

their view that our largest banks should be held to a significantly lesser standard than distressed American homeowners. They seem to believe that when it comes to the potentially reckless choices of banks, they can continue to wreak havoc in our financial markets—and if their bets fail spectacularly, taxpayers will be there to clean up their mess. This shouldn't be the case.

If Members want to debate and vote on this issue in the open, I welcome the opportunity, but to avoid the debate by tucking this provision in a 1,600 page funding bill is a disservice to the seriousness of the issue. I am disheartened that despite what past experience has shown us, we are rushing towards what could be another grave mistake.

While much attention has been paid to the repeal of section 716 and other controversial pieces of this legislation, I am even more troubled by the last-minute addition of a bill that would make major changes to the multiemployer pension system.

The multiemployer pension program, guaranteed by the Pension Benefit Guaranty Corporation (PBGC), is in financial distress. Just 1 month ago, the PBGC's annual report raised a number of concerns about the increasing deficits of the multiemployer pension program. Alarming, the report predicted a high likelihood of many plans failing over the next decade, which would jeopardize the PBGC's ability to ensure retirees even a minimum guarantee on their pensions. We must take action to ensure that middle-income employees and retirees do not have the rug cut out from under them and lose retirement benefits.

We should have a thoughtful, open debate about how we ensure that middle-income employees and retirees receive the pension benefits they have earned so they are able to enjoy a secure retirement. We need a solution that honors these retirees' lifelong work.

Regrettably, this legislation—for the first time—opens the door to cutting pension benefits for current retirees. It would renege on the commitments made to middle-income families across the country. Hamstrung by budget constraints over the last few years, we have not done as much as I would have liked to protect programs that provide much needed support to hard-working families. My efforts to extend unemployment insurance, which benefits a broad cross-section of Americans, have been rebuffed by House Republicans time after time this year. And now even hard earned pension benefits are not safe.

The financial stability of multiemployer plans is a serious challenge that Congress will have to confront. However, we must consider a range of options before we move to dismantle the longstanding protections afforded to employees and their families by the Employee Retirement Income Security Act (ERISA). One of the most impor-

tant aspects of this law stipulates that benefits for troubled multiemployer pension plans must be paid out first with remaining assets. The legislation we are considering flies in the face of that commitment by allowing benefit cuts to be the first option for restoring solvency to these plans.

Any solution is going to require tough compromises from everyone, but all stakeholders should have the opportunity to participate in crafting a solution instead of having it developed in secret and rammed through as part of a must-pass spending bill. This is the sort of action that infuriates the people we represent. But more important than process, this bill will have an effect on people's lives for years to come and gives further cause for Americans to think that their government doesn't have their back or care about their economic security. We shouldn't approach it so frivolously. We need to make sure the policy is right.

Given the outstanding efforts of Chairwoman MIKULSKI and my colleagues on the Appropriations Committee it is difficult for me to say this, but because of the reasons I have explained, I voted no on this bill.

Ms. BALDWIN. Madam President, this is not the time for another government shutdown. The American people have had enough of Washington's dysfunction. They want us to do our job and work together to get the job done. Since the Budget Committee, on which I serve, crafted a bipartisan agreement that ended last year's government shutdown and paved the way for a cease-fire on recent budget wars, the economy has gained an average of 240,000 jobs per month. In Wisconsin, our economy continues to lag behind, so we need to build on this progress and strengthen the economic security of families and businesses that are working hard to move our economy forward.

This bipartisan appropriations bill will help do that by increasing the Child Care and Development Block Grant funding by \$75 million; increasing the maximum Pell grant award; providing a cost of living pay raise for our men and women in the Armed Forces; increasing funding for science and research at the National Institutes of Health by \$150 million; providing grants to States for job training and assistance to dislocated workers; extending Trade Adjustments Assistance for workers who lose their jobs due to international trade; and moving bipartisan Manufacturing Hubs legislation forward that I support to keep our country on the leading edge of advanced manufacturing.

I also fought to include in this legislation a number of provisions that will help us build a stronger made in Wisconsin economy, including support for our shipbuilding industry and transportation infrastructure.

With all of these benefits, I am the first to admit that this bill is far from perfect. But we have a divided govern-

ment and I recognize that I can't get everything I want in this bill, just as my colleagues across the aisle can't get everything they want in this bill. This bill is a compromise.

Let me be very clear here: Republicans' insistence on including a Wall Street giveaway is extremely objectionable to me. I also strongly oppose a provision that weakens our already loose campaign laws and the changes made to multiemployer pensions deserved a full debate in the Senate, as separate legislation, not tucked into an appropriations bill by the House of Representatives at the last minute. I agree with my colleagues who have said these provisions represent the very worst of creating an uneven playing field for those hard working Americans who ask for nothing more than a voice in Washington and fair shot at getting ahead. I would also add that these provisions in particular are a direct assault on our proud progressive traditions in Wisconsin.

But what would have happened if we did not pass this bill now? I can tell you what will happen because we saw the path the Republican controlled House of Representatives wanted to take. Republicans tried to add more than 30 additional harmful policy provisions—from more Wall Street giveaways to rolling back workers' rights to eroding environmental policy—but Senate Democrats were able to use their current leverage as the majority party in the Senate to keep them out. If this bill did not pass now, Republicans would have had the power to add more objectionable provisions when they will hold majorities in both the House and Senate next year.

I supported this bipartisan compromise because I believe it is our job to deliver progress for the American people, not an endless drift from one crisis to the next or a government shutdown.

#### GUN VIOLENCE

Mr. LEVIN. Madam President, 15 years ago, in the days after the shooting at Columbine High School stunned our Nation, I spoke to the Economic Club of Detroit. There, as our country reflected on gun violence's horrific toll, I asked a simple question: "Are we willing to say enough is enough?"

Now, so many years later, that question still haunts us. Today, in a country dedicated to "life, liberty and the pursuit of happiness," guns kill over 32,000 people a year. That is almost 88 people a day. On top of that, there are over 73,000 nonfatal gun injuries each year. That is 200 a day. Some statistics have shown that 50 percent of suicides in the United States are committed with a firearm. Others have found that children and young adults account for 38 percent of gun deaths and nonfatal injuries, and that when guns are present during incidents of domestic violence, the risk of homicide escalates over 500 percent.

Each of these statistics represents tragedy: people with stories, families, loved ones left behind and dreams shattered. A recent CNN report, for example, analyzed all the gun incidents that occurred in America on a day picked at random—July 12, 2014. Their research found on that day alone, at least 83 gun incidents occurred in our country. At 3:20 a.m., a 23-year-old man was shot and killed at an apartment complex in Tallahassee, FL. At 11:01 a.m., in Ohio, officers responding to a domestic violence complaint arrived to a firefight that ended when the gunman turned his weapon on himself. At 6:20 p.m. an elderly man mistakenly shot and killed his neighbor, whom he mistook for an intruder. At 8:40 p.m., in South Carolina, after an altercation at a party, a man sprayed bullets into the crowd, killing a 47-year-old man and injuring another. And these are just a few examples: in the report's words, "we are certain about one thing—we did not capture every gun incident."

Congress can take commonsense steps to make things better. We should pass a bill making background checks mandatory on all gun sales, a step that study after study has shown is supported by 90 percent of the American people, as well as 95 percent of American internists and 55.4 percent of gun dealers and pawnbrokers. We should pass legislation to ban military style assault weapons, so as to stop the flood of these weapons into our neighborhoods and streets. The bottom line is that law enforcement personnel who put their lives on the line every day need and deserve our support in their effort to ban assault weapons, require background checks and take other steps to reduce gun violence.

We recently observed the 2-year anniversary of the day when a deranged individual took the lives of 26 people, 20 of them children, at Sandy Hook Elementary School in Newtown, CT. The children were first graders, 6- and 7-year-olds. Today, they would have been 8- and 9-year-olds, third graders, celebrating birthdays, learning about fractions and decimals, and reading books. Instead, we can only honor their memory and rededicate ourselves to the work of preventing these tragedies in the future.

So I must ask the question again, Are we willing to say that enough is enough? After so many years and so much senseless death, injury and pain, when will we come together to stop this violence?

I am still hopeful. I am hopeful that Congress will finally answer the question in the affirmative "Enough is enough." I am hopeful that Congress will listen to our communities, our educators, and clergy, our law enforcement officials and businesspeople, our families and loved ones and join them in saying "enough is enough." And I am hopeful that one day soon, Congress will pay victims and survivors of American gun violence the highest tribute that it can: legislation to stop the

bloodshed, and to make this country that we love better and safer for generations to come.

#### GENERIC DRUG REPORT AND STUDY REQUEST

Mr. NELSON. Madam President, today I wish to call attention to a report released by the Senate Special Committee on Aging, "Medicare Part D Prescription Drug Benefit: Increasing Use and Access of Affordable Prescription Drugs." I have long been an advocate in the fight for affordable prescription drugs for our seniors—in fact, when this body was considering the legislation that created the Medicare Part D benefit, I voiced concerns that we did not go far enough to ensure that every senior had access to the life-saving and life-sustaining treatments they need.

During the debate in the Senate on the Affordable Care Act, I fought to eliminate the so-called Medicare Part D doughnut hole because no senior should have their drug coverage disappear when they need it most. I believe that closing the prescription drug doughnut hole was one of the best things we did in the Affordable Care Act, and in my State alone seniors have saved more than \$756 million on their drugs since the law was passed.

Over the past 2 years, the Aging Committee has held hearings, drafted legislation, solicited multiple reports from the Government Accountability Office, GAO, and the Department of Health and Human Services Office of the Inspector General, OIG, on selected topics, and met with industry and beneficiary stakeholders. I requested a study by the GAO on the Part D plan finder tool's accuracy of information on plans and drug pricing.

I chaired a hearing to commemorate the 10th anniversary of the creation of Medicare Part D. During that hearing, witnesses raised issues of specialty drug costs, coverage denial, and customer service issues. As a result, Senator COLLINS and I introduced the Part D Beneficiary Appeals Fairness Act, S. 1365, to give beneficiaries the right to appeal for a lower copayment for drugs on the specialty tier, the tier on which the most expensive drugs are. I have worked hard with my colleagues to rectify issues with the Medicare Part D appeals process when I learned that seniors were still having difficulty when coverage for needed medications was denied. I also requested a thorough review by the OIG into beneficiaries' access to generic drugs in Medicare Part D plans, the results of which are in the report submitted today, as well as a continued review of the differences in prices for drugs in the Medicaid Program as compared with the Medicare Program.

I will continue to improve the Medicare Part D Program, and that is why my colleagues and I issued this committee report to inform the full Senate on innovative ways to use the tools

within the Part D program to better control drug costs for seniors and taxpayers.

This report is the culmination of 2 years of work by the Senate Special Committee on Aging to assess the status of the Part D program and recommend improvements.

One undeniable factor that keeps costs down in the Part D program is the use of generic drugs. Competition in the generic drug market translates into real savings for both taxpayers and beneficiaries. The Congressional Budget Office, CBO, estimated in 2010 that the use of generic drugs in the Part D program saved beneficiaries and taxpayers approximately \$33 billion; approximately 72 percent—\$24 billion—of those savings accrued to the Medicare program and 28 percent—\$9 billion—went to beneficiaries. CBO estimates that such savings are shared by beneficiaries and the Part D program through a combination of lower copayments and lower premiums than would have been charged otherwise.

While the proportion of generic drug use has increased over time, certain high-cost beneficiary groups continue to miss savings. The committee's report finds four areas for improvement that should be addressed in order to continue to improve on value-based prescription drug use. These include:

Incentivizing and supporting plan sponsors to not only include generic drugs on plan formularies but also to proactively promote the maximum use of generic alternatives where appropriate. Currently, most plan sponsors offer a full array of generic alternatives, but they are not required to do so, leaving a small number of plan formularies that do not maximize generic offerings. In addition, there are no mechanisms that reward or incentivize plan sponsors that have undertaken successful strategies to further increase generics use. Encouraging value in Part D plans as much as possible will be increasingly important in coming years.

Finding ways to increase the adoption of generic drugs among beneficiaries that receive low income subsidy, LIS, benefits. Generally, insurance companies have been successful at encouraging enrollees to use generic alternatives when available in part because there are large differences in copays between brand and generic drugs. However, in the LIS population, these cost differences do not exist; their copays are set by statute. Innovative methods to improve use of generic drugs in this population, while still ensuring full access for this vulnerable population, must be explored.

Improving education among beneficiaries and health professionals. There continues to be a need to educate beneficiaries and health professionals on the efficacy of generic medications and incentivizing them to substitute brand-name drugs for generic drugs, when appropriate.

Maximizing program integrity efforts at pharmacies. In some situations,