organization shall—

''(A) assume responsibility for payment of wages to such individual, without regard to the receipt or adequacy of payment from the customer for such services,

''(B) assume responsibility for reporting, withholding, and paying any applicable taxes under subtitle C, with respect to such individual's wages, without regard to the receipt or adequacy of payment from the customer for such services,

''(C) assume responsibility for any employee benefits which the service contract may require the organization to provide, without regard to the receipt or adequacy of payment from the customer for such services,

''(D) assume responsibility for hiring, firing, and recruiting workers in addition to the customer's responsibility for hiring, firing and recruiting workers,

''(E) maintain employee records relating to such individual, and

''(F) agree to be treated as a certified professional employer organization for purposes of section 3511 with respect to such individual.

''(3) WORK SITE COVERAGE REQUIREMENT.—The requirements of this paragraph are met with respect to an individual if at least 85 percent of the individuals performing services for the customer at the work site where such individual performs services are subject to 1 or more contracts with the certified professional employer organization which meet the requirements of paragraph (2) (but not taking into account those individuals who are excluded employees within the meaning of section 414(q)(5)).

''(f) DETERMINATION OF EMPLOYMENT STATUS.—Except to the extent necessary for purposes of section 3511, nothing in this section shall be construed to affect the determination of who is an employee or employer for purposes of this title.

''(g) REGULATIONS.—The Secretary shall prescribe such regulations as may be necessary or appropriate to carry out the purposes of this section.''.

(c) CONFORMING AMENDMENTS.—

(1) Section 3302 is amended by adding at the end the following new subsection:

''(h) TREATMENT OF CERTIFIED PROFESSIONAL EMPLOYER ORGANIZATIONS.—If a certified professional employer organization (as defined in section 7705), or a customer of such organization, makes a contribution to the State's unemployment fund with respect to a work site employee, such organization shall be eligible for the credits available under this section with respect to such contribution.''.

(2) Section 3303(a) is amended—

(A) by striking the period at the end of paragraph (3) and inserting ''; and'' and by inserting after paragraph (3) the following new paragraph:

''(4) if the taxpayer is a certified professional employer organization (as defined in section 7705) that is treated as the employer under section 3511, such certified professional employer organization is permitted to collect and remit, in accordance with paragraphs (1), (2), and (3), contributions during the taxable year to the State unemployment fund with respect to a work site employee.'', and

(B) in the last sentence—

(i) by striking ''paragraphs (1), (2), and (3)'' and inserting ''paragraphs (1), (2), (3), and (4)'', and

(ii) by striking ''paragraph (1), (2), or (3)'' and inserting ''paragraph (1), (2), (3), or (4)''.

(3) Section 6053(c) is amended by adding at the end the following new paragraph:

''(8) CERTIFIED PROFESSIONAL EMPLOYER ORGANIZATIONS.—For purposes of any report required by this subsection, in the case of a certified professional employer organization that is treated under section 3511 as the employer of a work site employee, the customer with respect to whom a work site employee performs services shall be the employer for purposes of reporting under this section and the certified professional employer organization shall furnish to the customer any information necessary to complete such reporting no later than such time as the Secretary shall prescribe.''.

(d) CLERICAL AMENDMENTS.—

(1) The table of sections for chapter 25 is amended by adding at the end the following new item:

''Sec. 3511. Certified professional employer organizations.''.

(2) The table of sections for chapter 79 is amended by inserting after the item relating to section 7704 the following new item:

''Sec. 7705. Certified professional employer organizations defined.''.

(e) REPORTING REQUIREMENTS AND OBLIGATIONS.—The Secretary of the Treasury shall develop such reporting and recordkeeping rules, regulations, and procedures as the Secretary determines necessary or appropriate to ensure compliance with the amendments made by this section with respect to entities applying for certification as certified professional employer organizations or entities that have been so certified. Such rules shall include—

(1) notification of the Secretary in the case of the commencement or termination of a service contract described in section 7705(e)(2) of the Internal Revenue Code of 1986 between such a person and a customer, and the employer identification number of such customer, and

(2) such other information as the Secretary determines is essential to promote compliance with respect to the credits identified in section 3511(d) of such Code, and

shall be designed in a manner which streamlines, to the extent possible, the application of requirements of such amendments, the exchange of information between a certified professional employer organization and its customers, and the reporting and recordkeeping obligations of the certified professional employer organization.

(f) USER FEES.—Subsection (b) of section 7528 is amended by adding at the end the following new paragraph:

''(4) CERTIFIED PROFESSIONAL EMPLOYER ORGANIZATIONS.—The annual fee charged under the program in connection with the ongoing certification by the Secretary of a professional employer organization under section 7705 shall not exceed $1,000.''.

(g) EFFECTIVE DATES.—

(1) IN GENERAL.—The amendments made by this section shall apply with respect to wages for services performed on or after January 1 of the first calendar year beginning more than 12 months after the date of the enactment of this Act.

(2) CERTIFICATION PROGRAM.—The Secretary of the Treasury shall establish the certification program described in section 7705(b) of the Internal Revenue Code of 1986, as added by subsection (b), not later than 6 months before the effective date determined under paragraph (1).

(h) NO INFERENCE.—Nothing contained in this section or the amendments made by this section shall be construed to create any inference with respect to the determination of who is an employee or employer—

(1) for Federal tax purposes (other than the purposes set forth in the amendments made by this section), or

(2) for purposes of any other provision of law.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on May 14, 2014, at 10 a.m. in room SD–406 of the Dirksen Senate Office Building, at 2:30 p.m., to conduct a hearing entitled, ''Nuclear Reactor Decommissioning: Stakeholder Views.''

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

COMMITTEE ON FINANCE

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on May 14, 2014, at 2:15 a.m., in room SH–216 of the Hart Senate Office Building.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on May 14, 2014, at 10 a.m.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on May 14, 2014, at 10 a.m. in room SD–430 of the Dirksen Senate Office Building.

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on May 14, 2014, at 10 a.m. in order to conduct a hearing entitled ''Charting a Path Forward for the Chemical Facilities Anti-Terrorism Standards Programs.''

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

COMMITTEE ON INDIAN AFFAIRS

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on May 14, 2014, in room SD–628 of the Dirksen Senate Office Building, at 2:30 p.m., to conduct a hearing entitled, ''Wildfires and Forest Management: Prevention is Preservation.''

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

COMMITTEE ON THE JUDICIARY

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on May 14, 2014, at 10 a.m. in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled, ''The Bulletproof Vest Partnership Grant Program: Supporting Law Enforcement Officers When it Matters Most.'' The witness list is attached.

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

COMMITTEE ON RULES AND ADMINISTRATION

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be authorized to meet during the session of the Senate on May 14, 2014, at 9:30 a.m. in room SR–301 of the Russell Senate Office Building to conduct a hearing entitled, ''Collection, Analysis and Use of Elections Data: A Measured Approach to Improving Election Administration.''

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

SUBCOMMITTEE ON EMERGENCY MANAGEMENT, INTERGOVERNMENTAL RELATIONS, AND THE DISTRICT OF COLUMBIA

Mr. LEAHY. Mr. President, I ask unanimous consent that the Subcommittee on Emergency Management, Intergovernmental Relations, and the District of Columbia of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on May 14, 2014, at 2:30 p.m. to conduct a hearing entitled, ''The Role of Mitigation in Reducing Federal Expenditures for Disaster Response.''

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

EXECUTIVE SESSION

NOMINATION DISCHARGED

Mr. REID. I ask unanimous consent that the Senate proceed to executive session and the committee on commerce be discharged from further consideration of PN No. 1500; that the nomination be confirmed, the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nomination; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

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

The nomination considered and confirmed is as follows:

NOMINATION REFERENCE AND REPORT

As in Executive Session, Senate of the United States, March 4, 2014.

U.S. COAST GUARD

To be admiral

VICE ADM. PAUL F. ZUKUNFT

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

COMMEMORATING AND SUPPORTING THE GOALS OF WORLD AIDS DAY

Mr. REID. I ask unanimous consent to proceed to Calendar No. 272, S. Res. 314.

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

The bill clerk read as follows:

A resolution (S. Res. 314) commemorating and supporting the goals of World AIDS Day.

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

Mr. REID. Mr. President, I ask unanimous consent that the Coons amendment to the resolution, which is at the desk, be agreed to; the resolution, as amended, be agreed to; the Coons amendment to the preamble be agreed to; the preamble, as amended, be agreed to; and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The amendment (No. 3096) was agreed to, as follows:

On page 5, beginning on line 6, strike '', as well as'' and all that follows through ''AIDS'' on line 8.

The resolution (S. Res. 314), as amended, was agreed to.

The amendment to the preamble (No. 3097) was agreed to, as follows:

(Purpose: To amend the preamble)

Strike the second through fourth whereas clauses of the preamble and insert the following:

Whereas the 2001 United Nations Declaration of Commitment on HIV/AIDS Global mobilized global attention and commitment to the HIV/AIDS epidemic and set out a series of national targets and global actions to reverse the epidemic;

Whereas the 2011 United Nations General Assembly High Level Meeting on AIDS addressed the progress of intensified efforts to eliminate HIV and AIDS, including redoubling efforts to achieve by 2015 universal access to HIV prevention, treatment, care, and support, and to eliminate gender inequalities and gender-based abuse and violence and increase the capacity of women and adolescent girls to protect themselves from the risk of HIV infection;

The preamble, as amended, was agreed to.

The resolution, as amended, with its preamble, as amended, reads as follows:

S. RES. 314

Whereas an estimated 35,000,000 people are living with HIV/AIDS in 2013;

Whereas the 2001 United Nations Declaration of Commitment on HIV/AIDS Global mobilized global attention and commitment to the HIV/AIDS epidemic and set out a series of national targets and global actions to reverse the epidemic;

Whereas the 2011 United Nations General Assembly High Level Meeting on AIDS addressed the progress of intensified efforts to eliminate HIV and AIDS, including redoubling efforts to achieve by 2015 universal access to HIV prevention, treatment, care, and support, and to eliminate gender inequalities and gender-based abuse and violence and increase the capacity of women and adolescent girls to protect themselves from the risk of HIV infection;

Whereas the Global Fund to Fight AIDS, Tuberculosis and Malaria was launched in 2002 and, as of November 2013, supported programs in more than 140 countries that provided antiretroviral therapy to 6,100,000 people living with HIV/AIDS and antiretrovirals to 2,100,000 pregnant women to prevent transmission of HIV/AIDS to their babies;

Whereas the United States is the largest donor to the Global Fund to Fight AIDS, Tuberculosis and Malaria;

Whereas for every dollar contributed to the Global Fund to Fight AIDS, Tuberculosis and Malaria by the United States, an additional $2 is leveraged from other donors;

Whereas the United States hosted the Global Fund's Fourth Voluntary Replenishment Conference on December 2–3, 2013;

Whereas the United States President's Emergency Plan for AIDS Relief (PEPFAR), introduced by President George W. Bush in 2003, remains the largest commitment in history by any nation to combat a single disease;

Whereas, as of the end of September 2012, PEPFAR supported treatment for 5,100,000 people, up from 1,700,000 in 2008, and in 2012, PEPFAR supported provision of antiretroviral drugs to 750,000 pregnant women living with HIV to prevent the transmission of HIV from mother to baby during birth;

Whereas PEPFAR directly supported HIV testing and counseling for more than 46,500,000 people in fiscal year 2012;

Whereas considerable progress has been made in the fight against HIV/AIDS, with total new HIV infections estimated at 2,300,000 in 2012, a 33-percent reduction since 2001; new HIV infections among children reduced to 260,000 in 2012, a reduction of 52 percent since 2001; and AIDS-related deaths reduced to 1,600,000 in 2012, a 30-percent reduction since 2005;

Whereas increased access to antiretroviral drugs is the major contributor to the reduction in deaths from HIV/AIDS, and HIV treatment reinforces prevention because it reduces, by up to 96 percent, the chance the virus can be spread;

Whereas the World Health Organization (WHO) has revised its guidelines for determining whether HIV positive individuals are eligible for treatment, thereby increasing the number of individuals eligible for treatment from about 15,000,000 to 28,000,000;

Whereas 9,700,000 people in low- and middle-income countries had access to antiretroviral therapy by the end of 2012, an increase of nearly 20 percent in a year;

Whereas an estimated 50 percent of those living with HIV do not know their status, according to a 2012 UNAIDS report;

Whereas sub-Saharan Africa remains the epicenter of the epidemic, accounting for 1,200,000 of the 1,600,000 deaths from HIV/AIDS;

Whereas stigma, gender inequality, and lack of respect for the rights of HIV positive individuals remain significant barriers to access to services for those most at risk of HIV infection;

Whereas President Barack Obama voiced commitment to realizing the promise of an AIDS-free generation and his belief that the goal was within reach in his February 2013 State of the Union Address;

Whereas the international community is united in pursuit of achieving the goal of an AIDS-free generation by 2015;

Whereas international donor funding has held steady since 2008 and countries affected by the epidemic are increasingly taking responsibility for funding and sustaining programs in their countries, currently accounting for approximately 53 percent of global HIV/AIDS resources;

Whereas December 1 of each year is internationally recognized as World AIDS Day; and

Whereas, in 2013, World AIDS Day commemorations focused on: ''[g]etting to zero: zero new HIV infections, zero discrimination, zero AIDS-related deaths'': Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of World AIDS Day, including getting to zero through zero new HIV infections, zero discrimination, and zero AIDS-related deaths;

(2) applauds the goals and approaches for achieving an AIDS-free generation set forth in the PEPFAR Blueprint: Creating an AIDS-free Generation;

(3) commends the dramatic progress in global AIDS programs supported through the efforts of PEPFAR, the Global Fund to Fight AIDS, Tuberculosis and Malaria, and UNAIDS;

(4) urges, in order to ensure that an AIDS-free generation is within reach, rapid action towards—

(A) full implementation of the Global Plan Towards the Elimination of New HIV Infections Among Children by 2015 and Keeping Their Mothers Alive to build on progress made to date; and

(B) further expansion and scale-up of antiretroviral treatment programs, including efforts to reduce disparities and improve access for children to life-saving medications;

(5) calls for scaling up treatment to reach all individuals eligible for treatment under WHO guidelines;

(6) calls for greater focus on HIV/AIDS vulnerabilities of women and girls, including more directed efforts to ensure that they are connected to the information, care, and treatment they require;

(7) supports efforts to ensure inclusive access to programs and human rights protections for all those most at risk of HIV/AIDS and hardest to reach;

(8) encourages additional private-public partnerships to research and develop better and more affordable tools for the diagnosis, treatment, vaccination, and cure of HIV;

(9) supports continued leadership by the United States in bilateral, multilateral, and private sector efforts to fight HIV;

(10) encourages and supports greater degrees of ownership and shared responsibility by developing countries in order to ensure sustainability of their domestic responses; and

(11) encourages other members of the international community to sustain and scale up their support for and financial contributions to efforts around the world to combat HIV/AIDS.

EXPRESSING REGRET OF THE SENATE FOR THE PASSAGE OF SECTION 3 OF THE EXPATRIATION ACT OF 1907 THAT REVOKED THE UNITED STATES CITIZENSHIP OF WOMEN WHO MARRIED FOREIGN NATIONALS

Mr. REID. I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 402 and the Senate 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. 402) expressing the regret of the Senate for the passage of section 3 of the Expatriation Act of 1907 (34 Stat. 1228) that revoked the United States citizenship of women who married foreign nationals.

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, the motions to reconsider be considered made and laid upon the table, and that there be no intervening action or debate.

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

The resolution (S. Res. 402) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of Thursday, March 27, 2014 under ''Submitted Resolutions.'')

ORDERS FOR THURSDAY, MAY 15, 2014

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. tomorrow, May 15, 2014; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the time until 11:15

a.m. be equally divided and controlled between the two leaders or their designees; further, that following the series of votes at 11:15 a.m., the Senate recess until 1:45 p.m.; finally, that notwithstanding the recess, the filing deadline for first degree amendments to the Wyden substitute amendment and to H.R. 3474 be 1 p.m. tomorrow and the filing deadline for second degree amendments to the substitute be 3 p.m. tomorrow.

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

PROGRAM

Mr. REID. So, Mr. President, there will be a series of votes, as I mentioned, at 11:15 a.m. tomorrow and another series at 1:45 p.m.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

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

There being no objection, the Senate, at 7:11 p.m., adjourned until Thursday, May 15, 2014, at 9:30 a.m.

DISCHARGED NOMINATION

The Senate Committee on Commerce, Science, and Transportation was discharged from further consideration of the following nomination by unanimous consent and the nomination was confirmed:

COAST GUARD NOMINATION OF VICE ADM. PAUL F. ZUKUNFT, TO BE ADMIRAL.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 14, 2014:

DEPARTMENT OF STATE

CARLOS ROBERTO MORENO, OF CALIFORNIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO BELIZE.

DEPARTMENT OF COMMERCE

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

THE JUDICIARY

STEVEN PAUL LOGAN, OF ARIZONA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF ARIZONA.

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

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

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS COMMANDANT OF THE UNITED STATES COAST GUARD AND TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 44:

To be admiral

VICE ADM. PAUL F. ZUKUNFT

EXTENSIONS OF REMARKS

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, May 15, 2014 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

MAY 20

9:30 a.m.
Committee on Armed Services
Subcommittee on Airland
Business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2015.
SD–G50

10 a.m.
Committee on the Judiciary
To hold hearings to examine pending nominations.
SD–226

10:15 a.m.
Committee on Energy and Natural Resources
To hold hearings to examine the nominations of Cheryl A. LaFleur, of Massachusetts, and Norman C. Bay, of New Mexico, both to be a Member of the Federal Energy Regulatory Commission.
SD–366

11 a.m.
Committee on Appropriations
Subcommittee on Military Construction and Veterans Affairs, and Related Agencies
To hold hearings to examine proposed budget estimates for fiscal year 2015 for Military Construction and Veterans Affairs, and related agencies.
SD–124

Committee on Armed Services
Subcommittee on SeaPower
Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2015.
SR–222

2 p.m.
Committee on Armed Services
Subcommittee on Strategic Forces
Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2015.
SR–222

2:15 p.m.
Committee on Foreign Relations
Business meeting to consider S. 2142, to impose targeted sanctions on persons responsible for violations of human rights of antigovernment protesters in Venezuela, to strengthen civil society in Venezuela, S. 462, to enhance the strategic partnership between the United States and Israel, S. Res. 412, reaffirming the strong support of the United States Government for freedom of navigation and other internationally lawful uses of sea and airspace in the Asia-Pacific region, and for the peaceful diplomatic resolution of outstanding territorial and maritime claims and disputes, S. Res. 421, expressing the gratitude and appreciation of the Senate for the acts of heroism and military achievement by the members of the United States Armed Forces who participated in the June 6, 1944, amphibious landing at Normandy, France, and commending them for leadership and valor in an operation that helped bring an end to World War II, S. Res. 426, supporting the goals and ideals of World Malaria Day, and the nominations of Michael Anderson Lawson, of California, for the rank of Ambassador during his tenure of service as Representative on the Council of the International Civil Aviation Organization, Department of State, and Michael W. Kempner, of New Jersey, to be a Member of the Broadcasting Board of Governors.
S–116

2:30 p.m.
Committee on Health, Education, Labor, and Pensions
To hold hearings to examine economic security for working women.
SD–430

Select Committee on Intelligence
To hold closed hearings to examine certain intelligence matters.
SH–219

3:30 p.m.
Committee on Armed Services
Subcommittee on Readiness and Management Support
Business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2015.
SD–G50

5 p.m.
Committee on Armed Services
Subcommittee on Emerging Threats and Capabilities
Business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2015.
SD–G50

MAY 21

10 a.m.
Committee on Armed Services
Subcommittee on Personnel
Business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2015.
SD–G50

Committee on Finance
Subcommittee on Social Security, Pensions, and Family Policy
To hold hearings to examine strengthening Social Security to meet the needs of tomorrow's retirees.
SD–215

Committee on Homeland Security and Governmental Affairs
Business meeting to consider an original bill entitled, ''DHS Cybersecurity Workforce Recruitment and Retention Act of 2014'', S. 2113, to provide taxpayers with an annual report disclosing the cost and performance of Government programs and areas of duplication among them, 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, S. 1045, to amend title 5, United States Code, to provide that persons having seriously delinquent tax debts shall be ineligible for Federal employment, S. 1744, to strengthen the accountability of individuals involved in misconduct affecting the integrity of background investigations, to update guidelines for security clearances, S. 1691, to amend title 5, United States Code, to improve the security of the United States border and to provide for reforms and rates of pay for border patrol agents, S. 675, to prohibit contracting with the enemy, S. 1820, to prohibit the use of Federal funds for the costs of official portraits of Members of Congress, heads of executive agencies, and heads of agencies and offices of the legislative branch, H.R. 1036, to designate the facility of the United States Postal Service located at 103 Center Street West in Eatonville, Washington, as the ''National Park Ranger Margaret Anderson Post Office'', H.R. 1228, to designate the facility of the United States Postal Service located at 123 South 9th Street in De Pere, Wisconsin, as the ''Corporal Justin D. Ross Post Office Building'', H.R. 1451, to designate the facility of the United States Postal Service located at 14 Main Street in Brockport, New York, as the ''Staff Sergeant Nicholas J. Reid Post Office Building'', H.R. 2391, to designate the facility of the United States Postal Service located at 5323 Highway N in Cottleville, Missouri as the ''Lance Corporal Phillip Vinnedge Post Office'', H.R. 3060, to designate the facility of the United States Postal Service located at 232 Southwest Johnson Avenue in Burleson, Texas, as the ''Sergeant William Moody Post Office Building'', and the nominations of Sherry Moore

Trafford, and Steven M. Wellner, both to be an Associate Judge of the Superior Court of the District of Columbia, Julia Akins Clark, of Maryland, to be General Counsel of the Federal Labor Relations Authority, and Tony Hammond, of Missouri, and Nanci E. Langley, of Hawaii, both to be a Commissioner of the Postal Regulatory Commission.

SD–342

Committee on the Judiciary

To hold an oversight hearing to examine the Federal Bureau of Investigation.

SD–226

2 p.m.

Committee on Appropriations

Subcommittee on Financial Services and General Government

To hold hearings to examine proposed budget estimates and justification for fiscal year 2015 for the Small Business Administration and the Community Development Financial Institutions Fund.

SD–138

2:30 p.m.

Committee on Armed Services

Closed business meeting to markup the proposed National Defense Authorization Act for fiscal year 2015.

SR–222

Committee on Commerce, Science, and Transportation

To hold hearings to examine delivering better health care value to consumers, focusing on the first three years of the medical loss ratio.

SR–253

Committee on Indian Affairs

To hold an oversight hearing to examine Indian education, focusing on the Bureau of Indian Education.

SD–628

MAY 22

9:30 a.m.

Committee on Armed Services

Closed business meeting to continue to markup the proposed National Defense Authorization Act for fiscal year 2015.

SR–222

MAY 23

9:30 a.m.

Committee on Armed Services

Closed business meeting to continue to markup the proposed National Defense Authorization Act for fiscal year 2015.

SR–222

JUNE 4

3 p.m.

Committee on Small Business and Entrepreneurship

To hold hearings to examine military service to small business owner, focusing on supporting America's veteran entrepreneurs.

SR–428A

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S2981–S3045

Measures Introduced: Nine bills and one resolution were introduced, as follows: S. 2332–2340, and S. Res. 445. **Pages S3028–29**

Measures Reported:

S. 2076, to amend the provisions of title 46, United States Code, related to the Board of Visitors to the United States Merchant Marine Academy. (S. Rept. No. 113–158)

S. 753, to provide for national security benefits for White Sands Missile Range and Fort Bliss, with an amendment. (S. Rept. No. 113–159)

S. 1169, to withdraw and reserve certain public land in the State of Montana for the Limestone Hills Training Area, with an amendment in the nature of a substitute. (S. Rept. No. 113–160)

S. 1309, to withdraw and reserve certain public land under the jurisdiction of the Secretary of the Interior for military uses, with an amendment in the nature of a substitute. (S. Rept. No. 113–161)

Page S3028

Measures Passed:

World AIDS Day: Senate agreed to S. Res. 314, commemorating and supporting the goals of World AIDS Day, after agreeing to the following amendments proposed thereto: **Pages S3043–44**

Reid (for Coons) Amendment No. 3096, to make a technical correction. **Page S3043**

Reid (for Coons) Amendment No. 3097, to amend the preamble. **Pages S3043–44**

Expatriation Act of 1907: Committee on the Judiciary was discharged from further consideration of S. Res. 402, expressing the regret of the Senate for the passage of section 3 of the Expatriation Act of 1907 (34 Stat. 1228) that revoked the United States citizenship of women who married foreign nationals, and the resolution was then agreed to. **Page S3044**

Measures Considered:

Hire More Heroes Act—Agreement: Senate began consideration of H.R. 3474, to amend the Internal Revenue Code of 1986 to allow employers to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of the employer mandate under the Patient Protection and Affordable Care Act, after agreeing to the motion to proceed, and taking action on the following motions and amendments proposed thereto: **Pages S2984–93, S3018**

Pending:

Reid (for Wyden) Amendment No. 3060, in the nature of a substitute. **Page S3018**

Reid Amendment No. 3089 (to Amendment No. 3060), to change the enactment date. **Page S3018**

Reid Amendment No. 3090 (to Amendment No. 3089), of a perfecting nature. **Page S3018**

Reid Amendment No. 3091 (to the language proposed to be stricken by Amendment No. 3060), to change the enactment date. **Page S3018**

Reid Amendment No. 3092 (to Amendment No. 3091), of a perfecting nature. **Page S3018**

Reid motion to commit the bill to the Committee on Finance, with instructions, Reid Amendment No. 3093, to change the enactment date. **Pages S3018–19**

Reid Amendment No. 3094 (to (the instructions) Amendment No. 3093), of a perfecting nature. **Page S3019**

Reid Amendment No. 3095 (to Amendment No. 3094), of a perfecting nature. **Page S3019**

A motion was entered to close further debate on Reid (for Wyden) Amendment No. 3060 (listed above), and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of the nomination of Gregg Jeffrey Costa, of Texas, to be United States Circuit Judge for the Fifth Circuit. **Page S3019**

A motion was entered to close further debate on the bill, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of Reid (for Wyden) Amendment No. 3060. **Page S3019**

A unanimous-consent agreement was reached providing that notwithstanding the recess, the filing deadline for first-degree amendments to Reid (for Wyden) Amendment No. 3060 and to the bill, be 1 p.m., on Thursday, May 15, 2014, and the filing deadline for second-degree amendments to Reid (for

Wyden) Amendment No. 3060, be 3 p.m., on Thursday, May 15, 2014. **Pages S3044–45**

Justice and Mental Health Collaboration Act: Senate began consideration of the motion to proceed to consideration of S. 162, to reauthorize and improve the Mentally Ill Offender Treatment and Crime Reduction Act of 2004. **Pages S3019–20**

Fischer Nomination—Cloture: Senate began consideration of the nomination of Stanley Fischer, of New York, to be a Member of the Board of Governors of the Federal Reserve System. **Page S3019**

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of H.R. 3474, to amend the Internal Revenue Code of 1986 to allow employers to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of the employer mandate under the Patient Protection and Affordable Care Act. **Page S3019**

Marquez, Rayes, Soto, Caldwell, La Lime, Soto, and Costa Nominations—Agreement: A unanimous-consent-time agreement was reached providing that notwithstanding Rule XXII, at 11:15 a.m., on Thursday, May 15, 2014, Senate vote on the motion to invoke cloture on the nominations of Rosemary Marquez, of Arizona, to be United States District Judge for the District of Arizona, Douglas L. Rayes, of Arizona, to be United States District Judge for the District of Arizona, and James Alan Soto, of Arizona, to be United States District Judge for the District of Arizona, then begin consideration and vote on confirmation of the nominations of Leslie Ragon Caldwell, of New York, to be an Assistant Attorney General, and Helen Meagher La Lime, of the District of Columbia, to be Ambassador to the Republic of Angola; that if cloture is invoked on the nominations of Rosemary Marquez, of Arizona, to be United States District Judge for the District of Arizona, Douglas L. Rayes, of Arizona, to be United States District Judge for the District of Arizona, and James Alan Soto, of Arizona, to be United States District Judge for the District of Arizona, at 1:45 p.m., all post-cloture time be expired and Senate vote on confirmation of the nominations in the order listed; that following disposition of the nomination of James Alan Soto, of Arizona, to be United States District Judge for the District of Arizona, Senate vote on the motion to invoke cloture on the nomination of Gregg Jeffrey Costa, of Texas, to be United States Circuit Judge for the Fifth Circuit, and that if cloture is invoked, all post-cloture time be expired, Senate resume legislative session and vote on the motion to invoke cloture on Reid (for Wyden) Amendment No. 3060, in the nature of a substitute to H.R. 3474; provided further, that at 5:30 p.m., on Tuesday, May 20, 2014, Senate vote on confirmation of the nomination of Gregg Jeffrey Costa, of Texas, to be United States Circuit Judge for the Fifth Circuit; that there be two minutes for debate prior to each vote, equally divided in the usual form, that any roll call votes, following the first in each series, be ten minutes in length; and that no further motions be in order to the nominations. **Page S3020**

Nominations Confirmed: Senate confirmed the following nominations:

Roy K. J. Williams, of Ohio, to be Assistant Secretary of Commerce for Economic Development. **Pages S2994, S3045**

Carlos Roberto Moreno, of California, to be Ambassador to Belize. **Pages S2994, S3045**

By a unanimous vote of 96 yeas (Vote No. EX. 147), Steven Paul Logan, of Arizona, to be United States District Judge for the District of Arizona. **Pages S3017, S3045**

During consideration of this nomination today, Senate also took the following action:

By 58 yeas to 37 nays (Vote No. 144), Senate agreed to the motion to close further debate on the nomination. **Page S2993**

By a unanimous vote of 96 yeas (Vote No. EX. 148), John Joseph Tuchi, of Arizona, to be United States District Judge for the District of Arizona. **Pages S3017–18, S3045**

During consideration of this nomination today, Senate also took the following action:

By 62 yeas to 35 nays (Vote No. 145), Senate agreed to the motion to close further debate on the nomination. **Pages S2993–94**

By a unanimous vote of 96 yeas (Vote No. EX. 149), Diane J. Humetewa, of Arizona, to be United States District Judge for the District of Arizona. **Pages S3018, S3045**

During consideration of this nomination today, Senate also took the following action:

By 64 yeas to 34 nays (Vote No. 146), Senate agreed to the motion to close further debate on the nomination. **Page S2994**

1 Coast Guard nomination in the rank of admiral. (Prior to this action, Committee on Commerce, Science, and Transportation was discharged from further consideration.) **Page S3045**

Executive Communications: **Pages S3026–28**

Executive Reports of Committees: **Page S3028**

Additional Cosponsors: **Pages S3029–30**

Statements on Introduced Bills/Resolutions: **Pages S3030–32**

Additional Statements: Pages S3023–26

Amendments Submitted: Pages S3032–43

Authorities for Committees to Meet: Page S3043

Record Votes: Six record votes were taken today. (Total—149) Pages S2993–94, S3017–18

Adjournment: Senate convened at 9:30 a.m. and adjourned at 7:11 p.m., until 9:30 a.m. on Thursday, May 15, 2014. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S3045.)

Committee Meetings

(Committees not listed did not meet)

DEFENSE RESEARCH AND INNOVATION

Committee on Appropriations: Subcommittee on Department of Defense concluded a hearing to examine defense research and innovation, after receiving testimony from Alan R. Shaffer, Principal Deputy, Assistant Secretary for Defense Research and Engineering, Arati Prabhakar, Director, Defense Advanced Research Projects Agency, David E. Walker, Deputy Assistant Secretary of the Air Force for Science, Technology, and Engineering, Rear Admiral Matthew L. Klunder, United States Navy, Chief of Naval Research, Mary J. Miller, Deputy Assistant Secretary of the Army for Research and Technology, and Terry M. Rauch, Director of Medical Research, Office of the Assistant Secretary for Health Affairs, all of the Department of Defense.

STRENGTHENING FINANCIAL MARKETS

Committee on Appropriations: Subcommittee on Financial Services and General Government concluded a hearing to examine strengthening oversight and integrity of the financial markets, focusing on fiscal year 2015 resource needs of the U.S. Securities and Exchange Commission and the U.S. Commodity Futures Trading Commission, after receiving testimony from Mary Jo White, Chair, U.S. Securities and Exchange Commission; and Mark P. Wetjen, Acting Chairman, Commodity Futures Trading Commission.

NUCLEAR REACTOR DECOMMISSIONING

Committee on Environment and Public Works: Committee concluded a hearing to examine nuclear reactor decommissioning, focusing on stakeholder views, after receiving testimony from Michael Weber, Deputy Executive Director for Materials, Waste, Research, Tribal, and Compliance Programs, Nuclear Regulatory Commission; Christopher Recchia, Vermont Public Service Department Commissioner, Montpelier; Donald Mosier, City of Del Mar Councilmember, Del Mar, California; and Geoffrey H. Fettus, Natural Resources Defense Council, Inc., and Marvin S. Fertel, Nuclear Energy Institute, both of Washington, DC.

NOMINATION

Committee on Finance: Committee concluded a hearing to examine the nomination of Sylvia Mathews Burwell, of West Virginia, to be Secretary of Health and Human Services, after the nominee, who was introduced by Senator Coburn, testified and answered questions in her own behalf.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Mark Sobel, of Virginia, to be United States Executive Director, and Sunil Sabharwal, of California, to be United States Alternate Executive Director, both of the International Monetary Fund, Matthew T. McGuire, of the District of Columbia, to be United States Executive Director of the International Bank for Reconstruction and Development, and Mileydi Guilarte, of the District of Columbia, to be United States Alternate Executive Director of the Inter-American Development Bank, after the nominees testified and answered questions in their own behalf.

CHEMICAL FACILITIES ANTI-TERRORISM STANDARDS PROGRAM

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine charting a path forward for the Chemical Facilities Anti-Terrorism Standards Program, after receiving testimony from Suzanne E. Spaulding, Under Secretary, and David Wulf, Director, both of the National Protection and Programs Directorate, Department of Homeland Security; Stephen L. Caldwell, Director, Homeland Security and Justice, Government Accountability Office; Dana A. Shea, Specialist in Science and Technology Policy, Resources, Science, and Industry Division, Congressional Research Service, Library of Congress; and Anna Fendley, United Steelworkers, and Tim Scott, The Dow Chemical Company, on behalf of the American Chemistry Council, both of Washington, DC.

FEDERAL EXPENDITURES FOR DISASTER RESPONSE

Committee on Homeland Security and Governmental Affairs: Subcommittee on Emergency Management, Intergovernmental Relations, and the District of Columbia concluded a hearing to examine the role of mitigation in reducing Federal expenditures for disaster response, after receiving testimony from David Miller, Associate Administrator, Federal Insurance and Mitigation Administration, Federal Emergency

Management Agency, Department of Homeland Security; Chris Currie, Acting Director, Homeland Security and Justice, Government Accountability Office; Chad Berginnis, Association of State Floodplain Managers, Madison, Wisconsin; and Robert Detlefsen, National Association of Mutual Insurance Companies, Washington, DC., on behalf of the BuildStrong Coalition.

BUSINESS MEETING

Committee on Health, Education, Labor, and Pensions: Committee ordered favorably reported the following business items:

An original bill entitled, ''The Strong Start for America's Children Act''; and

The nomination of R. Jane Chu, of Missouri, to be Chairperson of the National Endowment for the Arts.

WILDFIRES AND FOREST MANAGEMENT

Committee on Indian Affairs: Committee concluded an oversight hearing to examine wildfires and forest management, focusing on how prevention is preservation, after receiving testimony from Kevin K. Washburn, Assistant Secretary of the Interior for Indian Affairs; James Hubbard, Deputy Chief, State and Private Forestry, Forest Service, Department of Agriculture; Dan Breuninger, Mescalero Apache Tribe, Mescalero, New Mexico; Phil Rigdon, Intertribal Timber Council, Portland, Oregon; Jonathan Brooks, White Mountain Apache Tribe, White River, Arizona; and Adrian Leighton, Salish Kootenai College and Third Indian Forest Management Assessment Team, Pablo, Montana.

BULLETPROOF VEST PARTNERSHIP GRANT PROGRAM

Committee on the Judiciary: Committee concluded a hearing to examine the Bulletproof Vest Partnership Grant Program, focusing on supporting law enforcement officers, including S. 933, 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, after receiving testimony from Ann M. Carrizales, City of Stafford Police Department, Stafford, Texas; and Yousry A. Zakhary, City of Woodway Public Safety Department, Woodway, Texas, on behalf of the International Association of Chiefs of Police.

ELECTION DATA

Committee on Rules and Administration: Committee concluded a hearing to examine a collection, analysis and use of elections data, focusing on a measured approach to improving election administration, after receiving testimony from Kevin J. Kennedy, Wisconsin Government Accountability Board Director and General Counsel, Madison; Heather K. Gerken, Yale Law School, New Haven, Connecticut; Charles Stewart III, Massachusetts Institute of Technology, Cambridge; David J. Becker, The Pew Charitable Trusts, Washington, DC.; and J. Justin Riemer, former Virginia State Board of Elections Deputy Secretary, Richmond.

HEROIN AND PRESCRIPTION DRUG ABUSE

United States Senate Caucus on International Narcotics Control: Caucus concluded a hearing to examine heroin and prescription drug abuse, including S. 1657, to reduce prescription drug misuse and abuse, S. 2092, to provide certain protections from civil liability with respect to the emergency administration of opioid overdose drugs, S. 1323, to address the continued threat posed by dangerous synthetic drugs by amending the Controlled Substances Act relating to controlled substance analogues, and S. 1322, to amend the Controlled Substances Act relating to controlled substance analogues, after receiving testimony from Michael P. Botticelli, Acting Director, Office of National Drug Control Policy; Nora D. Volkow, Director, National Institute on Drug Abuse, National Institutes of Health, and H. Westley Clark, Director, Center for Substance Abuse Treatment, Substance Abuse and Mental Health Services Administration, both of the Department of Health and Human Services; Joseph T. Rannazzisi, Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration, Department of Justice; and Andrew Kolodny, Phoenix House Foundation, New York, New York.

House of Representatives

Chamber Action

The House was not in session today. The House is scheduled to meet at 2 p.m. on Thursday, May 15, 2014 in pro forma session.

Committee Meetings

No hearings were held.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR THURSDAY, MAY 15, 2014

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Banking, Housing, and Urban Affairs: business meeting to resume consideration of S. 1217, to provide secondary mortgage market reform, 10 a.m., SD–538.

Committee on Commerce, Science, and Transportation: Subcommittee on Surface Transportation and Merchant Marine Infrastructure, Safety, and Security, to hold hearings to examine Surface Transportation Reauthorization, focusing on local perspectives on moving America, 2:30 p.m., SR–253.

Committee on Environment and Public Works: business meeting to consider S. 2322, to reauthorize Federal-aid highway and highway safety construction programs, 9:30 a.m., SD–406.

Committee on Foreign Relations: Subcommittee on African Affairs, to hold hearings to examine addressing the threat of Boko Haram, 10 a.m., SD–419.

Full Committee, to hold hearings to examine the nominations of Andrew H. Schapiro, of Illinois, to be Ambassador to the Czech Republic, and Nina Hachigian, of California, to be Representative of the United States of America to the Association of Southeast Asian Nations, with the rank and status of Ambassador, both of the Department of State, 2:30 p.m., SD–419.

Committee on Health, Education, Labor, and Pensions: to hold hearings to examine the state of tobacco use and regulation in the United States, focusing on progress and challenges, 2:30 p.m., SD–430.

Committee on Homeland Security and Governmental Affairs: Permanent Subcommittee on Investigations, to hold hearings to examine online advertising and hidden hazards to consumer security and date privacy, 9:30 a.m., SD–342.

Committee on Veterans' Affairs: to hold hearings to examine the state of Veterans' Affairs health care, 10 a.m., SD–106.

Select Committee on Intelligence: to hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH–219.

House

No hearings are scheduled.

Next Meeting of the **SENATE**

9:30 a.m., Thursday, May 15

Senate Chamber

Program for Thursday: At 11:15 a.m., Senate will vote on the motions to invoke cloture on the nominations of Rosemary Marquez, of Arizona, to be United States District Judge for the District of Arizona, Douglas L. Rayes, of Arizona, to be United States District Judge for the District of Arizona, James Alan Soto, of Arizona, to be United States District Judge for the District of Arizona, and Gregg Jeffrey Costa, of Texas, to be United States Circuit Judge for the Fifth Circuit, and on confirmation of the nominations of Leslie Ragon Caldwell, of New York, to be an Assistant Attorney General, and Helen Meagher La Lime, of the District of Columbia, to be Ambassador to the Republic of Angola.

(Senate will recess following disposition of the nomination of Helen Meagher La Lime, of the District of Columbia, to be Ambassador to the Republic of Angola until 1:45 p.m.)

At 1:45 p.m., Senate will vote on confirmation of the nominations of Rosemary Marquez, of Arizona, to be United States District Judge for the District of Arizona, Douglas L. Rayes, of Arizona, to be United States District Judge for the District of Arizona, James Alan Soto, of Arizona, to be United States District Judge for the District of Arizona, and Gregg Jeffrey Costa, of Texas, to be United States Circuit Judge for the Fifth Circuit, and on the motion to invoke cloture on Reid (for Wyden) Amendment No. 3060 to H.R. 3474, Hire More Heroes Act.

The filing deadline for first-degree amendments to Reid (for Wyden) Amendment No. 3060 and to H.R. 3474, Hire More Heroes Act, is 1:00 p.m., and the filing deadline for second-degree amendments to Reid (for Wyden) Amendment No. 3060, is 3:00 p.m.

Next Meeting of the **HOUSE OF REPRESENTATIVES**

2 p.m., Thursday, May 15

House Chamber

Program for Thursday: The House is scheduled to meet at 2 p.m. on Thursday, May 15, 2014 in pro forma session.

Congressional Record

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