United States of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 113th CONGRESS, FIRST SESSION

Vol. 159 WASHINGTON, TUESDAY, DECEMBER 17, 2013 No. 179

# House of Representatives

The House was not in session today. Its next meeting will be held on Thursday, December 19, 2013, at 11 a.m.

# Senate

TUESDAY, DECEMBER 17, 2013

The Senate met at 9 a.m. and was called to order by the President pro tempore (Mr. LEAHY.)

PRAYER

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

Let us pray.

God of peace, in whom are hidden all the treasures of wisdom and knowledge, thank You for coming to our world with the gift of salvation. We praise You for forgiving our sins and canceling the penalty which stood against us.

Help our Senators to be peacemakers as they move toward the finish line of another year. Lord, may they be filled with the knowledge of Your will in all spiritual wisdom and understanding, leading lives worthy of You as they strive to please You. Infuse them with the spirit of Your peace and grace so that there will be peace on Earth and good will to humankind.

We pray in Your majestic Name. Amen.

**NOTICE**

If the 113th Congress, 1st Session, adjourns sine die on or before December 24, 2013, a final issue of the *Congressional Record* for the 113th Congress, 1st Session, will be published on Tuesday, December 31, 2013, to permit Members to insert statements.

All material for insertion must be signed by the Member and delivered to the respective offices of the Official Reporters of Debates (Room HT–59 or S–123 of the Capitol), Monday through Friday, between the hours of 10:00 a.m. and 3:00 p.m. through Monday, December 30. The final issue will be dated Tuesday, December 31, 2013, and will be delivered on Thursday, January 2, 2014.

None of the material printed in the final issue of the *Congressional Record* may contain subject matter, or relate to any event, that occurred after the sine die date.

Senators' statements should also be formatted according to the instructions at http://webster/secretary/cong__record.pdf, and submitted electronically, either on a disk to accompany the signed statement, or by e-mail to the Official Reporters of Debates at "Record@Sec.Senate.gov".

Members of the House of Representatives' statements may also be submitted electronically by e-mail, to accompany the signed statement, and formatted according to the instructions for the Extensions of Remarks template at http://clerk.house.gov/forms. The Official Reporters will transmit to GPO the template formatted electronic file only after receipt of, and authentication with, the hard copy, and signed manuscript. Deliver statements to the Official Reporters in Room HT–59.

Members of Congress desiring to purchase reprints of material submitted for inclusion in the *Congressional Record* may do so by contacting the Office of Congressional Publishing Services, at the Government Printing Office, on 512–0224, between the hours of 8:00 a.m. and 4:00 p.m. daily.

By order of the Joint Committee on Printing.

CHARLES E. SCHUMER, *Chairman.*

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



Printed on recycled paper.

PLEDGE OF ALLEGIANCE

The President pro tempore 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.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

WORKFORCE INVESTMENT ACT OF 2013—MOTION TO PROCEED—Resumed

Mr. REID. Mr. President, I move to proceed to Calendar No. 243.

The PRESIDENT pro tempore. The clerk will report the motion.

The assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 243, S. 1356, a bill to amend the Workforce Investment Act of 1998 to strengthen the United States workforce development system through innovation in, and alignment and improvement of, employment, training, and education programs in the United States, and to promote individual and national economic growth, and for other purposes.

SCHEDULE

Mr. REID. Mr. President, at 10 a.m. there will be a rollcall vote on the motion to invoke cloture on the motion to concur in the House message to accompany H.J. Res 59, the budget resolution.

Mr. REID. Mr. President, I suggest the absence of a quorum

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

The legislative clerk proceeded to call the roll.

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

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

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

BUDGET RESOLUTION

Mr. WICKER. Mr. President, it is my understanding that at 10 a.m. the Senate will proceed to a cloture vote on the proposed budget. It has already been passed by the House of Representatives. The cloture vote will take 60 Senators. If those 60 votes are in favor, we would then move to a period of debate—pro forma debate, actually, because the question would already have been decided. If Members do not favor this budget, the time to register that opposition is this morning. At 10 a.m. is the last chance to say no to this proposal and simply send it back to the negotiators and ask them to do a better job.

I rise this morning to reiterate my strong opposition to the House-passed budget, to the Murray-Ryan budget. I do so for one specific reason. I would first interject that there are many aspects of the budget that Members do not like, that we are not overly delighted with. We realized from the outset that there would be compromises and unpleasant decisions that had to be made because when you find additional revenues, when you cut programs that are popular, it hurts and it is uncomfortable. So I appreciate the fact that Senator MURRAY and Representative RYAN have made tough decisions. Apparently, the House of Representatives on a bipartisan basis has agreed to go along. But my objection that moves me from ''undecided'' to a ''no'' is what the budget does to current and military retirees and the fact that it breaks a promise that has been made to military retirees for years and years. It does so retroactively, unlike what it does to Federal employees, unlike what this Congress directed on an earlier occasion when establishing a commission to look into retirement. What it does to military retirees under the age of 62, instead of receiving the same cost-of-living adjustment everyone else would be receiving, it cuts their COLA back to COLA less 1 percent.

Why do we have a cost-of-living adjustment in the first place? The cost-of-living adjustment is designed to protect the purchasing power of a pension. So when a young man or young woman joined the military, say, 20 years ago at age 22, for example, they served for 20 years at least and they were entitled to a pension under the law. That was the deal. We agreed also that once that pension was received and was in place, we would protect that pension against inflation each year by a cost-of-living adjustment. It is simply fair. It protects the purchasing power and the real ability of that pension to protect and support the retired military person and that person's family.

What this budget does is it goes back on that promise. It says to people who have completed their service, who have completed the full 20 years of their bargain: You may have done what we asked you to do, but now the government is not going to do what we told you we would do. We are not going to protect the purchasing power of your pension. In the first year, we are going to cut that cost-of-living back 1 percent. The next year, whatever cost-of-living there is out there, you get that less 1 percent.

It adds up over time. I think Members have been astonished to learn that an E–7 retiring at age 40 today; that is, an enlisted person, would experience a loss of $83,000 in purchasing power over the course of the 22 years that pensioner would experience between ages 40 and 62—$83,000 in broken promises to our military retirees. An O–5 would lose some $124,000 lifetime with this budget agreement.

It is on the verge of being adopted. The only thing that stands in the way between our military retirees and this broken promise amounting to $83,000 for the typical enlisted person and $124,000 for the typical retiree officer—the only thing standing in the way is this vote at 10 a.m. on cloture.

Forty-one of us could say to the Senate: Hold on a minute. We know we have a problem. We know we have an $80 billion package. But there is $6 billion of it here that is unfair to military retirees. We can do better than that.

There are amendments we would like to offer. There are amendments Senator GRAHAM would like to offer. There is an amendment by Senator AYOTTE, the distinguished Senator from New Hampshire, that would eliminate this broken promise to our military retirees and pay for it with other savings elsewhere, savings that have already been endorsed as good government and are simply a matter of tightening up the enforcement of laws that are already there.

We can find, my colleagues, $6 billion elsewhere without breaking a promise to people who during the time of a global war on terror have stood forward, donned the uniform of the United States of America, and volunteered time and time again to re-up, to go overseas, place themselves in harm's way, and embark on a career in the U.S. military. We can pass a budget that accomplishes the goals of Murray-Ryan without breaking this promise. I so hope we will. But this is the time. Forty-seven minutes from now is the opportunity we will have. After that, it is a simple majority. The deal will be done. The news accounts say that the debate is over, that the votes are already in.

I would hope that somewhere someone within the sound of my voice is realizing this is just another example of the government breaking its word. When we do this, when we tell falsehoods and change our minds and change our positions to the American people over and over again, what does that do to the confidence the American people should have in their government and the confidence in their elected officials to do what we promised to do and to fulfil our side of the agreement?

I implore my colleagues even at this late hour to take a pause, perhaps ask the committee, the conference committee which I was a member of and which was not consulted, to take another look, find the $6 billion in savings elsewhere, and fulfill our promise to the American people.

One other point before I yield back. I wish to point out that a commission was established last year by Congress entitled the Military Compensation and Retirement Modernization Commission. The purpose of this commission is to provide us with a comprehensive list of ways to make meaningful reforms to military pay and benefits.

Members should remember that we specifically told this commission it could recommend any option as long as it grandfathered in those who currently serve and those who are currently retired. That was the sense of the Senate, and that was the sense of the Congress last year.

This is one reason why military retirees are so surprised by this reversal—so surprised that we would be on the brink of changing the rules in the middle of the game—because we specifically said, only last year, that we would not do such a thing. I hope we will honor that promise, and there is yet time for the Senate to do so.

For this reason, I strongly urge a ''no'' vote on the cloture vote which will begin shortly.

I suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

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

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

Mrs. MURRAY. Mr. President, before the Senator speaks—I have the last 10 minutes before the vote—so I ask unanimous consent the Senator get 2 minutes and then I be recognized.

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

Mr. SESSIONS. Mr. President, the budget conference didn't meet. We didn't produce a budget in conference. Our conferees did not vote. The two leaders of the conference, Senator MURRAY and Congressman RYAN, prepared the legislation now before us which has a number of problems, in my opinion. To skip the conference and create this legislation instead is not the right way to have conducted this process.

But the question is, Should we advance with this legislation or does it need to be improved? I believe it can be improved, I believe it should be improved, and I believe legislation of this size and scope should be carefully considered. Since this bill actually amends the Budget Control Act of the United States, which has successfully contained the growth and spending for a couple of years the Budget Control Act ought not to be altered without more care and thought.

I suggest the right vote today would be to vote against cloture and say to the leadership and Senator REID that we want to have amendments on this legislation.

If this legislation goes forward, we are about to have a significant reduction in the retirement benefits of disabled military personnel, people who have served 20 years in the U.S. military. The pay is going to be cut as much as $70,000 for a staff sergeant over their lifetime. We need to think about that.

This legislation, amazingly and disappointingly, has altered the ability of this Senate to block increases in spending. We have a budget point of order today which allows an objection to be raised to require 60 votes in order to spend more than we agreed to spend. This legislation takes that away. Perhaps the House didn't understand the significance of it, but it is very significant. We have used it three separate times successfully to block tax-and-spend legislation within the last year or so and help us stay with the commitment we made to the American people to keep spending at an agreed-upon level.

So, colleagues, there are a lot of problems with this bill. But the only way to fix it would be to say to Senator REID and the Democratic leadership in the Senate: Let's slow down, let's give Senators a chance to have actual amendments, and let's fix some of the problems. There is plenty of time to fix those problems, send the bill back to the House, and be able to pass it before the deadline of January 15.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, through the past few years in Congress we have lurched from one budget crisis to another, from one fiscal cliff to the next. When one countdown clock stopped, it wasn't too long before the next one got started.

The uncertainty was devastating to our very fragile economic recovery. The constant crisis cost us billions of dollars in lost growth and jobs, and the continued across-the-board cuts from sequestration were hurting our families and our communities and cutting off critical investments in economic growth and national security programs.

After the completely unnecessary government shutdown and debt limit crisis just 2 months ago, the American people were more disgusted than ever at the gridlock and the dysfunction. They were sick of partisanship, sick of showboating and saber rattling. They were tired of turning on their televisions at night and seeing elected officials saying: It is my way or the highway, and they had no more patience for politicians holding the economy and the Federal Government hostage to extract concessions or score political points.

So when the government was finally reopened and the debt limit crisis averted, people across the country were hoping Democrats and Republicans could finally get in a room, make some compromises, and take a step away from the constant crises. That is why I was so glad that part of that crisis-ending deal was creating the budget conference that many of us on both sides of the aisle had been trying to start since the Senate and House passed our budgets 7 months earlier.

The budget conference began at a time when distress between Democrats and Republicans could not have been higher. We had just 2 months to get a deal to avoid lurching toward another crisis, and most people assumed there was no way the divide could be bridged. But Chairman RYAN and I got together and we started talking and we decided that instead of trying to solve everything at once, the most important thing we could do for the families we represented was to end the uncertainty and start rebuilding some trust. We weren't going to spend the next 8 weeks sniping at each other from our partisan corners, we were not going to use what was said in the room to launch political attacks on the other, and we weren't going to try to tackle the larger challenges we both know are critical but aren't going to be solved right now. So we focused on what was attainable. We worked together to find common ground, and we looked for ways we could compromise and take some steps toward the other. We both thought the least we should be able to do is to find a way to replace some of the across-the-board cuts from sequestration and agree on a spending level for the short term so we could avoid another crisis.

I know some of our colleagues want to keep the sequester caps. But Democrats and many Republicans believe it makes sense to replace these meat-ax cuts with smarter and more balanced savings.

We spent 7 weeks working on this. I worked very closely with the House Budget Committee's ranking member CHRIS VAN HOLLEN as well as my colleagues in the Senate on and off the Budget Committee, and I am very proud that last week Chairman RYAN and I reached an agreement on the bipartisan Budget Act of 2013.

This bill passed the House of Representatives Thursday on a vote of 332 to 94, with overwhelming support from Democrats and Republicans. I come to the floor to urge my colleagues to support this bill in the Senate and send it to the President so it can be signed into law.

The bipartisan Budget Act puts jobs and economic growth first by rolling back sequestration's harmful cuts to education, medical research, infrastructure investments, and defense jobs for the next 2 years. If we didn't get a deal, we would have faced another continuing resolution that would have locked in the automatic cuts or, worse, a potential government shutdown in just a few short weeks.

Over the past year, I have heard from so many people across my home State of Washington who have told me sequestration has hurt their families, businesses, and communities—from the parents of children whose Head Start Programs were shut down and seniors wondering whether Meals On Wheels would continue, the scientists and doctors whose investments in cutting-edge research and medical cures were cut off or threatened, the construction workers who lost their jobs when projects were put on hold, small business owners whose revenues were declining due to the cuts and uncertainty, and so many more. For them, the cuts from sequestration were senseless. They were real, they were hurting, and they were only going to get worse. So I am very proud that our bill replaces almost two-thirds of this year's sequester cuts to domestic discretionary investments.

This will not solve every problem sequestration has caused, but it is a step in the right direction and a dramatic improvement over the status quo.

Over the past year I have talked to workers at Joint Base Lewis-McChord and Fairchild Air Force Base and elsewhere who have been very much impacted by the sequestration and very worried about how another round of cuts would affect their jobs and families. I have heard from military leaders who told me sequestration would impact our national security if it continued and from companies that do business with the Defense Department that the uncertainty and the cuts were hurting their ability to hire workers and invest in future growth. So I am very glad this bill will prevent the upcoming round of defense sequestration and provide some certainty to the Pentagon for the upcoming years.

Secretary of Defense Hagel and Chairman of the Joint Chiefs of Staff Dempsey have both expressed support for this bill, as have a number of colleagues in Congress who have spent the last few years highlighting the impact of continued sequestration on national security and defense workers.

The increased investments we get from rolling back sequestration over the next 2 years are fully replaced with a smarter, balanced mix of new revenue and more responsible spending cuts. Experts and economists have said the responsible thing to do is increase investments now while our economic recovery remains fragile and workers are still fighting to get back on the job, while tackling our deficit and debt over the long run. This bill moves us in the direction of exactly that.

We have cut our deficit in half over the past few years, and this bill adds to the $2.5 trillion in deficit reduction done since 2011 with an additional $23 billion in savings over the next 10 years.

This bill is not exactly what I would have written on my own. I am pretty sure it is not what Chairman RYAN would have written on his own.

Mr. President, I ask unanimous consent for 3 additional minutes.

The PRESIDING OFFICER (Mr. BOOKER). Is there objection? Without objection, it is so ordered.

Mrs. MURRAY. This bill is a compromise, and that means neither side got everything they wanted and both of us had to give a bit.

I was very disappointed we were not able to close a single wasteful tax loophole that benefits the wealthiest Americans and biggest corporations. I had hoped to extend critical support for workers who are fighting to get back on the job. I was very disappointed that Republicans refused to allow that to be part of this deal. I certainly would have liked to have replaced more of sequestration. I know it was difficult for many Republicans to accept any increases in the BCA caps at all.

I know many Republicans had hoped this would be an opportunity to make the kind of Medicare and Social Security benefit cuts they have advocated in the past, but I fought hard to keep them out.

This deal is a compromise. It doesn't tackle every one of the challenges we face as a nation, but that was never our goal. This bipartisan bill takes the first steps toward rebuilding our broken budget process and hopefully toward rebuilding our broken Congress.

We have spent far too long here scrambling to fix artificial crises instead of working together to solve the big problems we all know we need to address. We have budget deficits that have improved but have not disappeared, and we have deficits in education, innovation, and infrastructure that continue to widen. There is so much more we need to do to create jobs, boost our economy, replace the remaining years of sequestration, and tackle our long-term fiscal challenges fairly and responsibly.

I am hopeful that this deal can be just the first of many bipartisan deals, that it can rebuild some of the trust, bring Democrats and Republicans together, and demonstrate that government can work for the people we all represent.

I urge my colleagues to support the bipartisan Budget Act of 2013.

I thank Chairman RYAN for his work with me over the last several months. I thank a number of Members who have worked very closely with us, including Ranking Member VAN HOLLEN and every Member of our Budget Committee here in the Senate who worked hard to pass a budget, start a conference, and get a bipartisan deal.

When we come back next year, I will be ready to get to work with Chairman RYAN or anyone else from either side of this aisle who wants to build on this bipartisan foundation to continue addressing our Nation's challenges fairly and responsibly. It is not going to be easy, but the American people are expecting nothing less.

## CLOTURE MOTION

Mrs. MURRAY. Mr. President, I ask unanimous consent that the mandatory quorum required under rule XXII be waived with respect to the cloture motion relative to H.J. Res. 59.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion to invoke cloture.

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 motion to concur in the House amendment to the Senate amendment to H.J. Res. 59, the Bipartisan Budget Act.

Harry Reid, Patty Murray, Max Baucus, Mark Begich, Barbara Boxer, Richard Blumenthal, Tom Udall, Debbie Stabenow, Sheldon Whitehouse, Claire McCaskill, Mazie K. Hirono, Christopher A. Coons, Jon Tester, Brian Schatz, Martin Heinrich, Joe Donnelly, Heidi Heitkamp, Kirsten E. Gillibrand.

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

The question is, Is it the sense of the Senate that debate on the motion to concur in the House amendment to the Senate amendment to H.J. Res. 59, making continuing appropriations for fiscal year 2014, 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.

The yeas and nays resulted—yeas 67, nays 33, as follows:

[Rollcall Vote No. 279 Leg.]

YEAS—67

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

NAYS—33

| | | |
|---|---|---|
| Ayotte | Enzi | Paul |
| Barrasso | Fischer | Risch |
| Boozman | Graham | Roberts |
| Burr | Grassley | Rubio |
| Coats | Heller | Scott |
| Coburn | Inhofe | Sessions |
| Cochran | Johanns | Shelby |
| Corker | Kirk | Thune |
| Cornyn | Lee | Toomey |
| Crapo | McConnell | Vitter |
| Cruz | Moran | Wicker |

The PRESIDING OFFICER. On this vote, the yeas are 67 and the nays are 33. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

## MAKING CONTINUING APPROPRIATIONS FOR FISCAL YEAR 2014—Resumed

The PRESIDING OFFICER. The Chair lays before the Senate a message from the House which the clerk will report.

The legislative clerk read as follows:

Resolved, that the House recede from its amendment to the amendment of the Senate to the resolution (H.J. Res. 59) entitled, ''A joint resolution making continuing appropriations for fiscal year 2014, and for other purposes,'' and concur with a House amendment to the Senate amendment.

Pending:

Reid motion to concur in the amendment of the House to the amendment of the Senate to the joint resolution, with Reid amendment No. 2547, to change the enactment date.

Reid amendment No. 2548 (to amendment No. 2547), of a perfecting nature.

Reid motion to refer the message of the House on the joint resolution to Committee on the Budget, with instructions, Reid amendment No. 2549, to change the enactment date.

Reid amendment No. 2550 (to (the instructions of the motion to refer) amendment No. 2549), of a perfecting nature.

Reid amendment No. 2551 (to amendment No. 2550), of a perfecting nature.

The PRESIDING OFFICER. Cloture having been invoked on the motion to concur in the House amendment to the Senate amendment, the motion to refer falls as it is inconsistent with cloture.

The Senator from Maryland.

Mr. CARDIN. Mr. President, am I correct we are in postcloture time now?

The PRESIDING OFFICER. The Senator is correct.

Mr. CARDIN. Mr. President, I take this time to talk about the budget agreement that was negotiated by Senator MURRAY and Congressman RYAN and the work they did, but I first wish to relate to my colleagues conversations I had with numerous Marylanders over this past weekend—people I didn't know who came up to me and said how pleased they were that Congress was on the verge of getting something done—something that will make a difference in our budget over the next 2 years. They were pleased that Democrats and Republicans were actually able to reach a compromise and that we were actually able to get our business done in some regular order. They were hopeful that it would not only make a difference in the budget of our Nation this year and next, but that it was a sign that Democrats and Republicans were prepared to work together to do the people's business. They were pleased this was truly bipartisan—a real compromise—something we haven't seen enough of in this Congress.

The American people understand that the Congress is controlled—the House by Republicans and the Senate by Democrats. They understand that. What they do not understand is how we have not been able to get together and compromise on our differences in order to move forward on the important issues of our time. They are very encouraged by this action.

So I intend to support the final vote on the budget agreement, and I hope my colleagues will support this agreement. It provides the framework for appropriations bills for the next 2 years without sequestration. That is regular order. The appropriations committees can now meet and decide the policy of our country through the appropriations bills as to where we believe priorities should be on Federal resources.

It allows us to operate, hopefully, without a continuing resolution. The number of continuing resolutions that we have passed indicate a failure because when we pass a continuing resolution, we do not adopt the priorities for the current time. Instead, we just freeze in prior years' priorities. We now have the opportunity to enact priorities that are important today, recognizing that some of the past spending is not necessary and there are other areas that we need now to adopt, considering the changes in our own communities and considering the international changes.

It allows us to operate without the fear of a government shutdown. Before I said a fear of a government shutdown because we thought we would not see a government shutdown, but as we know, in October we saw a government shutdown, and we saw people who were hurt, and we saw our economy that was hurt as a result of that shutdown. Now this budget agreement gives us the opportunity to use regular order so we can pass appropriations bills or an omnibus bill that sets current priorities. It allows us to do that without the fear of closing government, which is inefficient, costly, and harms our economy and people.

The framework that was adopted in this budget agreement allows us to protect our Nation's seniors, disabled children, and the disadvantaged. The resources can be made available to deal with our most vulnerable to allow us to move forward as a nation, and it shows we can work together.

So I strongly support this budget agreement. I do so but I want to express my disappointments. I am sure that every Member of the Senate will have disappointments. But I am concerned about what is included in this budget agreement and what is not included, and I want to spend a few minutes talking about it.

I am disappointed that this is a 2-year agreement, that it does not completely remove sequestration. I think all of us would acknowledge that sequestration is something we do not want to see in effect because it is mindless across-the-board cuts. It does not set priorities. We are responsible to set priorities. If you ran into a problem with your own home budget in your family, if you lost some income, you would not cut every expenditure item identically. You would make decisions. You would make sure your family had a roof over them. You would make sure they had food on the table. Maybe you would postpone a weekend trip. You do not treat every expenditure the same. Sequestration treats every expenditure the same.

The good news in this budget agreement—the good news—we do not worry about that for the next 2 years. The bad news: It returns after 2 years. I know Senator MURRAY has worked very hard to get rid of sequestration. I know she is going to continue to work on that as the chair of the Budget Committee and, as I said earlier, I applaud her greatly for being able to reach an agreement with the Republicans, particularly in the House. But I would hope we could get rid of sequestration once and for all. Unfortunately, this budget agreement does not do it. It is for only 2 years. I would have liked to see a long-term budget agreement.

On that, I would like to see us enact a long-term budget agreement. We talk frequently about the fact that one of the most damaging parts to our inaction is uncertainty. When businesses have to make decisions and individuals have to make decisions, the uncertainty of our Federal budget causes them harm, extra costs, anxiety. We need a long-term budget agreement, the so-called grand bargain. Yes, we will get an agreement for these 2 years, but it does not take us beyond that. We all understand we need a responsible budget, one that deals with the investments that are important for job growth, but also reduces the budget deficit.

I know Chairman MURRAY has mentioned this frequently, but let me just repeat this. During the past 2 years, we have reduced the deficit by $2.8 trillion. We have done a good job in reining in the Federal deficit. That is over the period of fiscal years 2014 to 2023, and that is before sequestration.

So when you go back to Simpson-Bowles and the amount of deficit reduction we were trying to get, we are about three-fourths of the way there in reducing the deficit. Yes, we have to do more. We have to continue to reduce the deficit. But let us acknowledge that we have done a pretty good job in reining in the Federal deficit, and I applaud the Chair of the Budget Committee for her leadership in that regard.

We also must allow for critical investment for job growth. We are in a global economy today. We have to invest in modernization. We need new investments in energy in this country. We need transportation investments, not just in roads and bridges, but in transit systems. We need to invest in education. Education is the great equalizer in America. We are in a global competition. We know we are behind in the STEM fields of science, technology, engineering, and math. We have passed legislation to try to catch up. We have to fund those initiatives. The Federal Government has to be an active partner in education.

I can mention many agencies, but I always like to mention the National Institutes of Health, which happens to be headquartered in my State of Maryland. It is very important to New Jersey, the Presiding Officer's State, and very important to every part of our country. Why? Because they do the basic research which is the building block for the type of technology growth which is critically important in America.

We have the best trained people here in America. We need to invest in the basic research so we can continue to lead the world. Yes, the budget for NIH has not been as strong as it needs to be. We have to invest more money in that.

There are many reasons we need a long-term budget agreement. We need it for predictability, so we do not govern from one manufactured crisis to another manufactured crisis. But we

also need it so we can invest in critical investments for job growth in America. That is another reason why I hope we are able to build on this 2-year agreement for a longer-term budget agreement.

We also need to protect the safety nets as we do that. We need a balance here, and those who are most vulnerable need to be assured their government is on their side to help them, whether they are our seniors, whether they are people with disabilities, whether it is young people who need an opportunity to be able to take advantage of the opportunities in America.

We need to enhance the protection of our environment for future generations and have an energy policy that makes sense not only for America's security and environment but also for our economy.

So a balanced agreement for a long-term budget, which is not in this agreement, would give us that predictability, would give us that ability to move forward. To do that we need to deal with mandatory spending. This budget agreement deals with discretionary spending. It does not deal with mandatory spending.

We have taken steps to move in this direction. The passage of the Affordable Care Act puts in place a manner in which we can deal with health care costs, by reducing the growth rate of health care expenditures, by dealing with the readmissions to hospitals, by managing complicated illnesses, duplicative tests, getting people out of the emergency room into our clinics and into preventive care, having seniors take advantage of preventive health care because they do not have to pay a copayment that they could not afford.

These are ways we improve what we call the delivery system of health care in America, where you bring down the costs of health care. That is the best way to bring down the mandatory spending accounts in Medicare and Medicaid—reduce health care costs. We need to do more of that. We need to reduce the cost of our mandatory spending in this country. We could have done more, and this budget agreement did not deal with that.

Then there is the issue of revenue. I am going to talk about revenue because I was proud to be part of the Congress that balanced the Federal budget when Bill Clinton was President of the United States. Do you know what we did back then? We brought in more revenue, we reduced spending, and we balanced the budget. What happened? Our economy took off. We were not only growing jobs, we were growing good-paying jobs, and the standard of living for all Americans went up. We have to get back to that.

We are spending too much today, and we do not have enough revenue. Yes, this agreement takes care of reducing some spending, but not all, and does virtually nothing about revenues. We have to get back to that. We can bring in the revenue necessary to balance the Federal budget by reforming our Tax Code. There has been some great work done in the Senate Finance Committee I am privileged to serve on—Democrats and Republicans taking a look at our Code to see ways we can make more sense out of our Tax Code. We can do things about it.

Let me just remind my colleagues that we spend more money in the Tax Code than we do through all the appropriations bills. We spend more in our Tax Code. Over $1 trillion a year is spent in our Tax Code. These are tax breaks that go to some but not all taxpayers.

So there is no need to raise rates. All we need to do is close loopholes and be more critical of how we spend our money in the Tax Code, as we do on the appropriations side. Every dollar we spend on the appropriations side is scrutinized all the time. We need to do the same on the tax side. Quite frankly, Senator BAUCUS and Senator HATCH have worked out a way that the members of the Finance Committee can take a look at some of those. I think we can reach some agreements on areas of the Tax Code that are not high priorities that can reduce the revenue hemorrhaging we have. Put another way, if we eliminated all the tax breaks that are in the Tax Code, our rates could be one-half of what they are today—one-half of what they are today.

So we not only can bring in the revenue necessary to balance our Federal budget and allow for the types of investments that are important for job growth, we can actually reduce the rates for a large number of Americans. Unfortunately, that is not in this budget agreement. To me, that is a disappointment, that we are not dealing with the balance that is necessary for a long-term budget agreement.

Then there is one other area I want to talk about, and it is not going to be a surprise to my colleagues—a couple of areas I want to talk about, one of which is the Federal workforce.

This agreement provides for a 1.3-percent increase in retirement contributions for new hires under Federal service. That is on top of an increase that was just done a year ago on the extension of the payroll tax, where we increased the retirement contributions for new hires. We also, in this budget agreement, have a reduction in the COLA increases for military retirees.

I think that is regrettable. I do not believe that should have been in this budget agreement. Our civilian workforce has already contributed. When you add up what will be done by retirement contributions, that is going to be over $20 billion. We have had 3 years of a pay freeze. We have a way in our law where we make adjustments to our civilian workforce pay each year that reflects not the cost of living, something less than the cost of living. Our Federal workforce has seen a freeze. They have not gotten that for the last 3 years. That is close to $100 billion in contribution to the deficit. They have already done that. So they have contributed already about $120 billion-plus, and that does not include—does not include—the fact that many of our Federal workforce have had to endure furloughs as a result of sequestration and government shutdowns.

So our Federal workforce has contributed. These are predominantly middle class families, a large number of veterans, a large number of women, a large number of minorities. They have contributed more than any other group of working Americans already in dealing with this deficit reduction, and I find it very regrettable that this retirement contribution provision was included in the budget agreement.

Let me just quote, if I might, from the nonprofit Partnership for Public Service that commented to Senator MURRAY and Representative RYAN during the budget negotiations. I quote this for what they say because I think it expresses my view and I hope the view of all the Members of the Senate:

> As you work to put our federal government on a sustainable fiscal path, we encourage you in the strongest possible terms to treat the federal workforce as the considerable asset that it is, and ensure it is appropriately trained, compensated and resourced to serve the American people with excellence for the long term.
>
> The federal civilian service is smaller today on a per capita basis than at almost any time since the Kennedy Administration—yet its responsibilities are greater than ever. Rather than asking how to make the federal workforce smaller or less expensive, Congress should be asking what we need the Federal Government to do, and what it will take to ensure that we have a workforce with the necessary skills in appropriate quantities to execute those responsibilities with maximum effect at a reasonable expense.
>
> Proposals to freeze federal pay, change retirement contributions or reduce the workforce through attrition do nothing to improve the capacity and performance of the federal government and those who serve in its civilian workforce. These proposals are easy and expedient, but they miss the opportunity to make real and sustained improvements in how the Federal Government manages its people.

I could not agree more with those comments. We have a smaller workforce today, asked to do more extremely important work. These are people who are protecting our food supply. These are the great scientists who are doing the research to give us what we need, new technologies in health care. These are people making sure our seniors get the services they so richly need and deserve. These are people who are on the frontline in so many different ways.

Our responsibility is to make sure they have the resources to carry out their mission. Yes, we make value judgments as to what are the priorities, but to put our class of Federal workers through additional cuts, to me, is wrong. I regret that was included in the budget agreement.

I also wish to mention I was disappointed that we were not able to use

this last train that will reach the finish line before we recess to extend unemployment insurance. Some 1.3 million workers are in danger of losing benefits come January 1. In 2014, as many as 4.7 million workers will not be getting the extended benefit, 83,000 of whom are located in my State of Maryland.

Let my point out, I know the unemployment rates are getting lower. We are all working to make sure to get them as low as we can. But they are still substantially higher than they were when we first recognized that we needed to have extended Federal unemployment benefits because of the softness in our economy. Particularly for those who are long-term unemployed, it is extremely difficult to find a job. If you are unemployed and you are looking for work, it is tough out there.

So the right thing for us to do is to continue these benefits for people who are actively looking for work and cannot find jobs. This is an insurance program. The moneys have been collected during good times so that we pay during these times. The money is there. We need to make sure those benefits are continued. I was disappointed it was not included in the legislation. It will help our economy grow.

There are more and more economic studies that show every dollar we make available in unemployment compensation returns much more to our economy in job growth. So this is hurting ourselves by not extending it, plus we are hurting millions of Americans who are going to be more vulnerable in trying to keep their families together during these very challenging times.

Let me conclude by saying that as I said in the beginning, this is an important budget agreement to get approved. I strongly support it. I applaud the leadership of Senator MURRAY and Congressman RYAN in bringing us to this moment. My constituents believe this is a very important step forward, showing that we can compromise and work together and get our work done.

In a few days we will bring the first session of the 113th Congress to a close and leave Washington to spend the holidays with our families and friends. I hope each one of us will use that time to reflect on the extraordinary privilege of being a Member of Congress. I hope each one of us will reflect on the extraordinary challenges our Nation faces. I hope each one of us will come to the conclusion that we can do extraordinary things if we work together. The American people demand and deserve no less.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I rise to express my disappointment that the budget deal we will soon be voting on reflects just that, a deal—not legislation, a deal. It raises spending above the cap. That is the spending limit we put in place just 2 years ago.

It raises revenue from hard-working Americans to pay for this new spending and promises to cut some spending in the future. We have seen before how that story ends. We have already read that book. We will spend more now, we will grow the government more now, and ultimately the spending cuts will never materialize.

I have a favorite retired truckdriver in Pinedale, WY, who has suggested that we need to quit putting people in the wagon and get more people pulling the wagon. What he, of course, is referring to is the way we are growing government. Every time we grow government we put some more people in this wagon that the private sector has to pull. Yes, everybody in government pays taxes. But not one person in the government pays as much in taxes as they earn, so they become a part of the burden in the wagon.

Yes, even Senators are part of that burden in the wagon. But we are getting less and less people pulling the wagon. They are getting a little tired of pulling the wagon. I am going to show some things that are happening in this budget that are making it even tougher for them to pull the wagon.

So this is not the right path forward. My constituents back home in Wyoming and Americans across this country deserve better. We talk about how we have reduced the deficit. Reduced the deficit? Yes, that means we used to be overspending $1 trillion a year, and now we are only overspending $500 billion, which is one-half trillion. That is still overspending.

Families across America know you cannot keep spending more than you take in. Is there any indication that this causes a problem? We have been experiencing some of the lowest interest rates in the history of the country, which means the Federal Government has been able to borrow its money for less than it ever has before.

A few months ago I went to one of these bond sales. It was $40 billion worth of bond sales, sold in 30 minutes. People in other countries had so much confidence in the United States that they were willing to pay us to take their money. They put in bids of negative interest rates. They paid us to take their money, to keep it, to make sure it was secure. They believed it would be secure. So they paid us a negative interest rate.

At that particular bond sale, the interest rate was .86 percent to borrow $40 billion. That is what it averaged out at. Last week we did bond sales. Last week we sold $30 billion worth of bonds. I do not know how many minutes it took to do that, but it was a relatively short period of time, probably less than 30 minutes as well.

Do you know what the interest rate was? It was 3.90 percent. In just a few months it has gone from .86 to 3.90. Is that factored into this budget? I bet you it is not. If that interest rate keeps going up, if it hits 5 percent, we are not going to be able to do nearly as much as we are now. We have to pay our interest first, otherwise we have bankrupted the United States and proven it.

When we talk about raising the debt ceiling, it is a minor issue compared to being able to pay the interest on the debt. If it keeps going up significantly, we and our kids and our grandkids are not going to be able to pay the debt. That is what I hear across Wyoming. That is what I hear across America. So what are we trying to do? We are trying to come up with a reasonable amount of spending for the United States. This budget does not do it.

Because Members are going to be voting on a deal rather than a bill that had the opportunity to be improved through the committee process with feedback from other Members, we will not have the opportunity to discuss the potential unintended consequences and address them before they become law. I just heard 15 minutes of that discussion from the Senator from Maryland who knows a whole bunch of items that are in this bill that he is upset with, and I, quite frankly, think he ought to be upset with.

But I am on that conference committee. When the deal was made, we read about it in the papers just like everybody else. We did not get any special notice that there had been a deal made. On conference committees, I have seen the deals made before. I have never seen one made by so few people before. In this one there was a Democrat from the Senate and a Republican from the House. The two of them came up with a conclusion that this is what we should have.

That is not too bad, provided it goes through a normal process, which means we get to make some amendments. When we make amendments, some pass, some fail. But at least we get to bring up the unintended consequences that we see. That is why we have so many people in Congress: 100 here and 435 on the other side. That is why we have a whole lot of backgrounds looking at everything that happens around here from a whole lot of perspectives so maybe we can stop the unintended consequences.

But that is only if it goes through a normal process. So far the tree is filled on this bill. What does that mean? That means no amendments allowed. Take it or leave it. No matter what you think of it, forget it. We are going to have some unintended consequences that are going to come out of this and they are going to become law.

For example, I applaud the proposal that would limit access to Social Security's Death Master File to prevent identity theft, and individuals from fraudulently claiming government benefits and tax refunds associated with those who have passed away. That is a good idea. However, I am concerned that certain organizations that use that same Death Master File for legitimate business purposes that benefit consumers may have their access restricted.

If we discussed these issues in committee, we might have been able to address them, perhaps with a sensible solution, perhaps in a way that would

have protected the identity and still protected the benefits to the consumer.

The budget deal makes a permanent provision that would require States to pay a 2-percent administrative fee to the Federal Government for the collection of mineral royalties. This only affects a few States, particularly Wyoming. The negotiators and the administration see this as an easy pot of money. We saw the same situation play out last year when the Federal Government saw a pot of money associated with the abandoned mine lands, that primarily go to Wyoming, and spent it on an unrelated highway bill.

When the Federal Government first started to withhold the mineral royalty money owed to States, I introduced legislation with Senator BARRASSO and Representative LUMMIS and a bipartisan group of legislators from affected States to stop it. Each of those States is fully capable of collecting its own share of the mineral revenues without help from the Federal Government. We should not have to pay for that. We will continue to reverse this unjust practice.

Another fascinating little item was when we did the sequester, the money that comes in from Federal mineral royalties to the Federal Government was considered to be revenue. The money that went out, which is by law to the States, was considered to be revenue to the States that passed through the Federal Government. The Federal Government took 5.3 percent out of it until, of course, we started having a lot of success at reversing both this 2 percent that I just talked about and the stealing of the Federal mineral royalties. Suddenly the Federal Government said: Oh, that was a mistake. You are going to get your full half of the Federal mineral royalties less, of course, the 2 percent.

Another little problem is the deal raises premiums private companies pay the Federal Government to guarantee their pension benefits. That is something we have also insisted on. We have said companies need to pay a fee so if they go out of business, the people they promised a pension to will get at least 60 percent of what they were promised. That is supposed to be a trust fund, a trust fund to be able to pay those people if the company goes out of business.

We have addressed that a number of times. We have held that sacrosanct until a couple of years ago. This raises the premium. That is gentle for a new tax. A premium is a tax. If every company has to pay another $200 per employee who receives a pension, that is a tax.

If it goes into the trust fund, maybe it is a fee. But here is the real kicker: This money we raise does not go to the Pension Benefit Guaranty Corporation, so it is a tax increase. It does not shore up this trust fund. It will be spent on discretionary programs, and it will be spent this year. But it will be collected for 10 years. How many people in America get to take 10 years of revenue, spend it this year, and then not worry about it? Nobody that I know of.

Employers are still in the process of implementing and paying for a $9 billion tax increase called for in the highway bill last year. That, again, is a 10-year tax to build highways for 2 years. When that highway bill comes up, where are we going to steal the money next time?

There is always the Social Security trust fund and a whole bunch of other trust funds. I can hear the yelling about that, and I will join the yelling about that if it is even considered. If we can tap it in the private sector, undoubtedly we can tap it in the government sector as well.

A $9 billion increase, that was for the highway bill. We have another $200 per employee, so we have another $900 billion increase that is put on the backs of private industry, the ones pulling the wagon that I talked about. To put it simply, over 2 years the flat-rate premium will have increased 40 percent, and over 3 years the variable-rate premium—which is a tax if it doesn't go where it is supposed to—will have increased over 100 percent. That is a huge tax.

I guarantee that will end the willingness of some companies to continue pensions. Pensions are voluntary.

If the cost to continue them goes up, the companies will reevaluate.

In fact, I can state that they are reevaluating right now. When we are looking at $200 per year per employee, we have to take a look at how that affects this. Pensions will change drastically because of this agreement.

A few of the concerns I have just raised could be addressed, if not in committee, then on the Senate floor. Once again, the majority leader has decided that no amendments will be allowed. They won't be allowed to be offered, and they won't be allowed to be voted on.

I filed two amendments to the budget deal that are relevant to this discussion. One was with Senator MURPHY regarding the need to follow congressional intent and to clarify that the funding of the accounting standards-setting bodies is not subject to sequestration.

We have a system where there are rules set up to have generally accepted accounting principles, and we have a body that is supposed to be very independent that is supposed to come up with those rules.

We do force the companies that are in the accounting business to pay for that body, to standardize the accounting process. It comes directly from the accountants, and it is supposed to go directly to this accounting board. We have decided that sequestration should take a little chunk out of that. That should not happen. That is stealing money again. That is one of the amendments.

Another one was to strike the language making it permanent for the Federal Government to withhold 2 percent of mineral royalty owed to the States for administrative expenses. We should have the opportunity to discuss, debate, and vote on them on the Senate floor.

There are a lot of others, but those are the two primary ones. We have to stop dealmaking and we have to start legislating.

Our constituents sent us here to legislate. They deserve better than a deal agreed to behind closed doors without input and improvements from the rest of the legislators, not even the committee to which it was assigned. Even though I am disappointed in the process that has led to this point today, I am even more disappointed in the product that resulted from the dealmaking.

This budget deal breaks the promise we made to our constituents in 2011—as part of the Budget Control Act—that we would reduce spending. It has worked. It hasn't worked the way a lot of people would like for it to work because it has been across-the-board. But for the first time since the Korean War, it has reduced spending 2 consecutive years.

We were close. After 2014, overall discretionary spending would have increased even with the sequester. Yes, we were almost at the end of the part of taking down the spending, but we couldn't find the will to prioritize spending this year under the current spending levels and, instead, decided to ask Americans to send in more of their hard-earned money to Washington so the Federal Government could spend it the same way we always have—promise the cuts in the end and take more money in the beginning.

I think my constituents in Wyoming know best how to spend their money. Of course, this penalizes them for their principled budgeting which they have been doing and makes it look as if they have money. Every State could have money if they were as careful as Wyoming has been.

Washington, DC, has a spending problem. We don't have a revenue problem. We can think of all kinds of things we would like to spend money on, things that we think would be a good deal and probably that would buy some votes out there. That is wrong. We need to get things under control before that 3.9 percent interest rate goes to 5 percent, 10 percent—or it has been as high as, I think, 18 percent before.

The budget deal increases spending and shows the one thing that some Democrats and Republicans can agree on, and that is putting off our decisions. This plan spends more than the current law. It charges people and States for more and uses the money to increase spending in nonrelated areas.

Spending cuts are scheduled for outlying years, and so the so-called savings are used right away. Yes, just shift that money from out there and put it into the current spending. That isn't real. Nobody else gets to do it. It is only a government trick.

We cannot spend our way to prosperity. We need to prioritize spending

cuts. We need to find the spending cuts that will do the least harm, start there, and go through an appropriations process that works. We have been doing omnibus bills around here for a long time. I have constituents who will start coming in January, and they will want me to take a look at their program and add only a few dollars there. I have to tell them the last time I had a look at a line on appropriations was about 5 years ago. We just take one whole lump of $1 trillion and vote it up or down one time. That is not doing our job. Our main job is spending the money. We need to prioritize those cuts.

I will tell us how Wyoming did it. Wyoming was facing an 8-percent cut, they thought. We are talking about 2.03 percent for the Federal Government. If we compress it down to only a few months, we are talking about 5.3 percent. But the true amount of that sequestration was 2.3 percent.

Wyoming thought they were going to get hit for 8 percent, mostly because of some of the regulations on energy that reduced some of the energy production in Wyoming.

How did they go about doing this? The Governor said to every single agency: I wish to see from you how you would spend it if you have to cut 2 percent, if you have to cut 4 percent, if you have to cut 6 percent, and if you have to cut 8 percent.

Do you know what he did when he got those four lists from all of the agencies? He looked to see if the items at 2 percent, 4 percent, 6 percent, and 8 percent were the same.

That is the way we find out what the agency thinks they can get rid of. That is a simple way of prioritizing spending. Did we ever do that around here? No. We do have a process by which the President can have his agencies say what they intend to get done and then tell what they got done and how well they were doing.

We never pay attention to that. So the ones that come out rated very badly on this continue spending money as they always did. We need to have a prioritization process. We need to have a way that we can look at some of the details of the spending bills. Putting off spending forever and forever, and then coming in after the fact and saying: OK, this is how much we spent, how much we are going to spend, then we get to vote yes or no, is wrong. That again is dealmaking, not legislating, and it won't rein in the out-of-control spending.

I have talked a little bit about the prioritization we have to start doing around here. When we do the sequestration, the complaints are the agencies will always make it hurt. I watched this when I was in the Wyoming legislature. If we only told them how much of a cut to make and didn't tell them specifically where to take it, they always did something that was very visual that their constituents would notice. Their constituents would complain about, and their constituents would make us put it back into the spending.

They didn't have to do that. There isn't any business, there isn't government agency that doesn't have some waste. That is what ought to go first.

Then the duplication ought to go—and there is about $900 billion a year in duplication around here, but we ought to take a look at that.

Another thing we can do is the government shutdown legislation. That is the one that needs to tell those spending committees they need to get the leader to bring up their bill and get it finished with the amendments in the appropriate time. If they don't, then they will have to cut another 1 percent off their spending every quarter until they get their work done. Then we don't have a shutdown, but we have a reduction in spending; there is some incentive for them to do that.

We need to do tax reform. I agree with Senator CARDIN. I think that could make a huge difference in how we are doing our revenue.

I also have a penny plan. The penny plan just takes 1 cent off of every Federal dollar the Federal Government spends. When I first started looking at this, the Congressional Budget Office said that it would balance the budget in 7 years. If we did that for 7 consecutive years with 1 percent off every year, it would balance it in 7 years.

The newer valuation is that with the sequestration it balances the budget in 2 years—only 2 years. When I talk to my constituents about it, that it would be 3.3 percent over 2 years, and it comes to almost 7 percent over 3 years—I think that we could do that, and we could do it with so little pain—people would say: Please continue that another couple of years and pay down some of the debt.

Just getting rid of part of the deficit means we are still overspending, but we ought to at some point start paying down that debt so we don't have to pay the interest on the debt.

When we pay down a little bit of the debt so we don't have to pay as much interest, we ought to use that interest that we saved to pay down the debt some more. That is how we pay off things. People who have credit card problems know that is the way to go about it.

I would also like to go to biennial budgeting. We supposedly spend $1 trillion in discretionary spending and the military every year—$1 trillion. That is so much money that nobody can look at it, and we don't.

If we divided those 12 spending bills up into two packages of six, and we allowed them to have spending worth 2 years each time, they could plan ahead much better. We would do the six toughest bills right after the election, the year right after the election and we would do the six easy bills just before election. We could get through those.

Then we could do what my constituents think that we are doing, which is to look at every one of those expenditures and decide whether they ought to go up or down—allowing amendments on bills, allowing the spending bills to go through one at a time, maybe a week at a time. We could have them all done before October, and then there wouldn't be any government shutdown anyway.

There are a lot of ideas out there on what we could do. I sit up nights worrying about the Nation's debt and how it will affect the children of Wyoming, how it will affect my children, and how it will affect my grandchildren. This budget conference was an opportunity to apply reasonable constraints to impossibly high future spending, but instead we got more spending and no real plan to solve the problem. Yes, we said, we got some savings from out there in the future. We will spend that now, and we will make those cuts later. It never happens.

For all of those reasons, I cannot support the budget deal. I hope our next fiscal deadline dealing with the debt limit early next year will provide an opportunity for my colleagues and me to have a real conversation about the spending problems our country faces. The spending issue isn't going away. The longer we put it off, the worse it will become. That is the reality our country faces.

I hope that we continue on the bill that says, no budget, no pay, and actually get that done so that we have the emphasis to actually finish a budget much earlier. Yes, there is blame, blame enough to go around on the budget process. We are actually too late for the budget process to have an impact. We are at the spending part. We are not getting to address that with amendments, and I am deeply disappointed we are not legislating.

I yield the floor.

The PRESIDING OFFICER (Mr. SCHATZ). The Senator from Alabama.

Mr. SESSIONS. I thank Senator ENZI for his leadership on the Budget Committee. He is a long-time member, a senior member, and he has worked hard on these issues for years.

He is an accountant. He is able to add and subtract. He can see a debt crisis when one is there, and I appreciate the comments he has made. I believe he is exactly correct on so many of those points.

The Senator suggested that something is awry on the pension benefit commission in which we, in effect, tax employers more supposedly to help the guarantee fund be able to honor people's pensions if a company goes bankrupt. But it seems to me in simple dollars and cents if we do that we can't then spend it on other items unrelated to pension guarantees.

Is that the concern the Senator has raised, essentially?

Mr. ENZI. Yes, that is exactly the issue I was raising. We keep promising people that money is going to go to certain places and then we divert it to other places.

I think that under the system of accounting we use, we probably could get it to show up in two places and get to spend it twice. That is double the problem. So we have to start being honest with the public about where we are taking the money and where we are actually putting the money, and that was my purpose in making that comment.

I thank my colleague for his comments and for his dedication on the budget. I don't think anybody spends as much time looking at those numbers as the Senator from Alabama does, and commenting here on the floor. It is an effort to educate America on what is really going on, and my colleague is very good at it. I thank him for his leadership.

Mr. SESSIONS. I thank my colleague. And I was referring to the fact that Senator ENZI is the one who has explained to us in a very clear way, from his accounting background, the problems we have had with the pension guarantee fund, and it is a very real situation. It is actuarially unsound in the long run. It needs to be put on a better basis, but we can't put it on a better basis if we tax the employers. That may even reduce, as the Senator from Wyoming says, the number of employers who provide a pension. That would be a terrible policy error, if we keep driving up the cost to supposedly fix the fund but then spend the money on something else and we therefore disincentivize the businesses from even having retirement plans for their employees. So I thank my colleague for raising that very important issue.

The PRESIDING OFFICER. The Senator from Washington.

ORDER OF PROCEDURE

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Senate recess from 12:30 until 2:15 p.m. to allow for the weekly caucus meetings and that the time during the recess count postcloture on the motion to concur in the House message to accompany H.J. Res. 59.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Georgia.

Mr. CHAMBLISS. Mr. President, I rise today to speak on the bipartisan budget deal that is currently before the Senate.

Chairman RYAN and Chairman MURRAY have shown us true leadership on divisive and complex budget issues. The legislation we have before us today is the embodiment of compromise—something that has, unfortunately, been absent in Washington as of late. They have crafted a bill that sets forth the guidelines for spending for the remainder of this fiscal year and the platform for the next fiscal year.

This deal will set overall discretionary spending for the current fiscal year at $1.012 trillion—an amount that is approximately halfway between the Senate budget number and the House budget number. This number is also less than the 2014 spending level set forth in Chairman RYAN's 2011 budget. While the overall spending number is higher than what I would have wanted, the House and Senate Budget Committee chairmen were able to craft a budget deal that produces $23 billion in net deficit reduction. Very honestly, with the deficit we have been running, $23 billion is a mere pittance, and I think all of us who are concerned about the debt and the deficit of this country would like to see that number higher. But more importantly, they have produced a budget that will set in place some fiscally responsible spending policies and give us a way forward. Regardless of how each Member of this Chamber feels about the resulting policy, we should all recognize the importance of this agreement and thank the chairmen for their tireless work to end this chapter of political disagreement.

Although I would still prefer a grand bargain to solve our fiscal crisis, this deal marks the first step in that journey. Congress will now be in a better position to tackle the issues of taxation and entitlement reform in the short term, and I truly hope the committees of jurisdictions will take this as a sign that that does need to be what happens next if we are truly going to address our fiscal issues.

The budget deal before us is not perfect. There is a lot in this proposal to like and there is a lot in this proposal to dislike. But there is one provision related to military retirement pay that will certainly have to be addressed after the passage of this bill, and it is one of the provisions that, frankly, I don't like. I am told by Pentagon officials that this provision basically came out of nowhere. I think it is terribly unfair to our men and women in uniform. They should not have a disproportionate share in our deficit reduction measures.

However, I feel confident this issue will be resolved in the near term. I have had a conversation with the chairman of the Committee on Armed Services, as well as a number of other members of the Armed Services Committee who are committed to making sure we address this, and hopefully we will come up with some alternative before this provision takes place, which doesn't happen, interestingly enough, until December of 2015.

Many Georgians have served with honor in our military, and while the changes to their annual cost-of-living increase may appear insignificant on paper in this bill, this is real money promised to those who put their lives in harm's way in defense of this Nation. I want to assure our service men and women that there is ample time to address this issue before it takes effect, and I am committed to addressing it, and I will not turn my back on those who fight and have fought for this country.

That said, this budget deal is a necessary and crucial step toward a functioning Congress. With passage of this budget deal, we can close the book on discretionary spending arguments for the next couple of years. We can turn our full attention to entitlement reform and tax reform as Congress debates raising the debt ceiling once again next year.

Also, with this bill we will no longer need to provide additional flexibility for defense spending. This bill will give the defense community the resources they need, No. 1.

In conversations with top officials at the Pentagon and within the intelligence community over the weekend, they have urged the support of this bill as a way to address their current budget crisis, and I am extremely sympathetic to both those communities and wanted to make sure that whatever product came to the floor of the Senate did that. This bill does address the shortfalls and the flexibility issue in the defense community and in the intelligence community.

I was pleased at the approach the budget chairmen took will not turn off sequester but will extend the mandatory cuts for an additional 2 years beyond what the Budget Control Act prescribed because, as I see this, this has been an $85 billion fix on the sequester that keeps it from going too deep into the defense budget, which had the potential for causing real problems within the Pentagon as well as within the intelligence community.

With this budget deal, we can also put in place a 302(a) budget allocation—the top-line number Congress can spend on discretionary spending. For the first time in several years, this will allow the Appropriations Committee to do the job that it is actually intended to do. Our appropriators have previously been forced to make spending decisions without a top-line number and through continuing resolutions. They had no information and no guidance from Congress. It is no wonder our spending has caught up with us. The country benefits when Congress approaches the appropriations process through regular order and not through last-minute continuing resolutions. This agreement makes that process more likely.

The Budget Committee chairmen have also made a good-faith effort to attack the real problems in our budget by cutting money from mandatory programs rather than searching for more discretionary cuts. In their agreement, they took notice of how often the Federal Government has given special treatment to certain groups and they have taken efforts to curb that. While many outside groups may attack these reforms, they are representative of the types of reforms that will have to be included in any future agreement to achieve entitlement reform, which at the end of the day is where the real problem in our Federal budget lies.

This deal does little to address the $17 trillion debt, but it is a start down that road, and I truly hope this will lead to more serious discussions on the floor of the Senate about our debt and

a solution for how we are going to see that $17 trillion repaid.

In all, this budget deal represents a partial completion of the work the American people expect from us. It is far from perfect and leaves much to be desired. But the prospect of compromise on the single most important issue of our time requires attention and serious looking at by every Member of this body. I will vote for the passage of this bill because it lays the groundwork for the next chapter in our pursuit of fiscal sanity.

For 3½ years now, Senator WARNER and I have been involved in seeking out a much larger debt and deficit reduction deal than what is currently before us. We know the American people are tired of out-of-control spending and don't understand why Congress can't address our $17 trillion debt. It is not rocket science. The Bowles-Simpson Commission gave us a roadmap 3 years ago this month, and I regret that the White House has not followed the leadership of its own Commission. This bill represents a small step toward the type of cooperation that will be necessary to comprehensively address our debt and deficit. It is my hope that this agreement allows that effort to restart in a meaningful way.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SESSIONS. 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. SESSIONS. Mr. President, I wish we had an agreement that is grand and great and would do what a lot of people have been dreaming of for some time and would put us on a sound financial path for decades to come. It is within our grasp. But it seems we are unable to make those choices or bring that forward.

I believe if the President has led and given a commitment to fixing our financial problems in America, we could have done it in the last few years. But he has not. So it has put us in a bad position, and we end up with the agreement we have today, which essentially would save some of the risk of a government shutdown and reduce some of the tension, which a lot of people think is great and I do too. It would be good for the country to have more predictability. It would be good for the Defense Department to have more predictability. It would be good for the financial community to have more predictability about what is happening in Washington. But what occurred is not sufficient in any way, and it has been postured to look a good bit better than it is.

Essentially, we remain on an unsustainable financial path in America. The numbers are real clear. We are seeing a reduction in our deficit in the near term, but the Congressional Budget Office tells us in the next several years we will begin to see the relentless increase in deficits every year, reaching almost $1 trillion again by the end of this 10-year window. That is not a good path to be on.

We pay interest on the debt which we accrue each and every year, plus all the money we have borrowed previously. The amount is notable. We have exceedingly low interest rates, so it is not impacting us as much as it is likely to impact us in the future, as they will return to the mean and we will see rates go up.

But just to point out that this agreement—the legislation before us—spends $63 billion to $70 billion in the next 2 years. Where does that money come from? Essentially, it adds to the debt. But we are told not to worry because we have other cuts in spending, other fees that will come in, which will eventually pay for it. But over half of the pay-fors occur outside the 8 years left on the Budget Control Act window and in the last 2 years of the 10-year budget window for this legislation. But the Congressional Budget Office has scored that, because we are spending more money sooner—money which has to be borrowed—it would add $10.5 billion to the interest payment of the United States over this 10 year period.

So the claim it is going to reduce the debt over time if every bit of this is adhered to—which our pattern is not to adhere to what we promise. But if we were to adhere to it over the 10 years, the savings wouldn't be $23 billion as claimed, it would be $12.5 billion because the legislation supporters haven't discussed the interest cost of this gimmicked-up bill, where we spend more now and save later. It is a very serious matter.

They say the sequester is hard. The sequester is so bad that it cannot be sustained, America will collapse, and we will not be able to act in a compassionate way and be supportive of people in need or meet the basic needs of the government.

The former Speaker PELOSI, now leader of the Democrats in the House, said the cupboard is bare. There are no more cuts to make. She said on September 21 of this year: There are no more cuts to make.

There are plenty more cuts to make. There are ways to save money. For example, the majority in the Senate changed the rules of the Senate using the nuclear option to ram through the appointment of three new Federal judges. Each one of those, with their staff, costs the taxpayers $1 million a year, and it was for the DC Circuit, which absolutely does not need these judges. They are not needed. The DC Circuit has by far the lowest caseload per judge in America, even with the vacancies on the court.

So what we should have done, and I worked toward previously, is not filled those judges and move them to other circuits which need judges that we are going to have to fill. That would have saved $3 million a year. That is just one example of the waste of money. It is the equivalent of burning $1 million to $3 million a year on the mall out here because those judges were not needed.

So to say there are no cuts to make and we can't reduce spending any more is not accurate. It is all through the system. As Senator ENZI said, his State was prepared to take an 8-percent cut. But under the Budget Control Act, which includes the sequester, we are not cutting spending over 10 years; we are increasing spending over 10 years. We are just increasing it $2 trillion less than before. We were on the path to increase spending, at the time the Budget Control Act was passed, by $10 trillion—from $37 trillion to $47 trillion over 10 years. We passed the Budget Control Act and said it would increase to $45 trillion instead of $47 trillion.

So we go from $37 trillion to $45 trillion. That was essentially what the agreement was. It passed both Houses of Congress. It had no tax increases in it. It was simply a commitment to contain the growth of spending, and it sharply reduced spending. It reduced spending in the near term. But after this year, spending is allowed to continue for the last 7 years or 8 years of the Budget Control Act agreement, a 2.5-percent-a-year annual increase every year after this year.

So the cuts began to bite this year. They were being felt this year. What did Congress do? It folded up like a house of cards. Congress couldn't sustain the heat and couldn't honor the promise we made in August of 2011 to reduce the growth of spending just a little bit. That was the promise. To raise the debt ceiling $2.1 trillion, we agreed to reduce the growth of spending by $2.1 trillion over 10 years.

Now we have already hit the debt ceiling. We have already borrowed another $2.1 trillion. So now we hit the debt ceiling again, but we are not honoring the promise to reduce spending.

What happened? The sequester said we had to have more cuts this year, more reductions this year, and Congress couldn't sustain it—just couldn't—would not take the heat, and we came up with this new plan that is before us to avoid a shutdown. I guess we can say we avoided a shutdown, but we can also say we did not do the right thing about spending in America. We have not faced the challenge we have because we remain on an unsustainable financial path. In a couple years we will be back on a deficit growth pattern which is going to be very serious and will threaten the financial future of America. As President Obama's Simpson-Bowles Debt Commission has told us, nothing fundamentally has changed in that.

So we have our colleagues who are anxious to have more taxes—more revenue they call it. What they are talking about are more taxes.

House Minority Leader PELOSI says that there are no more cuts to make,

American people. We have cut all we can cut. There is no more we can cut. So now we have decided the problem is you, American people. You haven't sent us enough money. We demand, we insist, we require you to send us more money so we don't have to make any tough decisions anymore. We don't have to make the financial choices they made in Wisconsin or Alabama or Wyoming, that every State and city has had to face during this financial crisis, and they are leaner and more productive and more efficient as a result of having to make those choices. But we don't have to because we want to have more revenue.

So after this August of 2011 Budget Control Act passed, which reduced spending over 10 years by $2.1 trillion, the President signed and agreed to, had no tax increases in it, it was just a commitment that we would contain spending—that is what the agreement was, a spending containment bill. In January, President Obama submitted a budget that wiped it out, busted it wide open. It would have added $1 trillion in new taxes and $1 trillion in new spending.

Wow. What kind of commitment was that to the American people; you sign a bill, you say you are going to do something, and before the ink is dry you are proposing a different idea that goes back on the very promise that was made.

Eventually, this year, the Senate Democrats passed a budget increasing spending $1 trillion and increasing taxes $1 trillion. It is a tax-and-spend budget, the same budget the President submitted each year.

They said we are going to have a balanced approach. What they wanted the American people to hear when they said a ''balanced approach'' is: We have a plan to reduce the deficit, and the plan is we are going to cut some spending and increase revenues. That is what they wanted the American people to hear. It was a subtly and carefully crafted message, but it was not the truth. The truth was that they wanted to spend more and tax more. Taxes were not used in a balanced approach to bring down the deficit from the unsustainable path on which we remain. The taxes were used to fund additional spending above the amount we agreed to in the Budget Control Act of August 2011, which is still in effect—unless this legislation passes, and that is going to amend it.

The fundamental fact is that my colleagues want to tax and spend. They say they have cut all they can cut and they want more revenue and more money from the American people. Just send it to us, and we will spread it around and we will do all the good things we can dream of with your money. We don't have enough of it; we want more.

I don't think that is good for America. I don't think that is good for the economy. We need a vibrant private sector with growth possibilities and the opportunity to have innovation and creativity and the efficiencies that occur in the private sector that are not present in the government sector. We can't run this government. We have never managed the government effectively. It is so massive. We spend so much money. We need to be leaner and more productive. We need to decide which areas in our country we don't need the government to undertake. We need to let the private sector handle that wherever possible. If we do that, we can manage a smaller and more efficient government. We need to extract less money from the American people.

We have commitments. We are committed to Social Security, Medicare, and other funding we need to make sure we are honoring. We can't take money from Medicare, our seniors' health care program, and then spend it and say we have strengthened Medicare and made it better because we reduced its costs. The money that is saved in Medicare needs to be used to strengthen the long-term viability of Medicare, which is in great doubt. It is not on a sound path.

I know we can do better. We are going to have to face up to this. It is not going to be easy. It has challenges for all of us. But reductions in Federal spending can work.

For example, they say we need more revenue. Well, have we gotten more revenue? Yes, we have already. This Budget Control Act did not include more taxes. The Budget Control Act represented a $2.1 trillion reduction in the growth of spending, but in January of this year we passed a $650 billion tax on the rich, upper income people, and the ObamaCare legislation included a $1 trillion tax increase on top of that. This bill has $34 billion in fees and taxes. Is there not revenue around here? Revenue is being increased, but the problem is that it is not being used to reduce our deficits and it is not being used to put us on a sound financial path. It is being used to advance more spending, and that is the danger we are in, that is the danger we have to watch, and that is the danger that threatens us all.

I know how seductive it is for us to think we just can't reduce spending; the cupboard is bare. Minority Leader PELOSI says that we can't cut any more. Well, we can. There is a lot we can do to make this government leaner and more productive, and we are required to do so.

I yield the floor

The PRESIDING OFFICER (Ms. HEITKAMP). The Senator from South Dakota.

OBAMACARE

Mr. THUNE. Madam President, I listened to the Senator from Alabama talk about the current budget debate we are having on the floor, and I couldn't help but think of the discussion we had when we were debating the ObamaCare legislation a few years ago and how many of us at the time were making the argument that this is the biggest expansion of government in literally half a century. I think that it is becoming increasingly clear that was, in fact, the case.

We are seeing dramatically more levels of spending. I think we are going to see dramatically higher levels of debt over time. But you would think that with $½ trillion in cuts to Medicare, $½ trillion in tax increases—and when it is fully implemented, it will be much bigger than that. The overall cost of the bill, when it is fully implemented, goes to about $2.5 trillion. The expansion of government that occurred as a result of the passage of ObamaCare was, frankly, stunning relative to anything we have seen in recent history. You would think with that you would see some relief, if you will, in terms of the burdens being placed upon middle-class Americans, but we are seeing the opposite.

Many Americans are already feeling the effects of ObamaCare, whether it is higher insurance premiums, canceled health plans, or the loss of a doctor they like. Middle-class Americans are going to be hit the hardest.

Lower income families will face steep premiums and deductibles under ObamaCare, but they will get some help in the form of subsidies from the government to pay for some of their health care costs.

Upper income families are also going to face higher health care costs. In fact, the majority leader told a Nevada newspaper that his premiums under ObamaCare will rise by $4,500 next year. Affluent Americans will be able to absorb those increases. What about a middle-class family facing a $4,500 increase in health care costs, a family whose budget is already at its limit between housing costs, school expenses, and grocery bills? That family won't be able to absorb those costs. That family doesn't have a spare $4,500 anywhere in its budget. For that family, the $4,500 will have to come from money that was allocated for orthodontic payments or college tuition bills or money for a new car.

Back when the President was trying to sell his health care proposal to the American people, he promised that ObamaCare would ''cut costs and make coverage more affordable for families and small businesses.'' Unfortunately, the last few months have made it abundantly clear that this promise is not being kept.

Instead of seeing reduced costs and more affordable coverage, middle-class Americans are seeing steep premium hikes and soaring out-of-pocket costs. Those Americans who have been lucky enough not to have their plans canceled have been receiving insurance plan renewal letters with staggering premium increases. In some cases it has doubled or even tripled what they have been paying before. One constituent emailed me to tell me that thanks to ObamaCare her premiums will increase more than 100 percent, which she goes on to say is equal to 45

percent of her monthly income—45 percent just for health care. That is more than most Americans pay for their mortgage.

Americans whose health care plans have been canceled as a result of ObamaCare and who are being forced to shop on the exchanges are frequently facing higher premiums and drastically increased out-of-pocket costs.

A couple of days ago an article in Chicago Business reported that an average Chicago family with a midlevel health plan in the individual market would go from a $3,500 deductible to a $10,000 deductible if they obtained a similar plan in the exchange. That is $10,000 on top of the $9,000 a year that family would already be paying in premiums.

In Federal exchanges, many families are facing deductibles as high as $12,700. Barring catastrophic illness or injury, in many cases a family with a deductible that high might as well not have insurance at all.

Of course, a family could buy a more expensive plan and greatly reduce those out-of-pocket costs. Many of the platinum plans, which are the high-end plans, have no deductible at all. As CBS News points out—and this was for a Houston, TX, family—''that means shelling out almost $12,400 per year in monthly premiums, or about the same as the deductible for the bronze plans. Either way, families and individuals who don't qualify for tax credits may find ObamaCare failing to deliver on its promise of affordable health care.''

That is from CBS News when talking about a specific family in Houston, TX.

What makes it even worse—and this is what the Associated Press reported—many families don't fully understand the expenses they are taking on when they sign up for plans with high out-of-pocket costs. The Associated Press notes that ''only 14 percent of American adults with insurance understand deductibles and other key concepts of insurance plans, according to a study published this year in the Journal of Health Economics. If people with insurance don't understand it, it's likely that uninsured Americans' grasp is even fuzzier.''

A family shopping on the exchanges may snap up plans with relatively low premiums without realizing that they are, in effect, purchasing nothing more than catastrophic coverage that may leave them on the hook for thousands of dollars in medical costs each year.

So far, I have talked about the direct financial consequences of the President's health care law, but its effects don't end with higher premiums and skyrocketing out-of-pocket costs. Middle-class families will also take a financial hit thanks to the damage ObamaCare does to businesses.

ObamaCare puts in place a slew of new regulations, new taxes, and new fees on businesses large and small. When faced with that, businesses will have two choices: They can absorb the costs of new taxes and fees, thereby reducing the amount of capital they have to expand their businesses, hire new workers, or promote existing ones, or they can pass on these costs directly to their workers, further burdening families already facing steep health care costs. It is a lose-lose situation.

Small businesses are being hit particularly hard. Susan Gabay, cofounder and managing director of a small business investment banking firm, published a column on Saturday in the Washington Times in which she discussed the effect the President's health care law is having on her business. Thanks to ObamaCare, the health plan she offered to her employees was canceled. The new coverage she was offered contains a 48-percent premium increase, which she says ''translates into approximately $1,676 in added costs per year for every individual covered on our plan.'' That is a $6,704 premium increase for a family of four. She says that is approximately $44,000 in added annual costs for her business that otherwise could be used to hire a college graduate.

Maybe her employees are getting better coverage thanks to ObamaCare's regulations, right? Well, actually, the answer is no. Let me read her answer to that observation. She says:

> The response to our plight is that we are getting much better coverage. But that isn't true, either. We have historically provided our employees with a generous plan with 100% coverage for in-network preventative care and low out of pocket maximums. Conversely, our new ''great alternative'' plan offers comparable benefits with much higher out of pocket maximums.

So thanks to ObamaCare, Ms. Gabay's business will pay more for health care and so will her employees without receiving any meaningful increase in benefits.

As every middle-class parent—wondering where money for the next dentist bill or tuition payment will come from—knows, America's economy is still struggling to recover from the last recession. Burdening any business—particularly our Nation's small businesses, which are responsible for a majority of the new job creation in this country—is the worst possible thing we could do for our economic recovery and for the millions of middle-class Americans searching for better jobs and opportunities.

Democrats and the President made the American people a promise. They said: We will make health care more affordable. As long as ObamaCare is in place, that promise will continue to be broken, and middle-class families will suffer as a result. In fact, just recently, when asked a question in an interview about the health care plan, Secretary Sebelius said:

> There are some individuals who may be looking at increases. I think you cannot make a statement based on cost unless you compare what they had to what they are going into.

That was Secretary Sebelius saying there are some individuals who may be looking at increases. I think that is the understatement of the year based upon the experience of literally millions of Americans, some of whom have lost coverage entirely, but millions of Americans who are suffering with the sticker shock of dramatic increases in the premiums they pay for their health insurance coverage, dramatic increases in the deductibles now available under their policies, and dramatic decreases in the take-home pay they have to meet the other obligations they have for their families. This is a direct hit to the pocketbooks and the future economic vitality of middle-class Americans.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MCCONNELL. 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. MCCONNELL. Madam President, earlier this morning the Senate voted to advance a budget agreement that passed the House last week. The legislation has been a topic of much discussion over the past several days, and there are sincere arguments on both sides.

While I appreciate the challenges House and Senate negotiators faced in crafting these budgetary guidelines, I voted against this legislation because in my view Congress should continue to adhere to the fiscal restraints both parties agreed to under the Budget Control Act.

I was the principal Republican negotiator of that agreement. I have been particularly invested in its success, and I was very proud of it. As a result of the Budget Control Act, government spending has declined for 2 years—2 years in a row—for the first time since the Korean war. This was hard-won progress on the road to getting our Nation's fiscal house in order.

As I said, I fully appreciate the constraints Chairman RYAN and Chairman MURRAY faced in their negotiations, and there is clearly some good to be said about their agreement. But we should not go back on the agreement we made under the BCA.

Nonetheless, this has been a very important public debate. Unfortunately, our colleagues on the other side do not seem terribly interested in substantial debate on this or any other substantive issues this week, least of all ObamaCare, which has been wreaking havoc on our constituents for months now but which Democrats seem entirely uninterested in discussing. Instead, for much of this week the Democrat-run Senate has decided to devote its attention to pushing through nominations—nominations. They want to spend time seating political appointees at places such as the Department of Interior—positions that, while they may be important, are certainly not in any

way emergencies that need to be attended to right this second.

Meanwhile, out in the real world, millions of Americans will continue to suffer under a law they told Washington not to pass in the first place, a law that Washington Democrats still stubbornly refuse to change in any meaningful way. Our colleagues on the other side seem to think they have no responsibility to do anything about the impact of ObamaCare since the White House issued a press release declaring partial victory—partial victory—in fixing the Web site. That is their whole approach to this rolling disaster: Let the White House dodge and deflect on any problem that arises until people forget about the last one. Point the finger at some bureaucrat or some Web technician and basically do nothing.

We are now nearly 3 months into this national calamity, and what have Democrats done about this national calamity? Well, they have issued a lot of talking points and some halfhearted apologies. They have mouthed nostrums about ''private sector velocity.'' They have waived laws for fear of the political impact of leaving them in place. And there has hardly been any accountability for the massive consequences faced by American consumers as a result of this failed law. In other words, they haven't done much of anything. They have treated this whole thing like a public relations problem to get past rather than a real-life problem for middle-class Americans to be solved. They are engaged in daily battle aimed at one overriding goal: Protect the law. Yet nearly every day we hear more about its painful impact.

Since the October rollout, millions of Americans have lost their insurance plans. More than 280,000 have lost coverage in Kentucky alone, and so many are feeling the squeeze of this law, folks such as Lana Lynch, a mom from Brandenburg, KY, who told me the annual out-of-pocket expenses for her family rose from $1,500 to $7,000 under ObamaCare, and folks such as Barrett Simpson from Sweden, KY.

Barrett had a health plan he liked and wanted to keep, a $540-a-month policy that was, in his words, ''perfect'' for his family. The folks responsible for ObamaCare apparently thought they knew better than he did about the needs of his family, so he lost it. Here is what he had to say about that:

> [My] plan is being eliminated because of the ACA, and the cheapest, closest plan will cost [u]s $1,400 next year. We can keep the plan until the end of next year, but we will have to pick a new one. We don't need the extra coverage for maternity, for vision or dental, but yet we will be forced to pay for it.

He continued:

> These changes are absurd. Most people in this country who are content with what they had are now paying for what Obama is trying to do for a very few.

Barrett closed his letter by asking me to work to repeal ObamaCare.

Well, Barrett and Lana should know this—in fact, every Kentuckian should know this, and every American should know this: Members on my side of the aisle hear you loudly and clearly. We are not going to give up this fight. No matter how much the other side tries to distract the country's attention, we won't be fooled and we know you won't be either.

Look. The folks each of us were sent here to represent—not the government—should be the ones choosing plans that make more sense for their families. And when our colleagues on the other side go around referring to insurance being lost as ''junk,'' that is beyond offensive to the people we represent.

There is a lot of ivory tower thinking that goes on in this city—way too much of it. It is time for our Washington Democratic friends to finally climb out of the ivory tower and see the reality of their ideas in action, witness the failure of their policies firsthand. It is time for Washington Democrats to drop their refusal to change anything of substance in ObamaCare, and it is time for them to listen closely to the people who sent us here in the first place.

Here is what so many Americans are saying. They want Democrats to start working with Republicans to improve our Nation's health care system in a positive way, to help us implement real, patient-centered, commonsense reforms that can actually lower costs and improve the quality of care because we were sent here to solve problems, not to make them worse, as ObamaCare does.

Let's erase that mistake. Let's get rid of it and start over with real reform. Working together, we can do it.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SESSIONS. 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. SESSIONS. Madam President, I would like to continue to raise a simple point but a point of profound financial significance to America. One of the things that has happened in the bill that is before us is there has been an extension in the 10-year BCA plan—which was enacted 2 years ago; there are only 8 years left—an extension of a 2-percent reduction in payments to hospitals and doctors who provide services through Medicare, treat patients, and get paid by the U.S. Government. So they were reduced 2 percent.

This is scored as a savings for the country. In effect, it is perceived as a savings that allows us to spend more money somewhere else. That savings, as was done in this legislation, involved the last 2 years—years 9 and 10—of the 10-year window from today. It creates some money, they say, because we reduced Medicare costs and we can spend that money in this year and next year on nondefense and defense discretionary spending, and we are going to promise to use the money we save in Medicare in years 9 and 10, outside the promised BCA 10-year window which is already moving along.

What I want to raise is a deep and fundamental point. Medicare is already in deficit. Medicare is already spending more money to provide care for seniors than is being taken in off people's paychecks every week. But Medicare does have a trust fund. Medicare Part A does; it's called the Hospital Insurance trust fund. Social Security also has a trust fund. People have that money come off their paychecks every week when they go to work, and they believe, correctly in my opinion, they have a right to receive those benefits in the future.

They are not happy. They believe America is going on the wrong track when we take that money and spend it, therefore, jeopardizing the confidence they should have in retirement that their Medicare and Social Security are going to be in place.

We know there are some deep problems with Medicare and Social Security actuarially because people are living longer and there are more people retiring and we have to deal with some problems there. But what I want to say is, the worst thing you can do is to do the things necessary to make Medicare sound—tighten up payments to providers, perhaps; although there is a limit at some point as to how much you can do there—and do other things that make Medicare more financially stable, but you should not see that savings as something you can spend on a new program. The entitlement programs that went into ObamaCare, the Affordable Care Act, $500 billion of that money that supposedly was used to fund it was from Medicare and some from Social Security too—saving money in those accounts.

But those programs have trust funds. They have trustees. When they ran a surplus, as they had done for many decades—but not now—when they were running a surplus, the money was loaned to the Federal Treasury and they spent it. But the Federal Treasury owes it back to them. Now that both of those programs are heading into steep fiscal decline, they are calling the notes, they are calling back the money they loaned. The trustees of those programs know whom they represent. They represent Social Security recipients. They represent Medicare beneficiaries. They are demanding their money, they are going to get it, and we are going to honor it.

So what I am saying is we cannot count that money twice. That is what Mr. Elmendorf, the Director of the CBO, told us on December 23, the night before the ObamaCare bill was passed on the floor of the Senate in 2009. He said: You cannot count the money twice, and to suggest you are strengthening Medicare and simultaneously

providing a source of money to spend on the new ObamaCare program is double counting. He used the words ''double counting.''

How simple is this? My question to him, when he gave the letter—and I asked him to put it in writing. I insisted he do that. He works for us, and he did what he is supposed to do. He said: Even though the conventions of accounting might suggest otherwise, you cannot simultaneously use the same money to strengthen Medicare and fund ObamaCare. That is what he said.

So under our conventions of accounting, we have what we call a unified budget. The CBO does it both ways, but the one we talk mostly about, the one everybody focuses on, is the unified budget. So if Social Security is a little better off, it is assumed it is in the same pot. Everything is in one pot. So anything that cuts the expenses of Medicare and Social Security to make them strong is utilized and considered to put more money in the pot to be spent somewhere else.

What is happening to us now is the unfunded liabilities in pension funds, retirement funds, Medicare, Social Security, and other accounts are reaching unprecedented levels, some say nearly $100 trillion, and it is growing considerably. This is the long-term threat to America. This is the thing that several attempts have been made in recent years to fix, to confront, to put us on a sound path financially, but it has always failed. People can blame everybody, and everybody is subject to blame, I assure you. However, I do believe it is quite plain it will not happen unless the President of the United States leads and participates and says: I want to fix it. He is basically saying: We do not have a problem. We are doing fine. He is not willing to call on the American people and use his bully pulpit to lay out the challenges we face in how we could put ourselves on a financially sound path without destroying the country.

We can do that. We really can do that. But it will take belt-tightening in every aspect of our government, and everybody should share equally in the belt-tightening, not just a few, not just veterans, military people who have served 20 years, and disabled veterans having their retirement cut, as this legislation does. It needs to be something where everybody participates in tightening the belt. We could get the country on a sound path.

But I want to register again—and I am going to continue to talk about this because I think it leads to a false impression. It leads to the impression we have more money than we have. You cannot use Social Security's money, Medicare's money to fund ObamaCare, the Defense Department or nondefense discretionary spending. It is not possible to use that money twice.

I thank the Chair and yield the floor.

Mr. BLUMENTHAL. Madam President, I ask unanimous consent that I be permitted to speak for up to 10 minutes.

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

REMEMBERING ERIKA ROBINSON

Mr. BLUMENTHAL. Madam President, over the weekend, the State of Connecticut and the country and the world commemorated with grief and continued pain the first year anniversary of the tragic massacre in Newtown.

On the morning of Saturday—1 year after the Newtown tragedy—I attended a church service, a beautiful, moving, powerful celebration of faith at the St. Rose of Lima Church, whose pastor, Monsignor Robert Weiss, has been such a great friend to so many in the community and such a source of strength and comfort.

Later in the weekend, I visited with the family of Erika Robinson of West Haven, Connecticut, who was shot and killed at a nightclub in New Haven on October 26. This seemingly random act of violence left Erika dead and five other individuals injured by gunfire.

I have spent months and have been grateful for the experience with the families of those victims in Newtown. I was equally grateful to spend this time with Erika's family—Celeste and Greg Fulcher—at their home, and I want to thank them for welcoming me to their home on that day.

Erika Robinson was only 26 years old when she became a victim of gun violence. She clearly was a person full of joy and life and goodness for all of her 26 years and including the day she perished.

She was building a business, a clothing line. As her business grew, a local store started selling that line of clothing. Those who knew her described her as hard working and driven.

She was compassionate. Most recently, she released a special collection in honor of Breast Cancer Awareness Month.

She had enormous potential. She did everything right. She played by the rules. She stayed out of trouble, and she had the support of her two loving parents.

She was on track to fulfill the American dream, and now her life, tragically, has been reduced to a statistic, unless we make sure it is more than a statistic and that we work and fight to make her legacy one of helping to protect others, helping to prevent gun violence that takes victims like her who are simply in the wrong place at the wrong time, as she was that night in New Haven, when a shooter who was illegally in possession of a firearm—in fact, apparently on bail—turned to take as a victim someone else in the crowd that evening in the nightclub, and she became a victim that night inadvertently, unintentionally, and five others were wounded.

I have her picture here. Erika was more than a statistic. She was a person. Part of her clothing line was this small card she fashioned herself:

It's so regular for us to say ''You only live once'', but do you deeply understand that it's real. What I'm trying to say is be fearless. Do things you always wanted to do. Never let anyone hold you back. Enjoy this thing we call life while we can. People going to talk regardless, so be you!

Forever, Erika Robinson.

May that legacy be forever. May that legacy be with us forever and inspire us to work as we have done on behalf of the families of Newtown and as we should be doing on behalf of the 10,000 other victims of gun violence since Newtown.

The victims are not only the victims who perished among those 10,000, they are others who have been injured, such as the 5 who were injured that night when the shooter at that nightclub in New Haven was aiming for someone else and sprayed gunfire that killed Erika, took her as a casualty but also injured others severely and traumatized countless others who saw or watched or heard what went on in that nightclub that night, an establishment that was legally licensed by the State of Connecticut, legally licensed to entertain people and charge for them being there, an establishment that was the last place Erika Robinson knew.

Such a promising young woman at the wrong place at the wrong time, a woman who could have contributed so much to New Haven, to Connecticut, to our country. This was a tragic loss for her family that continues to honor her life with courage and strength and a tragic loss for all of us and for the thousands of people who came to her funeral because she had already, in those young 26 years, touched so many lives.

We owe it to her and to her family that her legacy will be one of protecting others such as she, protecting others across America regardless of the neighborhood or the place in that neighborhood, whether it is downtown New Haven, an urban area, or Newtown, a suburban neighborhood. It should not matter where gun violence is a threat. We should eradicate it everywhere. It should not matter who may be the victim of gun violence, what her background may be, her race, religion, anything about her.

Every human being, every person in the United States of America is deserving of protection that our society failed to give this young woman. We do a great disservice to our Nation when we fail to honor those individuals who may not be in the headlines, who may not be from neighborhoods that we know but others that are unfamiliar to us. We owe it to ourselves, not just to Erika and her family but to ourselves as a nation to do better and to make America safer. She deserved better from the greatest country in the history of the world. We as citizens of that country deserve better and have an obligation to do better. So we will, I hope, leave a legacy for her in her name that speaks to a safer, better America.

I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:33 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Ms. BALDWIN).

MAKING CONTINUING APPROPRIATIONS FOR FISCAL YEAR 2014—Continued

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. I come to the floor to speak in support of the 2-year bipartisan budget agreement reached by Representative RYAN and Senator MURRAY. I am pleased that the budget agreement passed the House of Representatives with overwhelming bipartisan support and that cloture was invoked in the Senate today.

I understand there are many of my colleagues on this side of the aisle who are very unhappy with this deal and intend to vote against it. My only response to that is I respect their vote, but I would like to know what we do in order to avoid another shutdown of the government. The American people steadfastly reject a shutdown of the government. I have concerns about the budget deal—I think everybody does—because of the nature of the way business is done. But to somehow vote against it without an alternative to keep the government from shutting down lacks some intellectual integrity.

My support and vote will be based on two important facts:

It will prevent another government shutdown, which we cannot put the American people through or the people of my State through again.

It goes a long way in alleviating the devastating impact of sequestration on our military. Have no doubt that the sequestration has had a devastating effect on many aspects of our ability to defend this Nation. Don't just talk to our leadership but talk to the men and women who are serving. They don't know where they are going to go next. The pilots aren't flying, the ships aren't sailing, and the training is not being conducted. That is unfair to the men and women who are serving their military, and I would remind us that all have volunteered to serve this country in harm's way.

This budget deal will avert another government shutdown and reduce the impact of sequestration. It will reduce the deficit by roughly $23 billion without raising taxes.

Peggy Noonan is a noted conservative columnist who writes for the Wall Street Journal and served in the Reagan administration. She observed in a Wall Street Journal op-ed:

> [t]he government is now unable even to pass a budget, to perform this minimal duty. Instead, Congress and the administration lurch from crisis to crisis, from shutdown to debt-ceiling battle. That gives a sense the process itself is broken, and this lends an air of instability, of Third World-ness, to the world's oldest continuing democracy. We can't even control our books. We don't even try. That's my context for the Ryan-Murray budget deal.

She continued:

> Should it be passed? Yes, yes and yes. The good things about it are very good. The idea that Republicans and Democrats are capable of coming to a budget agreement is good. The idea that they can negotiate and make concessions and accept gains is good. The idea the U.S. government is able to produce anything but stasis and acrimony is good. That we can still function even in the age of Obama—good.

She noted:

> [This] agreement moves us an inch or two in the right direction. Let me tell you what that's better than: It's better than moving a few inches in the wrong direction! And it's better than where we've been, in a state of agitated paralysis.

Only weeks ago we all witnessed firsthand the impact a government shutdown had on our constituents, and none of us wants to go through that again.

In my home State of Arizona, the impact was very significant. Nearly 500,000 visitors were turned away from Arizona's national parks during the shutdown. Arizona lost about $33 million in visitor spending. At Grand Canyon National Park, food banks had to rush supplies to 2,200 employees of the concessionaires inside the park who were furloughed or laid off. Arizona spent about $500,000 in donations to reopen the Grand Canyon for 5 days during the shutdown.

The list goes on and on.

Our approval rating, I would say to my friends on this side of the aisle, and our party's approval rating plummeted. The damage was severe.

Now we have an agreement. I repeat to my colleagues who would vote against this—both on that side of the aisle and this side of the aisle—if you have a better idea, bring it up, let's consider it, and let's vote on it because the only alternative to this is a government shutdown. Let's not deceive ourselves about why we are voting and what we are voting on.

I admit it is not perfect. I think it has caused heartburn for all of us. One potentially problematic provision—and it is problematic—would slow the growth of cost-of-living adjustments for working-age—and I emphasize ''working-age''—military retirees. Let me point out that the COLAs for working-age military retirees under the age of 62 will continue to grow after 2015, in most cases more slowly than before.

The fact is that the chairman of the Senate Armed Services Committee—one of the most admired and respected individuals in this Senate—has stated that we will review this provision, and we will review it in the context of the work that is already being done on the Senate Armed Services Committee, and that is a review of all paid benefits and aspects of our military that, in the words of former Secretary of Defense Mr. Gates that these entitlements in the military are ''eating us alive.''

I would like to give an example. In 2012 military retirees and survivor benefit recipients received $52 billion. In 10 years that will grow to $59 billion. By 2034 it will grow to $108 billion per year. From 2001 to 2011 payments to military retirees grew by 49 percent. Every penny of it is deserved. Every penny of it we are proud we gave them. But I don't think there is any doubt that we are going to have to look at this whole issue of the pay, benefits, retirement, and all of that of members of the military in a prospective fashion.

I am confident that one of the items taken up next year in the Senate Armed Services Committee will be what we are passing today, but it will be brought up in the context of all of the aspects of personnel costs in the military today—keeping in mind that we have an all-volunteer service and we are proud and pleased of the fact that we have America's finest in the military.

But I can say for a fact that with this lurching from shutdown to shutdown, these draconian effects of sequestration—and I know my colleagues know that in 2014 there will be a more severe cut than at any time—these brave young men and women are getting sick and tired of not being able to do their jobs, and the best and the brightest are already making decisions as to whether to remain in the military.

I wish to mention one small aspect that I think is indicative. About 20 years ago there was a very large influx of pilots into the civilian airlines as airlines began to expand rather dramatically. That very large number of pilots is now nearing retirement age.

There is going to be a dramatic demand for airline pilots, who, as we all know, are very well paid. We are offering pilots $225,000 to stay in and fly airplanes in the military. Do you know that the vast majority of these young pilots, these aviators, are not accepting that? One of the reasons they are not signing up is because a lot of times they don't fly anymore. They are not operating anymore, and they are spending time away from their homes and their families without being able to do what they were trained to do. This is only a small example of the impact of sequestration on the military.

I wish all of my colleagues who are members of the Armed Services Committee would listen to the testimony of our military leaders who tell us that already they may not be able to defend this Nation in the most efficient fashion because of the effects of sequestration.

All I can say is that if I had written this legislation—I think each one of us individually would have written it differently, but we didn't—the option of shutting down the government and the option of further damage inflicted by sequestration I hope would override the problems we see with this agreement. I want to promise my colleagues that I will work in every way with Senator

LEVIN under his leadership next year—remember, this COLA issue does not kick in until 2015—I will work with my colleagues under Senator LEVIN and Senator INHOFE's leadership to review this provision in this bill as to whether it is fair and whether it needs to be changed.

Again, I challenge my colleagues who will come to this floor and speak against this agreement to tell me what we can vote on and pass to prevent another government shutdown, and then I will be pleased to support it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. KAINE. I also rise today to talk about the Bipartisan Budget Act of 2013 and to echo many of the reasons for supporting that budget that were just spoken about by my colleague from Arizona.

This is the first Budget Conference Committee in a divided Congress since 1986, and compromise leaves every side with something they like and something they don't like, but it is what Americans expect us to do.

I applaud Senator MURRAY, our Senate budget chair, for her leadership since our very first Budget Committee meeting in January 2013. I applaud Congressman RYAN, the chair of the conference committee, for his work with his House colleagues. I was proud to be a part of the Budget Committee in this conference.

Americans want us to find a budget compromise to restore some certainty in a way that will help families, help businesses, and help our economy.

The day that I was sworn in as a Senator, before I took the oath of office, I was interviewed by a radio station in Virginia. They asked me what were the two things I wanted to do most immediately as a Senator. Only last week I was reminded what I said. I said: I want the Senate to find a budget that will be a budget for all of Congress, and I want to end sequester.

I have done a lot of budgets as a Governor and a mayor. It was challenging for me to understand how in February we were here without a Federal budget but on the verge of embracing nonstrategic across-the-board sequester cuts in a way that would hurt so many priorities Virginians care about.

I gave my first speech on the Senate floor in February to urge my colleagues to avoid sequester. In the months since, I have visited Virginia shipyards, research universities, and early childhood education centers and have seen the effect sequester has on Virginians, on Americans, and on our economy.

I am acutely aware of the budget impasse and continuing challenges that are imposed upon this economy by gimmicks such as sequester, and the absence of a budget for 4 years compounds those things. We have seen the harm sequester has done to so many of the priorities we care about.

No manager would embrace indiscriminate across-the-board cuts because not everything the Federal Government does is worth everything else. If we are going to be making cuts, they should be strategic. There are areas in which we shouldn't be making cuts at all. We should be putting more money into the budget to do what is strategic and what is necessary.

So what we have done with this budget deal is we have taken a step back to regular budgetary order to give certainty to the economy and to give certainty to our planners who work for the Federal Government. And while we are not replacing all of sequester—and how much I wish we were—we will do a lot to reverse some of its worse effects.

The budget deal is good in a number of ways.

It replaces $63 billion in sequestration cuts scheduled to go into effect in the next fiscal years—2014 and 2015—and replaces those nonstrategic cuts with a targeted mix of responsible spending reductions and new fees and revenue.

It increases the top-line discretionary spending level for fiscal year 2014 to $1.012 trillion and $1.014 trillion in 2015.

It provides budget certainty for 2 years. This is something many of us in State governments, who have State government experience, have long embraced—the virtue of 2-year budgets, which are common at the State level because they provide more certainty.

Under the agreement defense cuts of an additional $20 billion that were scheduled to take effect in January will not go into effect, and we will find ways to restore funding and avert sequester cuts to nondefense accounts as well.

The bill will let Chairwoman MIKULSKI and appropriators write full appropriations bills to reverse the cycle of widespread continuing resolutions. Many folks in the Federal Government tell me that as damaging as sequester is, a continuing resolution—that locks in line items at the level of last year or the year before that, instead of allowing flexibility to deal with these situations—is just as dangerous. So our appropriators can now write full-year appropriations bills for fiscal year 2014 and 2015.

With budgetary certainty, our Department of Defense will be able to plan and strategize for the future, as will our domestic agencies. We will fund critical readiness issues. We will allow the Navy in Virginia to continue to work on ship building and repair, which is so critical and, above all, we can show the American public that Congress can work together in a bipartisan way, which is what we are all trying to do and what the American public asks us to do.

We do know, as Senator MCCAIN and all have mentioned, like any compromise this budget compromise is not perfect. I would put on the top of my list as the most grievous challenge with the budget compromise not something that is in it but something that is not in it—the extension of unemployment insurance benefits to the long-term unemployed. In this economy, all of the economic data suggests the extension of those benefits is not only good for the individuals, they are good for the economy itself. The suggestion is the expiration of these benefits could cost the country 200,000 to 300,000 jobs. That is a weakness in this proposal.

An additional weakness is the way we have dealt with the cost-of-living increase for military retirees pre-age 62 who are not disabled. I don't agree with that compromise provision. It requires a reduction in the cost-of-living increase for certain military pensions. The Senate budget that all those currently in this Chamber worked so hard on to pass in March did not contain that provision. It was not the way we felt we should be dealing with the budget. Obviously, we liked the Senate budget, and we found a way to replace sequester without making this change to military pensions. But it was added during the conference in order to find compromise with the House to move forward. Compromise is necessary because absent compromise the very folks who will be affected by this particular change will also be affected, because we have seen sequester and shutdown and furloughs affect military employees. We have seen it affect military operations, and so the alternative of brinkmanship and shutdown is no better for our retirees than this provision.

We have heard from Secretary Hagel and Chairman Dempsey that they are supportive of the overall framework of the deal and it will help them address military readiness challenges. I am pleased Senator LEVIN, the chairman of Armed Services Committee—a committee on which I serve—has signaled his intention to review the COLA provisions in the Armed Services Committee next year, since it will not be scheduled to take effect until 2015.

I am also disappointed that new Federal employees will be targeted for increased pension contributions. We have now increased those contributions in a somewhat tiered level for new employees twice in the last 3 years. But again, while that compromise is challenging for those newly hired Federal employees, the alternative is more challenging, because we can't keep going through the uncertainty of shutdowns or furloughs. It wouldn't be fair to those employees for us to do that.

So again, we have replaced a portion of the nonstrategic cuts, and that is the way we should go going forward. I will continue to work to get rid of the rest of sequestration and replace it with similarly targeted strategies.

For those reasons I urge my colleagues to support this deal. While I wouldn't agree with all items in it, that is like any compromise I have ever engaged in in my life. All of us who are part of a group—from the Senate of the United States to families—know that if you are part of a group, it

is not always your way or the highway. You have to give and expect others to give as well, and that was an important aspect of this compromise.

I will say in conclusion that another aspect of this deal I like very much is that it has unified the Virginia congressional delegation. There are 13 of us, 11 in the House and 2 Senators. There are 8 Republicans and 5 Democrats. We get along well and work together well, but there aren't many issues like this—big policy issues—where all of us agree. In the House last week, all 11 Members of Congress of both parties voted for this budget compromise. Senator WARNER, as a budget conferee, together with all of us in the Chamber right now, are supporting this budget compromise. I am glad my colleagues from Virginia have pulled together, and I think it is a tribute to the fact we have all seen the impacts that the budget uncertainty and sequester have caused. I am glad we seem to be on the verge of providing that sense of certainty that will be good for the public and good for the economy.

With that, 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. HARKIN. 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. HARKIN. Madam President, I want to take the floor today because I am very disturbed by the apparent shift in attitude by many elected leaders, including some in this body and in the House—the attitude towards people who do the work that makes this country run. They do not sit behind desks. They do not wear coats and ties every day or wonderful clothes. They do not sit in air-conditioned offices. They do not clip coupons. They just do hard work. They are the people you run into every day when you go into the local coffee shop and you order your latte. Maybe you see them when you go out and have lunch at a restaurant or you hail a taxi. Maybe you get on a bus or the subway. Maybe now, since it is near Christmas time, you go to a department store to do your Christmas shopping, and it is that person standing behind the counter.

You think that person is only there for you when you go in there to buy your Christmas present. Think about it. She has probably been standing there all day long, and after you get out of there, she is still standing there to wait on somebody else.

That is who I am talking about. They are not the big wheels in our society. They never thought of themselves as being big wheels, but they are the cogs and the inner workings that make our country run.

There used to be fairly universal agreement that these people are the backbone of this country and the foundation of our economy; that our job as elected officials is to do all we can to ensure that all working Americans have a decent shot at the American dream. We used to agree that if someone worked hard and played by the rules, they should be able to earn enough to support their family, keep a roof over their head, put some money away for a rainy day, and have a secure retirement. We used to agree that if one loses their job through no fault of their own, especially at a time of chronically high unemployment, they should have some support to get them through the rough patch while they are looking for new work. We used to agree not too long ago, on both sides of the aisle, that no child in this country should go to bed hungry at night. I say both sides. I remember McGovern and Dole, Dole and McGovern, and the great work they did on hunger in America.

In recent years, it has been alarming to see how these fundamental principles and values are being attacked in our public discourse. For many, the new attitude is: You are on your own. If you struggle, even if you face insurmountable challenges, well, it is probably your own fault.

It just seems to me that there is a harshness in our land, a harshness that I think of as sort of borne of a benign neglect toward those Americans who have tough lives, may be ill-educated, marginally employed or they are just down on their luck. It used to be we only heard harsh rhetoric such as that from radio talk show partisans trying to get their ratings up. Sadly, it has now become a part of our everyday conversation, even in the Congress.

We hear how minimum wage workers don't deserve a fair increase because they are just not worth $10.10 an hour. We hear that unemployed workers should be cut off from unemployment insurance because they are becoming ''dependent.'' At a time when there are three job seekers for every job, we hear it is critical to take away food assistance from millions of individuals so that, supposedly, if we take away their food and take away their unemployment insurance, they will now somehow learn the redemptive power of work. As if young mothers working service jobs, laid-off factory workers delivering newspapers, unemployed families receiving SNAP benefits—that somehow they need to be lectured by Members of Congress about work. These people know what it is like to work.

What happened to our respect—our respect for the people who do the work and want to work in our country? What happened to our values, basic moral truths that people shouldn't go hungry in the richest country in the world? Whence comes this harshness of ours, reminiscent of the late 19th century workplace in America? How did we get to the point where many of us value the work of day traders pushing paper on Wall Street, but we ignore the contributions of the people who work in our daycare centers, educate our kids, care for our elderly in the twilight of their lives? What about their value?

I wish the people who are pushing this harsh rhetoric would talk to Terrence, a father of three in Kansas City, MO. He works 50 hours a week. Don't lecture him about working. Fifty hours a week, two jobs—one at Pizza Hut and one at Burger King—to try to make ends meet. He can barely insure his 15-year-old car or purchase shoes for his three girls. Last year, he lost his house. He told the Washington Times:

> We work hard for companies that are making millions. We're not asking for the world. We want to make enough to make a decent living. We deserve better. If they respect us and pay us and treat us right, it'll lift up the whole economy.

I will bet Terrence never got a degree in economics, but he says it better and understands it better than a lot of these economic thinkers down at our big banks and these economic think tanks.

They should speak with Edward, a father in Illinois. Both he and his fiancee earn the minimum wage. He said:

> We have three children and our paychecks combined barely cover the necessities like a roof over our heads, gas and lights, and clothes for the kids. We wouldn't be able to make it without government assistance like food stamps and a medical card. There is constant stress because we are living paycheck to paycheck and never have enough money. Everyone needs help sometimes, especially since the economy is so bad and it has made life even harder for working people. This isn't about needing more money for luxury things, we need a raise in the living wage in order to survive.

Edward and Terrence clearly are not lazy. They are doing exactly what we might expect them to do, what we have told them they must do to make it in this country. But they are slipping further and further behind, through no fault of their own.

The fact is our economy has changed. It is not working for many families right now. We can't stick our heads in the sand and pretend it is not true. We shouldn't suggest it is Edward's and Terrence's fault or that their kids don't deserve to eat or to wear shoes.

We as elected officials have an obligation to recognize the fundamental truths about the challenges working families face in America. We have a duty to support policies which will help these families both weather the continuing economic storm and also build a brighter future for their children.

First, we have to acknowledge the truth that while we are slowly moving in the right direction, the economy has not recovered, especially for those at the bottom of the economic ladder, the Edwards and Terrences and others. Jobs are still scarce. Four million people have been pounding the pavement for at least 6 months looking for new work. There are three job seekers for every job. Our economy is still millions of jobs short of what we need.

In the past when the job market was this challenging, politicians on both

sides of the aisle agreed the Federal Government had an obligation to step in and help the long-term unemployed while they are struggling to find work. In fact, the current Federal Unemployment Insurance Program was put in place in 2008, under a Republican President, George W. Bush, and we did it when the unemployment rate was 5.6 percent. Today the unemployment rate officially is 7 percent. We know it is higher. That is the official rate. But unofficially, if we include folks who want to work full time but can only find part-time work, those who have given up actively looking for work, the rate is actually 13.2 percent. That is the real unemployment rate in America.

So given that the unemployment rate remains high in many parts of the country, my colleague Senator JACK REED and I have introduced a modest proposal to extend the current system of federally funded extended unemployment insurance until the end of 2014. It is vitally important that we do so because it is going to expire in 2 weeks. Almost 5 million American workers will exhaust their State unemployment insurance and lose their last lifeline before the end of next year. We are their last lifeline. They are counting on us. How can we think about turning our backs on them?

But instead of joining a call to action, some of my colleagues on the other side of the aisle are actually suggesting that an extension of unemployment insurance will hurt jobless Americans. I was rather shocked when I heard this from our colleague from Kentucky, Senator PAUL, on a Sunday talk program. Here is what he said:

> When you allow people to be on unemployment insurance for 99 weeks, you're causing them to become part of this perpetual unemployed . . . group in our . . . economy, and . . . while it seems good, it actually does a disservice to the people you're trying to help.

A disservice? I don't understand this kind of harshness for people who are out of work, who have paid into unemployment insurance and they are seeking now to get their insurance payments. First of all, this 99 weeks is not quite right. The maximum is 73 weeks, and that is only for those who have been unemployed the longest and it is only in two States. Only two States have 73 weeks. Those are the two States with the highest unemployment rates. The rest of the States have access to, at most, 63 weeks. In my State, Iowa, it is only 40 weeks, not 99.

Secondly, unemployment insurance is a desperately needed program. Let's be clear, unemployed workers are not living high on the hog on these insurance payments which average about $310 per week nationally. If you are on it for 1 year, that averages about $15,000 per year. There are some that are less than that. Mississippi, for example, is $193 a week. The truth is they are barely subsisting, barely hanging on, not sitting around watching TV. Why? Because there is only one way you can collect unemployment insurance benefits. That is, No. 1, if you have worked and paid into the system. So you have already earned the right to access the insurance you paid for. Secondly, you can only collect on the insurance if you are actively looking for a job.

So contrary to the statement of my colleague from Kentucky, it is not a disservice to provide this meager benefit to the long-term unemployed, a benefit which they have earned. The only disservice is to float this absurd myth that jobless Americans want to be unemployed. I think it is offensive to suggest they are lazy and don't want to work. To me, it is morally repugnant to conclude that they will somehow be miraculously better able to find a job if we simply let their kids go hungry.

That same harsh kind of thinking has also crept into our national debate about the most fundamental aspect of our social safety net—food assistance. Millions of American families depend upon the SNAP program, the Supplemental Nutrition Assistance Program. It is what everybody thinks of as food stamps. Such a basic thing, having enough to eat, in this country. Again, many of these people are in working families.

In 2011, 41 percent of SNAP participants lived in a household where someone was working. Over the last several years, my Republican colleagues have sought again and again to slash food assistance for these families.

The House-passed farm bill, engineered by Republicans in the House, proposed cutting food stamps by $40 billion over the next 10 years. Contrast that to what we passed in the Senate. Under the leadership of Senator STABENOW, we passed a farm bill which made some cuts over 10 years of a little over $4 billion. That was supported by most people on both sides of the aisle. The House bill was only supported by the Republicans: Forty billion the Republicans wanted to cut versus $4 billion in the Senate. That would have cut 3.8 million individuals from the SNAP program next year.

Other parts of their proposal would have cut off food stamps and benefits in the future for some of the poorest adults, many of whom SNAP is the only income assistance they have or it would result in throwing 210,000 children out of their free school meals program, raising the level so low-income kids would be cut out of their free lunch program.

Yet another provision the House Republicans put into their bill would have provided strong financial incentives to States to kick people off the SNAP program. The House farm bill would allow States to cut off SNAP benefits to most adults receiving or applying for SNAP, including parents with children as young as 1 year old, if they are not working or participating in a work or training program for at least 20 hours a week. That was it. There was no exclusion for mothers with little kids.

The House bill meant that mothers with young children still in diapers could be cut off from the SNAP program even if they don't have affordable childcare. Imagine that—forcing a mother to choose between employment and safe child care for her child. That is harsh.

As I said, this is not realistic. We already said there are three job seekers for every job, and 48 States have a waiting list for our largest training program, the Workforce Investment Act. Are we going to tell a young mother with a child who can't get adequate childcare that she has to be in a job training program? The lists are so long that you can't get in. Are we then going to tell her that she has to work? There are three job seekers for every job. What is she going to do?

Never mind reality. Somehow Republicans seem to think that denying food assistance will magically make people find jobs despite the fact that jobs don't exist. Getting people into the workforce will require a stronger, growing economy with real jobs and strong job-training programs that really will help people get ahead. Promoting draconian cuts to SNAP programs under this benign-sounding work label does not make the effect any less harsh.

What we have seen in recent years with respect to the SNAP program are not concerted and sincere efforts to help people leave the SNAP programs because they have gained employment or because our economy is get stronger; quite the contrary. Many Republicans want to eliminate food assistance for families without regard for the true nature of the economy or the effect on those families. In addition to acknowledging the fundamental economic truth that our job market has not adequately recovered—and for many Americans, programs such as unemployment insurance and food stamps are essential to basic survival—we also have an obligation to face another, perhaps even more alarming, economic reality. For those at the bottom who are working and playing by the rules, it is not enough.

Hard-working people who are working full time—sometimes multiple jobs—are not getting paid enough to make ends meet. Full-time workers are living in poverty. Families are living in poverty. They go to work every day. This is a fundamental failure of our economy. It is something I believe we have a moral obligation to address by fixing and raising the minimum wage in America.

I have introduced a proposal that I have worked on for a long time with Congressman GEORGE MILLER in the House—the Fair Minimum Wage Act. It would gradually raise the minimum wage from $7.25 an hour, where it is now, to $10.10 an hour, then it would link the minimum wage to the cost of

living in the future. It would be indexed.

We would also provide a raise in the minimum wage for tipped workers, which has not been done in more than 20 years.

Let's look at what happened to the minimum wage. If we kept the minimum wage at the same level when adjusted for inflation, and made that adjustment based on the minimum wage for 1968, which was a pretty good economic year, the minimum wage today would be $10.75 an hour. It is now $7.25 an hour.

You wonder why there are more people on food stamps. Look at what's happened. By the way, these are people who are working, and they are people you see every day. You see them every day when you go in to get that coffee, go to that lunch counter or that department store. You see these minimum-wage workers every day. If you have daycare for your kids, you probably see them there too.

Again, if we kept at this level, that family making minimum wage would have an additional $7,000 every year to spend on necessities. It is no wonder that working people turn to the safety net. In fact, a recent study found that taxpayers have to pick up the tab for millions of working families who are getting minimum wage. We have to pick up the tab to the tune of about $243 billion a year. Why? That is what we pay for food stamps, Medicaid, and the Children's Health Insurance Program, the Earned Income Tax Credit Program, and Temporary Assistance for Needy Families. Taxpayers are picking up the tab to the tune of about $243 billion.

If you want to say who benefits from an increase in the minimum wage, it is not only the people who are making the minimum wage, taxpayers will benefit too because a lot of this would fall by the wayside because people wouldn't qualify any longer for the safety net programs.

Businesses will benefit too. The biggest problems for businesses—especially small businesses—is the lack of consumer demand and poor sales. If you put money back in the pockets of low-income workers, that will be a boon to small businesses, and it will be a boon to businesses on Main Street because that is where they will tend to shop.

Many of these low-income workers don't drive out to the suburbs. A lot of them don't go online and buy at amazon.com, but they will go to their neighborhood stores, and that is where they spend their money.

In a poll earlier this year two-thirds of small business owners said they support raising the minimum wage because they know it will help increase consumption and reduce pressure on taxpayer-funded public benefit programs.

We always hear the claim that if you raise the minimum wage, it will cost jobs. That is just not true. The most sophisticated empirical economic research conducted over the last 2 decades has shown repeatedly that minimum-wage increases do not cause job loss—not generally, not among teenagers, and not among restaurant workers.

In short, history shows us time and again that despite all the cries of doom and gloom from richly paid lobbyists and well-funded trade associations, there is simply no real negative economic consequences from an increase in the minimum wage. To the contrary, the benefits are enormous.

The Economic Policy Institute estimates that our bill would pump an additional $22 billion into the gross domestic product, thereby supporting 85,000 new jobs, and giving workers an additional $35 billion to spend over the 3 years of the implementation, and, of course, more beyond that.

Fourteen million children in America will have a parent who gets a raise because of increasing the minimum wage. Again, this makes a real difference in people's lives. They are not going to the Riviera. They are not taking vacations to the beach.

Fifteen million women, 13 million men, 4 million African-American workers, 7 million Hispanic workers, and 7 million parents will get a raise. It is going to make a real difference in their lives.

A boost to $10.10 would mean an extra $6,000 a year. Think about what that would mean for someone who is making the minimum wage, which puts them at $14,000 to $15,000. After 3 years of implementation, they would get $6,000 more a year, which amounts to 7 months of groceries, 6 months of rent, 1 semester at a 4-year public university or 1,600 gallons of gas. That is a real difference.

I have heard some say that they think the Earned Income Tax Credit should be the answer to the problem of low wages. What this overlooks is that the Earned Income Tax Credit only helps families with children. Childless adults who work full time at the minimum wage actually earn too much to qualify for the Earned Income Tax Credit. The minimum wage is not enough for a single person to survive on.

Moreover, just relying on the Earned Income Tax Credit would simply shift more costs to the taxpayers rather than requiring employers to pay a fair wage. It would actually incentivize employers to pay even less in wages, even to workers who don't qualify for EITC.

The minimum wage raise we are proposing is particularly important for millions of tipped workers. They will receive a raise for the first time in 22 years. Workers who receive tips will get a raise in their base wage. These include not only restaurant servers, but also nail salon workers, pizza delivery drivers, coat checkers, parking attendants, and many more.

Right now, under our current Federal law, employers are required to pay only $2.13 an hour to tipped workers. So rather than supplementing wages, tips have actually, over the last 20 years, replaced wages, which is insecure for workers. It often leaves them in poverty. There is no predictability when counting on tips. Often workers go home with only tips because tax deductions canceled out their cash wages.

This is an actual copy of a real check made out to a restaurant worker in the District of Columbia. It is a paycheck. The check date is 8/5/2013, and it says $0.00. This is made out to a real person. She got a paycheck for $0.00. Why? After they took out her withholding and FICA taxes, she didn't make enough to get paid. Some people might say, well, she got tips. Maybe. But anyone who gets tips can tell you one day they are up and the next day they are down. Sometimes they are good; sometimes they are not.

How do you budget on that? That is like saying the Earned Income Tax Credit. I have already pointed out the fallacy of that, but that only comes a year later. I am talking about—how do you live from paycheck to paycheck when your paycheck is zero? You can't make plans based on your budget, and you can't raise a family based on it. No one who works for a living should come home with a paycheck that says $0.00 when they have worked over 40 hours a week.

My bill would establish a fair balance between wages and tips by slowly—over 6 years—lifting the base wage for tipped workers from $2.13 an hour to 70 percent of the minimum wage. That is more in line with how the wage for tipped workers worked in the decades that have since passed.

The National Restaurant Association claims it can't afford to raise these wages. They say that every time we propose raising the minimum wage. The National Restaurant Association opposes any minimum wage increase at any time. But they can afford it.

In fact, the last minimum wage increase from 2007 to 2009, which meant raises for workers such as bussers, kitchen staff, and others who don't regularly receive tips, didn't hurt the industry. But they said so at the time. Here is what they said in 2007. When we were here debating an increase in the minimum wage, here is what they said: ''A minimum wage increase will cost our industry jobs.''

That is what they said in 2007.

Flash forward to 2012. Here is what the restaurant industry said: ''The restaurant industry not only provided much-needed job growth during the sluggish last decade, it also is poised to post steady growth well into the future.''

They can't have it both ways. This is the truth, that they provided job growth during that time. More power to them. But don't come and tell us that an increase in the minimum wage and an increase in the minimum wage for tipped workers is going to cost them jobs. That just doesn't hold.

I will close with one more statement from a real worker whose life will be improved if we step up and support the people who work in our country. She has a lesson for us. Jackie Perkins works at a restaurant in Denver, CO, and she says:

> You are talking about real people. You sit in your ivory tower in the legislature and talk about economics, numbers, jobs, but what you don't understand is there are real jobs and real workers who have families that they need to support, and raising the minimum wage helps me support myself and my family and to advance and to achieve the American dream.

So I believe in Jackie's dreams and those of all of these hard-working Americans, as I said earlier, who make the country work, who make it operate. As we look ahead to the Christmas season and the new year, I hope all my colleagues will take time over the holidays to think about all the blessings we have been given and all that we should be thankful for. I hope we put ourselves in the shoes of these working people who just want to build a better life for themselves and their children. Think about the minimum wage retail worker we see when we go into the store to shop for that Christmas present, who works hard running that cash register, standing on her feet all day, and she can't even afford to shop in her own store. Think of the unemployed worker who must go to the local food bank because he can't find a job. The food stamps have run out and he can't afford that nice big turkey and all the dressing and everything else for Christmas dinner.

I will close where I started. We have to stop being so harsh and having these harsh attitudes toward people at the lower economic end of the spectrum. They have value too. Their lives have value. Their work has tremendous value. The country couldn't exist, couldn't operate without people such as they.

So let's refine our public policies to be a little bit more considerate, a little bit more compassionate, a little bit more understanding of the tough lives some people have in our society. Let's have a compassion that is borne of an understanding that we are so privileged to live in the richest country in the world. We can afford to make sure people have enough food to eat. We can afford to make sure people who are unemployed get unemployment insurance benefits next year. We can afford that. We can afford to increase the minimum wage. We can afford these things, and we will be a better country socially and economically if we do so.

We have a duty, I believe, to put ourselves in their shoes. We have a duty to make sure people who do the work such as that in our country get a fair chance to aspire to the American dream.

So I hope we all have a good holiday season—Christmas and New Year's with our families and our friends. I hope we take time to pause and reflect also, as I said, on our blessings and our obligations toward people who may not be as fortunate as we are. I hope when we come back we will support a strong food assistance program, a deserved and long overdue increase in the minimum wage, and an extension of Federal unemployment insurance, and let's have a new year that is filled with less harshness and a little bit more compassion and understanding for our fellow Americans.

I yield the floor.

The PRESIDING OFFICER (Mr. MANCHIN). The Senator from Georgia.

Mr. ISAKSON. Mr. President, I see the distinguished Senator from Washington on the floor who I assume wishes to speak; if not, I ask to be recognized for up to 5 minutes and then I will yield to the distinguished Senator from Washington.

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

Mr. ISAKSON. Mr. President, last Friday I left this Chamber with a folder containing most of the information from the Ryan-Murray comprehensive agreement on the budget. I left with the ringing of suggestions in my ear from some colleagues on the floor that it wasn't enough, it didn't do enough, and that we didn't need to pass it. But inside me I had that little voice of conscience all of us get from time to time that said the time was right to do what was right.

So on the airplane back to Atlanta, I read the entire agreement. Then, when I spent the weekend at home while doing Christmas shopping, going out with grandchildren and talking to my wife, I also listened to the people of Georgia. I listened to what they said, and there were some remarkable things that happened this weekend. At church on Sunday following a cantata—and usually I am accosted at church by people who have all kinds of various suggestions about what I should or should not be doing—but I was remarkably surprised by how many people came up to me and said: Thank goodness you all have finally found an agreement with predictability on the spending in our Federal budget. I received not one negative comment.

I left church, went to lunch, and then went shopping at the mall where I was stopped three or four times by people—some Democrats, some Republicans; some I knew, some I did not—again, the same comment: Finally, you guys have gotten your act together and you have gotten a bipartisan agreement on the budget.

I went to a dinner party with a lot of partisan activists Sunday night. Although there was some grumbling about not getting this or that, there was some relief that we weren't going to go through what we went through on October 1 and the threats we have gone through in the past about government shutdowns and the failure of our government to function.

Then I got on the plane to fly back to Washington yesterday morning and, once again, members of the military, people I did not know, people I do know; some with the bureaucracy, some not, all stopped and generally said the same thing: Finally, it is about time.

So when I voted earlier today to shut off the debate or end the debate and bring to a final vote a vote on the bipartisan budget agreement, I voted in favor of it because it is the right thing to do at the right time. When the final vote comes in the next 30 hours, I will vote for it again. I want to give three precise reasons why.

No. 1, I have been the voice of a biennial budget in this Congress for the last 15 years and in this Chamber for the last 9. I have talked about how we need to bring more predictability and more continuity to the budget process. I have spoken about how we can't continue to pass CR after CR after CR which, on its face, is an admission we cannot do our job.

JEANNE SHAHEEN, the distinguished Democratic Senator from New Hampshire, and I have coauthored the biennial budget proposal. This is a biennial budget taking us through 2015, giving us predictability. That is something we need to take advantage of and build on into the future and replicate over and over as we bring more continuity to the budget process.

No. 2, yes, I know there are a couple of pension tweaks and, yes, I know there are some savings in a couple of pension tweaks. But we are going to have to do a lot of tweaking in terms of long-term entitlements over the next few years if we are ever going to rein in the spending. Our biggest problem is not nearly as much as what we spend in discretionary spending in 1 year as the obligation and the mortgage we are accumulating over decades. This particular proposal will save $22.6 billion over the next decade but $100 billion over the decade to follow because it accumulates and it compounds and those savings on entitlement programs can make a tremendous difference.

No. 3, and most important, we stumbled and fell last October when we decided to shut down the government rather than do our job. I commend Senator MURRAY and I commend PAUL RYAN. I want to refer to my colleagues a conversation PAUL RYAN and I had on Saturday via cell phone. I was at Mount Bethel Methodist Church in the gymnasium watching my 8-year-old granddaughter play basketball. He was in Wisconsin watching his daughter play basketball as well. He called me on my cell phone and we talked for about 15 minutes, not as much about the budget proposal as about my granddaughter and his daughter, recognizing that if we fulfill our responsibility as representatives of the American people in this Congress this year, if we begin the process of predictability in appropriations and budgeting, and if we can begin the process of recognizing our entitlements are running away from us and that our debt and deficit will kill us, maybe—just maybe—instead of being the first generation of American

politicians to leave our children and grandchildren worse off, we will be the first generation of American politicians who returned to the sanity of fiscal soundness, biennial budgeting, and accountability in the way we do our business.

I vote for that, and I will vote for the Ryan-Murray budget tomorrow when it comes to the floor of the Senate.

I yield back the remainder of my time and defer to the Senator from Washington.

Mrs. MURRAY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. NELSON. 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. NELSON. Mr. President, I am here to speak on the budget, but until our other colleague from Pennsylvania gets here, I ask unanimous consent to speak as in morning business.

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

DISAPPEARANCE OF BOB LEVINSON

Mr. NELSON. Mr. President, over the course of Friday and through the weekend there has been the publication, first by the Associated Press, of a missing American, a missing Floridian, Bob Levinson, a retired FBI agent and that publication has spurred other entities, primarily the New York Times, which had been holding the story for a number of years—well before the Associated Press ever got the story—to then print a story of additional information about the disappearance, 7 years ago, of Bob Levinson on Kish Island, a resort island in the Persian Gulf right off the coast of mainland Iran.

Of course, we have been searching for any shred of evidence about Bob. He has here in the U.S., in Florida, a wife and seven children. The length of time he has been missing, unfortunately, seems to have met or exceeded the amount of time of almost any American.

The family, of course, desperately seeks any shred of evidence. They were heartened 3 years ago when Christine Levinson, his wife, received a secretive email with a video that showed that Bob was alive. In it he made statements that he had served the government of the U.S. for 30 years and: Please help.

About a year later, she received, also by another circuitous email, a photograph of him, obviously later because his hair is long and there is a full beard. His hair is silver, his beard is silver. In both the video and the last item, the photograph, he appears quite gaunt. Of course, we know he has health problems, high blood pressure, and so forth, and, of course, we fear.

We also know that just this morning, on ''CBS This Morning,'' a fellow who he was seeing—an American who lives in Iran, a fellow who he was seeing on Kish Island—saw him taken by Iranian authorities.

It is no secret that all levels of the government, including their Florida Senator, have reached out to the Iranian Government over the years, including the President of the United States when he spoke to the newly elected President of Iran when that United Nations meeting occurred in September.

I have spoken within the last couple of days to the Iranian Ambassador to the United Nations and reiterated the plea of those of us on a humanitarian basis for this family to be reunited with their loved one and have offered to the Ambassador, if it would in any way help, that I am willing to go to Iran if in any way it would secure his release. If the Iranian authorities took him, somebody in the Government of Iran knows of his whereabouts.

I will conclude by saying that for the first time we have what appears to be successful talks going on between the two governments with regard to the Iranian nuclear program, and those are at a critical stage to, hopefully, bear fruit within about 5 months from now.

What better time for the Government of Iran to show their good will than to step forth and produce Bob Levinson so he can return home to his family.

Mr. President, that concludes my remarks on Bob Levinson for the moment. I will continue to speak on this matter.

Now I would like to turn to the matter at hand with regard to the budget, since my colleague from Pennsylvania and, of course, our chair, the Senator from Washington, are here.

I would like to take a moment to acknowledge a small but significant provision in this budget compromise. It is section 203 of the Budget Act of 2013, and it limits access to what is known as Social Security's Death Master File, which is important because criminals utilize fraudulently the Death Master File to steal people's identities.

When someone dies, the Social Security Administration puts their information into the Death Master File and releases it to the public through the Commerce Department. It lists their name, their Social Security number, and other personal identification information.

The public release shortly after death of the Death Master File came about as a result of a Freedom of Information Act lawsuit back in the 1980s. Over time, Federal agencies and industries came to rely on the information from the Death Master File. Life insurers use it to know when to pay out benefits. Banks and credit card companies use information from the file to prevent fraud. A whole host of Federal and State agencies, as well as other industries, depend on the information for legitimate purposes, including pension funds, unclaimed property auditors, and identity theft protection companies.

But there is somebody else who is using the Death Master File too. It is the criminals who are stealing identities, including especially the Social Security number. When that is posted online, they are using it fraudulently. What are they doing? They are filing an income tax return. They are utilizing somebody else's identity—in this case easily accessible, the Death Master File—creating a false return and getting a tax refund.

You may find this hard to believe, but this actually happened in Tampa, FL. Street crime—hijackings, stickups, burglaries, dope dealing—actually dropped because the criminals found a new way of being able to steal people's money. They did it with a laptop instead of with a crowbar or a gun. Street crime actually reduced because the criminals have found a new way.

They would steal people's identities in many different ways. They would go to senior citizens' mailboxes, and they would get their ID, they would get their Social Security number. They would go through hospital records, and they would get Social Security numbers. They would do it a number of ways. But one of the easiest ways was this Death Master File.

I want to tell you about the story of Alexis Agin, the daughter of two courageous parents John and Neely, who have joined us today. Tragically, Alexis died from cancer 2 weeks shy of her 5th birthday. Obviously, no parent should have to go through the pain of seeing their child go through this kind of ordeal and then losing the child.

So you can imagine how they felt when months later they learned that someone had used Alexis' identity, obtained from the Death Master File, to file a fraudulent tax return, claiming a refund, and the IRS—when they tried to correct this—asked them to prove that Alexis was their daughter and was not the one responsible for the fraudulent tax return.

Because I have heard so many stories of innocent Americans whose identities have been stolen, this Senator filed this legislation that would restrict access to the Death Master File by establishing a certification program run by the Commerce Department while still allowing access to the Death Master File for legitimate purposes.

This brings us to the budget agreement. I am very pleased that the Senator from Washington has included within this budget that we are going to pass—it would be nice if it were today, but it looks as if it is going to be tomorrow—what some of us have been calling on for years: restricting access to this master file, making it harder for criminals to steal identities and therefore making it harder to steal taxpayer money.

That is where this actually has a revenue effect because we are going to actually save the U.S. Government money by doing this. We are going to save the U.S. Government money that otherwise would be stolen. So I thank

the courageous chairman of the Budget Committee for including this idea in the act and for crafting what used to be S. 676, the Identity Theft and Tax Fraud Prevention Act.

It was never the intent of this Senator or the cosponsors to deny access to the master file by the people who need it for legitimate purposes. The language in this budget deal would include the file in the Freedom of Information Act exemptions so that it will not be available to just anyone off the street. However, the Social Security Administration and Commerce would still be able to release the information in the file for those who need it.

So I want to ask the distinguished chair of the committee whether is it true that as Commerce sets up a certification program, the Social Security Administration and Commerce will still be able to release the Death Master File to folks who need to use it for legitimate purposes?

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I would ask unanimous consent to engage in a colloquy with the Senator from Florida and the Senator from Pennsylvania so I may respond.

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

Mrs. MURRAY. The Senator from Florida is correct. That is absolutely our intention. There is nothing in law that prevents the continued public release of the Death Master File while the Commerce Department sets up the certification program. This act simply exempts the Social Security Administration's death records from freedom of information requests under section 552 of title 5 of the United States Code, subsection (b).

Mr. CASEY. Mr. President, echoing the comments of my colleague from Florida, I am pleased that the budget includes language to address the fraud that is perpetrated with information from the Death Master File. Tax fraud is a large and growing problem. We know that. In 2012, for example, the IRS reported that they identified over 1.2 million identity theft returns. As of June 2013, they identified 1.6 million for this year. Thousands of these cases involve the identities of deceased taxpayers. A recent audit of the 2011 tax year identified 19,000 fraudulent returns from recently deceased taxpayers. Under current practice, for $10, criminals can purchase the full name, Social Security number, date of birth, and date of death of a deceased citizen or legal resident.

As a member of the Finance Committee, I have worked with my colleagues to address this issue. I am pleased to see the language limiting access to the Death Master File in the budget deal.

As Commerce begins its rulemaking, it is essential to strike the correct balance. The reality is that the Death Master File is used by companies across Pennsylvania and the Nation to prevent fraud and provide other essential consumer protections. Banks, investment companies, insurers, and numerous other businesses run this file to ensure the identity of those accessing their services. Striking the correct balance in the regulatory process is critical to ensuring the continued legitimate use of this information.

Businesses and those who contract for assistance with fraud prevention and other businesses must maintain access to the file. Furthermore, access must remain available as those regulations are promulgated.

In short, as a certification program is set up, it is important that we get it right. The Death Master File is critical to fraud prevention and must remain available to legitimate users. To that point, I ask the Senator from Washington, the distinguished chairwoman, is it the intention of the Bipartisan Budget Act for the Commerce Department to seek input from stakeholders as it creates the certification program to ensure legitimate users maintain access to the file?

Mrs. MURRAY. Mr. President, the Senator from Pennsylvania is correct. We intended for Commerce to follow notice-and-comment rulemaking procedures in the establishment of the certification program.

Mr. NELSON. Mr. President, I want to close by again thanking the distinguished chairwoman of the committee. She has been a quiet hero, and the proof is in the pudding of all of her labors. She deserves the praise of the country that we have a budget, No. 1, but I also thank her for making it a lot more difficult for criminals to steal the identities of those who have passed on.

Mr. HATCH. Mr. President, I have decided to support the budget agreement, though it is by no means the budget solution that I would have written and it contains some imperfections.

Following up on earlier remarks today in a colloquy on the Senate floor by my colleagues from Florida, Pennsylvania, and the Senate Budget Committee Chair, Senator MURRAY, I wish to provide some instructive remarks about the Death Master File provision of the budget agreement. The Death Master File is a data set compiled by the Social Security Administration, and made available to various researchers and business interests through the Commerce Department. Many researchers, genealogists, and businesses use the data for bona fide reasons including fraud prevention, ancestry research, identifying remains of deceased individuals, retirement plan administration and prevention of improper payments. As long as they can show the Commerce Department that they have rigorous privacy protections and protocols put in place, they should be able to become certified by Commerce to have access to the Death Master File data.

I concur with what much of what my colleagues have said in their recent colloquy about the Death Master File provision of the budget agreement. Specifically, I wish to reiterate the need for balance in the regulatory process and in the rulemaking procedures that the Commerce Department is called upon in the budget legislation to undertake. We need a robust rulemaking process, where all interested parties are afforded the time and opportunity to adequately express their interests. And, importantly, we need to ensure that during that process, there will be access to Death Master File data for bona fide purposes, including fraud prevention, identifying remains of deceased individuals, forensic and other genealogical research, prevention of improper payments, and assurance of proper payments.

As the budget agreement is currently written, there appears to be some confusion and ambiguity concerning implementation of the regulatory process and rulemaking procedures that the Commerce Department is to undertake and whether access to data in the interim, when rules are being promulgated and aired, will be assured. I must say that a more robust and inclusive process for arriving at the Death Master File provision of the budget agreement could have eliminated the confusion and ambiguity that has arisen. The Finance Committee, of which I am the Ranking Member, has jurisdiction over the manner in which the Social Security Administration governs Death Master File data, and the Finance Committee has expertise that could have been called upon. Unfortunately, that was not the case, as the Death Master File provision of the budget agreement was not processed through regular order with adequate Finance Committee input.

Mr. President, it is becoming far too common for important legislation to bypass committees of jurisdiction and for it to be written by legislators who do not necessarily have the depth of knowledge and expertise necessary to avoid writing laws that either do not work or contain glitches, ambiguities, and confusing language. In my opinion, we need to return to regular order where committees of jurisdiction are the places where issues in their jurisdiction are debated, processed, and agreed upon in a bipartisan fashion. Certainly, committees of jurisdiction must be consulted when others decide to write legislation that involves issues that lie squarely within their jurisdictions. That will be the surest route to preventing a reoccurrence of the ambiguity and confusion that has, unfortunately, arisen from the Death Master File provision of the budget agreement.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, we are watching America pass from the hands of the ''greatest generation'' to the hands of the debt-paying generation with nothing to show for it but the bill. For months Republicans have challenged President Obama to fix the

Federal debt, to save entitlement programs that Americans depend upon, and to rescue young Americans from being forever known as the debt-paying generation.

Earlier this year, for example, I called on the President to show the same kind of leadership that President Johnson did on civil rights, that President Nixon did on China, that President Carter did on the Panama Canal Treaty, and that President Reagan did on Social Security. Confront your own party. Say what needs to be said. Do what needs to be done. This has not happened.

I appreciate very much the efforts of the Senator from Washington and Representative RYAN to try to bring certainty to the budget process. That is why I voted today to allow a vote on the House-passed budget agreement. It seems to me, at least, that a Republican Senator could allow a vote on legislation passed by the House of Representatives with the support of the House Republican leadership and two-thirds of the House Republicans, so I voted yes to allow a vote.

However, I am going to vote against the Ryan-Murray budget amendment because it avoids the Federal Government's single greatest challenge; that is, reducing the growth of runaway entitlement spending. Instead, it spends savings that should be used to strengthen Medicare, to strengthen pensions, and to strengthen the air transportation system.

I believe in user fees. When you build a highway, you have a gas tax to pay for the highway. You do not raise the gas tax to pay for education. You do not raise the gas tax to pay for a health program. A user fee is related to the service it provides. This budget agreement does not withstand that test.

It would have been much better to pay for this budget agreement by using a small part of the almost $1 trillion in entitlement savings that Senator CORKER and I have suggested in the Fiscal Sustainability Act or with meaningful entitlement savings from the President's own budget.

The Fiscal Sustainability Act that Senator CORKER and I have suggested would slow the growth of out-of-control mandatory spending by, among other things, recommending a more realistic Consumer Price Index. This is a Consumer Price Index that most economists have said is more realistic in its assessment of what the increase in the standard of living is. The monthly difference between the current Consumer Price Index and the more accurate Consumer Price Index is about $3 per month for the average beneficiary, which is less than the average cost of a gallon of gasoline. This modest change would help to slow the growth—not cut but help slow the growth of mandatory entitlement spending. The purpose of that is to help make those programs solvent so beneficiaries can depend on them.

The Medicare trustees have told us that Medicare will not have enough money in it in 13 years to pay all of the hospital bills. What are seniors going to think of Senators who in 2013 did not take the steps to make Medicare solvent? We could do that if we would begin to adopt some of the recommendations in the Corker-Alexander Fiscal Sustainability Act or in the President's own budget. He also recommended a smaller version of the more realistic Consumer Price Index. He recommended several hundred billion other dollars of changes in entitlement programs that Republican Senators might be able to agree with.

To go back to the Consumer Price Index, according to the Congressional Budget Office, we could save $162 billion over 10 years if we adopted a more realistic Consumer Price Index for entitlement programs. That is twice as much money as we needed for the budget agreement. The rest could have been used to reduce the debt today, and the reduction would be even more in future years.

As I emphasized before, the purpose of reducing the growth of entitlement spending is so the programs are solvent, so a Medicare beneficiary does not get to a point in 13 years and say: Why does Medicare not have enough money to pay for all of my hospital bill?

Here is another way we could have cut wasteful spending: Eliminate the wind production tax credit. The Senator from West Virginia and I have written a letter to the Finance Committee and suggested we do that. Here we are in the budget agreement struggling to find $63 billion over the next 10 years. Where could we find $63 billion? That amount about equals what we could save if we did not extend the wind production tax credit each year for the next 10 years.

So any way you slice it, we could either have taken some of the President's suggested savings in entitlement spending, some of Senator CORKER's and my suggested savings, we could have taken half of the savings from the more realistic Consumer Price Index, paid for the budget agreement that way, and then I could have voted for it because we would have moved money from the out-of-control side of the budget to relieve the sequester, and we would have done what we should have done.

What I have to ask with all respect is, Where was the President in all of this? I mean, if Lyndon Johnson can pass a civil rights bill and Richard Nixon can go to China, if Jimmy Carter can pass the Panama Canal Treaty and Ronald Reagan can work with Tip O'Neill on Social Security, why can't President Obama get involved with his own budget recommendations and help us begin to deal with entitlement spending, which everybody knows is the single biggest problem we have facing our country?

Washington could learn a lot about debt and taxes from Tennessee. Tennessee's tax burden ranks third lowest of any State, it has the lowest per capita debt, and it balances its budget every year. All that did not happen by accident. I was Governor when we needed three big road programs. Instead of borrowing the money, we paid for it as we went. We used user fees, the gasoline tax, but we applied that to the roads. Guess where we are today? We have one of the best four-lane highway systems in America and zero road debt. While other States have billions of dollars of road debt, we have zero. So all of our gas tax money goes to keeping one of the best four-lane highway systems in the country. Those policies have paid off. According to the Department of Labor, Tennessee is the fourth best State in the country in net new jobs.

Getting debt under control is the foremost problem we have facing our country. If we do not do that, the people who depend upon Medicare and other important programs will be not able to depend on them to pay their hospital bills. Runaway spending is going to leave our young Americans forever known as the debt-paying generation.

We are watching America pass from the hands of the ''greatest generation'' to the debt-paying generation with nothing to show for it but the bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

(The remarks of Ms. WARREN pertaining to the introduction of S. 1837 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Ms. WARREN. 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. REED. I ask unanimous consent that the order for the quorum call be rescinded.

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

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

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

UNEMPLOYMENT INSURANCE

Mr. REED. I come again to the floor to remind my colleagues that in 11 days 1.3 million Americans will lose their unemployment insurance. With the goal of providing certainty to these families that they will continue to have access to this vital lifeline, I and my colleague from Nevada, Senator HELLER, are introducing a bill that would extend unemployment insurance compensation benefits for 3 months.

I hope this sensible and bipartisan approach will provide a path forward to extending the program through 2014, which will give families and our economy more time to recover.

In many parts of the country, recovery is just getting underway. My own State of Rhode Island has 9.2 percent

unemployment. There are States throughout the country that have over 8 percent unemployment. There are some States that are doing well and we are very pleased they are. But for the millions of people who are still looking for work, they need this help.

This program is designed so workers continue to look for work while they receive very modest compensation. In my State the average is about $354 a week. That is not the kind of money that is going to induce someone to simply sit back and collect. It is going to provide some support for them to just put food on the table.

This safety net is not only there for them, it is for everyone, as 23.9 million Americans have received these Federal benefits since the start of the program in 2008. Some, thankfully, have found work and returned to work. But all of them, in a very critical time, received assistance and support. They only qualified for the support because they worked. This is a program that is based on one fundamental principle—they have worked long enough to qualify for these benefits. As a result, I think we have to go ahead, follow through, and not leave 1.3 million people, on December 28, literally with nothing, in many cases.

As we look by household, the number of Americans this program has helped rises to about 69 million people, not only the workers but their families, sons, daughters, and spouses. In fact, it includes about 17 million children who would not have received support without the benefits provided by this program.

In terms of income, over 40 percent of those households new to receiving UI in 2012 had household income between $30,000 and $75,000. That is an important point to make. These are working families. These are people who were enjoying a reasonably good living and suddenly, because of many changes, globalization, downsizing, you name it, they are without a job in a very difficult job market.

They went from people with good, solid, middle-class jobs to desperately looking for work. At least this program gave them some support as they made that great effort to look for work.

This program has been and continues to be a crucial benefit to millions of American households all over the country and of nearly every conceivable demographic background. That is why it is such a significant part of our recovery too. Its expiration will hurt families.

It has been estimated that if we do not extend this program over the next year, we will lose 200,000 jobs. And the logic of this program is very compelling. People who receive these benefits, people who used to make $50,000 a year, for example—and many of them did—they are not going to go ahead, turn around, take these benefits and just sort of squirrel them away or go off on a vacation. This is about paying the rent and paying for fuel in a cold winter or a hot summer in the South and Southwest. It is about making sure their children get a little something. Again, about 17 million children have benefited over the last several years—since 2008—from this program.

This is absolutely critical. It is critical to our economy. It is not only the right thing to do, it is the economically smart thing to do. It has been estimated that without the extension of unemployment insurance, we will lose .2 percent of GDP growth this year, and this is at a time when we all very sincerely profess that our No. 1 job is jobs—getting people back to work and growing the economy. And if we grow the economy, that has many beneficial effects. Not only does it lower the number of people who need this type of assistance, but as a result of that and other activities, it begins to lower our deficit.

For so many reasons, both economic and central to our purpose as a government—which is when people who have worked hard run into a situation where they lose their employment through no fault of their own, this is something that is there for them, and I hope we can move forward on it.

I am so pleased Senator HELLER has stepped up and has joined me, and I will join him, in urging all my colleagues to give us the opportunity not only to bring this legislation up but for at least 3 months to extend it so we can look longer term. Some of my colleagues have raised some very interesting points about how perhaps there are reforms necessary for the program. Well, in the context of a program that expires on December 28, it is hard to take the legislative time and insight to develop reforms that will work for everyone. But if we can extend this for at least 3 months, we will have that opportunity.

Mr. President, again, I will return. This is not the last time I will speak on this point. But I did want to come back and remind people that this program is central to so many families. It is an important part of continuing our economic expansion, and it is particularly difficult at this time of year when 1.3 million Americans in this holiday season are facing a cutoff of benefits that to many of them are the difference between paying the rent, paying the mortgage, and keeping the kids in their sports programs or doing those things families in America need to do.

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.

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

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

Ms. AYOTTE. Mr. President, I come to the floor today to talk about an issue about which I am deeply concerned.

While I certainly appreciate the work done by Congressman RYAN and Senator MURRAY on the recent budget agreement, in my view there is a provision in this agreement which makes it a deal breaker. That provision is, there is $6 billion taken from our current military retirees over the next 10 years from their cost-of-living increases to pay for this budget agreement.

I do not believe we have to take from the backs of our men and women in uniform to pay for more spending. I believe there are other ways we can find $6 billion in the trillions and trillions we will spend over the next decade, rather than taking it from the men and women in uniform who have sacrificed the most for our country.

What troubles me most about this particular provision of this budget agreement is our military retirees under the age of 62 were singled out. There are some changes to the contributions that Federal employees will have to make to their retirement, but those changes are only made prospectively to new hires.

Our men and women in uniform were not grandfathered under this agreement. They are the only ones singled out under the agreement to have their benefits cut.

What I find most appalling is the question we pressed and we pressed the Department of Defense for an answer to, and that is: What happens to our disabled veterans?

Many of us have been to Walter Reed. We have seen the injuries our men and women in uniform have sustained fighting on our behalf in Afghanistan. Some did multiple tours in Afghanistan and also served our country in Iraq. When you have a disability that occurs in the line of duty, you are entitled to a disability retirement, and this agreement will also cut the cost-of-living increases for our disabled veterans, which I find appalling, particularly with some of the horrific injuries too many of our men and women in uniform have sustained in defending our country and taking bullets for us all.

Under this agreement, an E–7—sergeant first class—who retires at age 40 could stand to lose $72,000 by the time he or she turns age 62. To put that in perspective, the average retirement for an E–7 is roughly $25,000. So in that period, this cut of 1 percent to their COLA could equate to $72,000. Think about the impact that has on our veterans and our men and women in uniform who have done so much for our country. Why are they being singled out in this agreement?

The other issue I wish to raise is this notion about which some have said: We have to vote for this agreement or we are going to face another government shutdown. I think that is a false choice. We may be in a rush to get home to our families for the holidays, but the notion we can't find $6 billion somewhere else on a bipartisan basis for our men and women in uniform is a false one. We can keep this government

open, we can address the budget issues, but we should not do so on the backs of our men and women in uniform singled out in this agreement.

Right now, as this agreement stands, the so-called amendment tree has been filled. That means any amendments which either side would want to offer cannot be offered right now because the majority leader has filled every part of the amendment tree, not allowing individual Members to offer amendments.

Were I allowed to offer amendments, I have filed two amendments which would address this issue for our military and have found other pay-fors to address the issue. Those are just two ideas which I came up with. I am sure if we committed in this body to working on this issue, we could quickly find $6 billion that would not be taken from the backs of our men and women in uniform and would not be taken from the backs of our disabled veterans, who have already suffered too much on behalf of our Nation. I do not believe this is too much to ask of us.

We are blessed to be in this country and blessed to enjoy the freedoms we enjoy in this country because of our men and women in uniform and what they have done to defend our Nation.

Make no mistake, a military retirement is not like any other retirement. When you retire from the military, you understand that you can be called back. You can be called back at any time. And who is most likely to be called back? Our younger veterans. In fact, since 2001, thousands of our veterans who thought they were going back into civilian life have been called back by our government to serve their Nation again. They didn't get to say yes or no. They agreed to do that even though they thought they would be retired. That is what distinguishes a military retirement from other retirements, or an average civilian retirement.

They earned this for defending our country. I believe we should fulfill our responsibility to them, and that they should not be singled out. Of all the groups to be singled out, they should not be the group to be singled out, especially after everything they have done for our Nation.

I ask that we take a few moments in this body and come up with $6 billion some other way instead of taking it from the backs of our men and women in uniform. Why don't we have an amendment process that would allow us to address this issue and allow us to fix this now?

To those who are saying: We will fix this later, that is such a Washington answer. For those who are serving our country right now in Afghanistan, what kind of comfort is that to them that we will fix this down the line after we vote on this agreement? How about fixing this now?

I ask my colleagues to fix this now on behalf of our military, the best in the world, those who have sacrificed the most for our country.

If this body is to pass this agreement, I would call on our Commander in Chief to veto this agreement. Bring us to the White House. Make the House and the Senate sit together so we can resolve this issue. As the Commander in Chief of this country, don't accept the cuts to the military and have our military retirees singled out, particularly our disabled veterans, in this agreement.

We can get this done. We can get this done before the holidays. Yes, we will suffer some personal inconvenience, but think about that. That is nothing compared to what our veterans have done for us and continue to do for us every single day in this great country.

With that, I yield the floor.

The PRESIDING OFFICER (Ms. WARREN). The Senator from South Carolina.

Mr. GRAHAM. Madam President, I join with the Senators from New Hampshire and Alabama in trying to urge the body to take a pause here and see if we can right a wrong before it matures. The good news is that we have a bipartisan agreement to try to fund the government in a fashion where we will not have a government by crisis. I appreciate that. I understand how hard it is to reach a consensus around here.

My objection is not to the deal as a whole. I appreciate the fact that sequestration relief occurred for our DOD budget for 2 years, and nondefense spending, and it was paid for. I appreciate that very much because sequestration has really cut into our ability to defend this Nation in a dramatic fashion, and to have it paid for is also a worthy goal and the right thing to do.

The point Senator AYOTTE, Senator SESSIONS, and I are trying to make is that a budget is about your priorities. What we are doing today is telling everybody in America what is important to the Congress, the Senate, and the House when it comes to getting a budget passed for 2 years and how we should pay for it. Here is what I can't understand: Of all the groups in America you would go to and single out, unlike any other group, to pay for the offset and come up with some money out of their pocket to get this budget deal passed—which doesn't keep us from becoming Greece, by any means, but I do applaud the effort—we picked the military community.

Here is what we have done to our military retirees, past, present, and future: We have taken their cost-of-living adjustment and reduced it by 1 percent until they get to age 62. If you are an E–7, a master sergeant in the Air Force, who retires at 42 in 2015, by the time you get to 62, this 1-percent reduction a year of your COLA amounts to almost $72,000 in lost benefits.

Do you know how much a master sergeant with 20 years of service makes in retirement? It is less than $25,000 a year. So that almost $72,000 number requires the master sergeant to give up 3 years of retirement, because $24,000 to $25,000 a year is what they make for a 20-year period, and the cost of the COLA reduction is almost $72,000, so basically you have taken 3 years of their retirement away to do a budget deal that could be accomplished without having to do that to our military.

By the way, nobody else in the country is doing this. No Social Security recipient has given up a dime. The COLA formula for the military is exactly the same as Social Security and other COLAs that we get around here.

Should we look at reforming our military retirement pay pension benefit system? Yes, because it is unsustainable in the future. Entitlement growth in the military is real, just as it is on the civilian side. Nobody has ever envisioned doing it this way, to take the military retiree community and retroactively apply a benefit cut to them that takes $6.3 billion out of the retiree community. These are the people who have been fighting the wars for 20 years. These are the people who have been serving continuously since 9/11, overseas and at home, trying to protect the Nation, and this COLA reduction doesn't just apply to people who have retired and are in good health at 40 or 42 or 45, it also applies to people who are medically retired. Someone who has had their legs blown off in Afghanistan or Iraq, and most likely will not be able to get a second job, is going to lose thousands of dollars in this cost-of-living adjustment, and nobody else in the country is so situated.

Can we do better? You better believe it. Here is what Congress told the Military Compensation and Retirement Modernization Commission. We set up a commission last year to advise the Congress next year on how we can fairly adjust retirement packages to make the personnel costs more sustainable in the Department of Defense in the future and how we can do that fairly.

Do you know what we told the commission. We mandated that any change they recommend has to grandfather existing forces and retirees. We put it in the law that created this commission. We put a restriction on the commission's ability to come up with pension, pay, and benefit reform by saying: You cannot apply it to people who have signed up and are expecting certain things. They are grandfathered.

We should have told ourselves that. We limited the commission, but we do exactly what the commission is not allowed to do. I don't know how my colleagues are going to explain this when they go back home. I hope somebody will ask what you are trying to accomplish. Trying to have a bipartisan budget that avoids a government shutdown is good, but asking the people who have been on the front lines of defending this Nation, who have been in the military for 20 years—and do you have any idea how many times the average military family moves in 20 years? Do you have any idea how many

schools their children will attend because they move every couple of years? Do you have any idea what it is like to serve this country since 9/11?

All I can say is if we want to find $6.3 billion over the next decade to pay for this budget deal, we can find better alternatives than this if we take some time.

If my colleagues don't like what Senator AYOTTE is doing, there are other ways. I am not asking a Democrat to defund ObamaCare to keep the government open. I am not asking a Democrat to take away a safety net from a group of Americans who are struggling. I am not asking a Republican to raise taxes. I am asking both of us, before Christmas, to rethink what we are doing here and take a little bit of time to fix a problem that, quite frankly, is unconscionable.

If you make over $250,000 a year in retirement, you receive $109 a month for a subsidy to pay for your Part D prescription drug bill. Here is what I would say: If you want to pick on rich people, let's do it. To me, $250,000 puts you in a category of living pretty good. Why in the world does our government give you $109 a month to pay your prescription drug bill when we as a nation are broke? That subsidy alone is worth $54 billion over the next 10 years. What if we took some of that money? What if we went to the $250,000 retiree and said: Would you give up some of your subsidy to pay your drug bill so military retirees don't have to lose the retirement benefits they have earned and have fought so hard to defend this Nation for so long? I bet they would say yes.

Here is the point: We are going to rush through this. If you ask me what bothers me the most about this, it is how insensitive we have become as a nation. We trip over ourselves to welcome the troops home when they come back from deployment. Members of Congress want to be there when the Guard unit leaves. We want to show how much we love the troops. That is a good thing.

Every American—Republican, Libertarian, vegetarian, Democrat—we all love the troops, but your Congress is expressing that love in a very strange way.

How far have we fallen? Do we have no shame? As a body elected by the American people to make sure the Nation is well run, what is the proper first role of the Federal Government? To defend the Nation. Tell me how to defend this Nation without people willing to die for it.

The budget doesn't defend this Nation. The CBO, the OMB, and all these acronyms do not defend the Nation against radical Islam. I am urging my colleagues in a spirit of bipartisanship and common decency: Do not single out the military retiree who has served so long and so hard and ask them to give so much when others are doing almost nothing.

As to our Federal employees, you are being asked to contribute more to the Federal retirement system, and I am sure that is a burden. But what do we do to Federal employees? We say that everybody who is in the system today does not share that burden. They are grandfathered. It is only for people who are hired in the future.

As to the military retiree, thank you for all of your hard work. Boy, do we have a deal for you.

This is not going to stand. This is going to pass because everybody is hellbent on getting out of here and going home and celebrating a bipartisan breakthrough, and we are going to talk about how we have become functional again. I do appreciate the effort to become functional, but to me, in our effort to become functional, we have lost our way and, quite frankly, lost our soul. Any political body that would do this in the name of good government has forgotten what government is all about. It is for, by, and of the people.

I will tell you right now, from the CEO to the doorman, when they hear about what we have done to pay for a budget deal at the expense of the military retired community, they are not going to be very appreciative. I promise this: If we don't fix it now, not only are we going to review it, we are going to fix it.

To our President: There is only one Commander in Chief. How could any Commander in Chief sign a bill that does this? Call us down to the White House, put us in a room, Republicans and Democrats, and don't let us out until we find a $6.3 billion offset that doesn't do injustice to the military retired community. If I were the President, I sure as hell would do that. Nobody would be going home until we got this right.

So the President owes a duty to the troops greater than anybody because he is their Commander in Chief. I don't know whether we are going to get this fixed. The train is running, and the retired military community is on the tracks, and a few of us are trying to get them off. I promise their families that if we fail today, we are going to come back at this tomorrow, over and over and over, until the Congress finds its soul.

I yield.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Madam President, first of all, my good friend from South Carolina is a mind reader. He always looks at you and figures out what you are going to say and then he says it better.

There are a couple of things that haven't been said during this discussion, and I want to mention them, and then I know we are going to vote. One is that our military was told—and I talked to several of the groups, the military retiring groups and others—that they would be grandfathered in. Now, I want everyone grandfathered in if we are going to do something like this. Certainly, in one installation in my State of Oklahoma, we have 13,000 civilian employees who are going to be grandfathered in, and I want them to be grandfathered in. That is the right thing to do.

People make career decisions predicated on what they are told at the time. And these military guys—and I look around the room and most of the Senators who are in here have spent a lot of time, as I have, in Afghanistan and Iraq, and we talk to these guys in the mess hall, and they talk about how they happened to get in. They make these decisions, and then we come along and take it away.

I think it has been said enough, the example of the gunnery sergeant at age 42, having been in for 20 years, and it is going to cost him some $72,000, but not much is said about the officers. For the officers, it is actually a lot more than that. An O–5 officer at that agency under the same circumstances would lose $124,000. These are not wealthy people; these are people who depend upon this for their retirement.

They were told, as I mentioned, that they also—the military people—would be grandfathered in. Now, anytime one is grandfathered in, then obviously they change the rules and the new people making a career decision will make it predicated on those circumstances of retirement that are there at that time.

I have to say this: Tomorrow we are going to be involved in the bill that was put together by the big four. It is the NDAA. It is a must-pass bill. We will pass it. I can't imagine there won't be the votes to pass it. But I can tell my colleagues this: If we had known this was going to come up, we would have addressed this in the NDAA. This is something that could have been addressed and could have been offset.

So I agree with everyone who has spoken on this issue. I think it is very difficult to understand how this could happen. We do know this: One of the differences between civilian employees and military employees is that we can't recall civilian employees.

We have a figure here. Are my colleagues aware that we actually have, since September 11, 3,456 military retirees who have been recalled to duty? Every one of them is going to be affected by this. This is a travesty we cannot allow to happen.

I applaud my friend from Alabama for bringing this up, and hopefully we will be able to correct it. We are going to have a vote right now, and I hope this is a solution to it. Then tomorrow we will have a chance to get into the details about the NDAA bill, which is a very significant bill that addresses provisions such as this.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Madam President, I thank my colleagues for their heartfelt remarks about the cuts in this bill that will immediately impact the retirements of American military. They are subject to recall, to Active Duty. They are expecting these payments. Other

departments and agencies and government employees are not going to get their retirement reduced; only people who served in the military. It is not correct, and it should not happen.

What I want to emphasize to all of my colleagues and highlight for us here today is that the legislation before us now was brought forth in a way that will not allow any amendments. If people have an idea about a problem with this legislation that was agreed to in secret by a couple of Senators—I suppose maybe some staff involved, so they agreed to this language. It is the first time we have seen it. It is the first time it has been before the light of day in the Senate, and we find problems with it, real problems.

If people ask schoolchildren, if people ask senior citizens in America, if a bill hits the floor of the Senate and it has bad provisions in it, what can Senators do, well, they will say that Senators offer an amendment and they fix it. Isn't that what we were taught? Isn't that what the history of the Senate is all about? It is a place where people can debate and amend and improve legislation. But we are in an odd and unusual circumstance—not so odd in recent years.

The majority leader of the Senate has sought recognition, as he is able to do, and he has filled the amendment tree, and nobody can get an amendment. Nobody can get a vote on this amendment to fix this part of the legislation that plainly needs fixing. It is not available to us. That is awfully hard to believe. It is awfully hard to believe that in the great Senate—as Senator Robert Byrd said, there are two great Senates: the Roman Senate and the American Senate; and he defended it and its rights and priorities. But we have one leader of the Senate, supported by his colleagues, who says: We don't want amendments because we might have to take tough votes, and all we want to do is rubberstamp this agreement, this bill written in secret, and we want to pass it without any amendments.

How did that become the policy of America? How did that become the policy in the Senate? What justification can be given to the concept that duly-elected Senators can't stand up on the floor of this body and defend the rights of their constituents and their States by offering amendments to improve legislation?

Tomorrow we are going to have the Defense spending bill, authorizing the expenditure of over $500 billion—$500 billion-plus—to fund our military. A lot of people have ideas about how to improve that bill. We are not going to get a single amendment because the majority leader has filled the tree and he is going to deny the Members of this body, who represent millions of people in their States—and really we represent everybody—the right to offer amendments to improve that bill. It is contrary to our tradition. It is contrary to our heritage. It is contrary particularly to the heritage of the U.S. Senate, where open debate and discussion is so important.

I thank Senator WICKER. He spoke this morning. I thank Senators AYOTTE, GRAHAM, and INHOFE, who shared their thoughts about the lack of wisdom in this legislation.

I am going to offer a tabling motion, and the purpose of it will be to remove the parliamentary maneuver of Majority Leader REID and allow us to have a vote. So what is this motion about? This motion will remove the filling of the tree, and it will allow the Senate to vote on this amendment to strike the military retiree pay cut—and other amendments, perhaps, but this amendment in particular. I believe that is in the tradition of the Senate. I believe it is extremely important.

So, Madam President, I ask unanimous consent to set aside the pending motion so that I may offer a motion to concur with amendment No. 2572 which is filed at the desk.

The PRESIDING OFFICER. Is there objection?

The Senator from Washington.

Mrs. MURRAY. Madam President, reserving the right to object, and I will object, first, as many of my colleagues here know, I have dedicated much of my career to fighting for our Nation's veterans and our military families. I am the daughter of a World War II veteran. I am the first woman ever to chair the Senate Veterans' Affairs Committee. I have worked tirelessly time and again to safeguard the health care and the benefits and services that those in our uniforms have sacrificed for. So obviously any provision that impacts them or the benefits our servicemembers have earned is of great concern to me.

As is true with any very difficult compromise, there are certain policy changes in this bill I would never have made on my own. Thankfully, though, we wrote this bill in a way that will allow 2 years before this change is implemented—2 years—so that Democrats and Republicans can keep working together to improve this provision or find smarter savings elsewhere. In that time I know there is an armed services-mandated military retirement commission due to report their findings, which would give both Chambers time to legislate a solution before any COLA change is ever implemented.

I also know the senior Senator from Michigan, the chairman of the Armed Services Committee, has indicated he is going to move forward with efforts to review this change before it takes effect, and I support that effort. I am quite sure other Members of the Senate will look for ways to replace these savings in a different way. In other words, we can and we will look at other hopefully better ways to change this policy going forward.

But opening this bill to changes today, after the vast majority of Congress has voiced their support for a deal that ends the repeated crises we have faced in this Nation, is not the solution. In fact, jeopardizing this deal right now only threatens our national security, and it will force layoffs of those very servicemembers and civilian military personnel so many Members have come out here to speak on behalf of.

As with any bill, the oversight process in Congress will move forward the moment we pass it, and there is no doubt that improvements will be made where they are needed. But this motion, I say to my colleagues, is an effort to bring down this bill, to stop us from moving forward, and for that reason alone it should be voted down. Therefore, Madam President, I object to the unanimous consent request.

Mr. WICKER. Will the distinguished chairman yield on her reservation?

Mr. SESSIONS. Madam President, I still have the floor, I believe.

The PRESIDING OFFICER. I believe that is correct.

Mr. SESSIONS. I yield to the Senator for a question.

Mr. WICKER. I don't mean to prolong this, but I wish to ask this of the distinguished chairman.

I think everyone should understand that although the Senator from Washington chairs the committee and was a member of the conference committee, this is not a report of the conference committee. The question I wish to ask is, Did the negotiators realize, when this COLA-less-1-percent provision was inserted in the conference committee, that it would mean $80,000 lifetime out of the retirement pay of the typical enlisted retiree? Did the conferees realize the magnitude of what they were agreeing to? Did the two negotiators agree to the magnitude of what they were sending to the House and Senate?

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Washington to answer that question?

Mr. SESSIONS. Madam President, I would be pleased to yield to the Senator without yielding the floor to answer that question.

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

The Senator from Washington.

Mrs. MURRAY. Madam President, I would suggest that the Senator ask that question to Chairman RYAN. But I would say again, as many of us have talked about here today, this is not the deal Democrats would have written on our own. It is not the deal Republicans would have written on their own. Nobody got everything they wanted, and we each had to give up some things to get to where we are today, again, to bring us back to a time of certainty because without a budget moving forward today, we would be facing a time in a few short weeks where there would be dramatic changes and cuts to, in particular, our Department of Defense, meaning furloughs and layoffs and a threat to our national security, as so many Members of the military have told us.

So I hope we can move forward. I know we are going to go through some parliamentary inquiries and a motion here in a minute. But I hope our Members would take the time to say, ''What is the end process here.'' and vote with us to not change this at this point and to allow us to go forward and bring certainty to so many families across this country at this holiday season time.

The PRESIDING OFFICER. The Senator from Alabama has the floor.

Mr. WICKER. Madam President, I wonder if the Senator from Alabama would yield to me for 60 seconds.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. I yield to the Senator without yielding the floor.

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

Mr. WICKER. Thank you, Madam President.

I would ask the Senator from Alabama, it seems to me no one wants to claim parenthood of this very onerous penalty on the retired servicemembers of the United States of America. I would have to infer from the answer of the Senator from Washington that she was not aware. One percent from COLAs sounds so innocuous, but when its comes to $130,000 for officers and $80,000 for enlisted people, it is real money.

This is a penalty, and it is hitting the people who step forward and volunteer to serve our country and protect our security. So until someone is willing to step forward and claim ownership, I have to assume the negotiators did not know the impact this would have on our military retirees. It seems to me the Senator from Alabama has devised a way to surgically remove this provision, pay for it elsewhere, and send it back to the House. I think we would be doing them a favor, frankly.

I thank my friend from Alabama for yielding.

Mr. SESSIONS. Well, I thank the Senator.

I would note that Senator AYOTTE, who has spoken, Senator GRAHAM, and Senator WICKER, along with myself, were conferees on the budget conference committee and that this was supposed to be the kind of thing we would discuss. But we were not called to the final discussion, and now this legislation is brought to the floor that we did not have time to approve in advance.

Mr. GRAHAM. Will the Senator yield for a second?

Mr. SESSIONS. I say to Senator GRAHAM from South Carolina, I am pleased to yield for a question.

Mr. GRAHAM. I thank the Senator.

To follow on what Senator WICKER said, I have been trying to find out how this started to begin with too. Whose good idea was this?

So I called the Secretary of Defense, and he said: We did not do this. I talked to Chuck Hagel, and he said: This did not come from us. Because I said: What are you all doing over there? Please understand, Senator GRAHAM, this did not come from us.

I think Senator WICKER knows the exact number. But if you are a military retiree, on your DD214 form—I do not know if the Senator from Alabama knows this, but when you get your retirement, your discharge DD214 form, at the bottom it says: Subject to being recalled.

Does the Senator know how many military retirees have been recalled since 9/11?

Mr. SESSIONS. I do not, I say to Senator GRAHAM.

Mr. GRAHAM. I think the Senator from Mississippi may have the exact number, and it amounts to a brigade of soldiers, almost.

I ask the Senator from Mississippi, what is the number?

Mr. WICKER. Madam President, if the Senator would yield for an answer to that question, precisely 3,456 DOD retirees—the very people we are penalizing in this provision—have been recalled to Active Duty since September 11, 2001.

Mr. SESSIONS. I say to Senator GRAHAM, you are a full colonel in the Air Force, still serving in the Reserve.

Mr. GRAHAM. Yes. Take my pay.

Mr. SESSIONS. Bless your heart. But it is a fact that this retirement pay is really more than retirement pay, is it not? It is really an income, a source of payment that ensures that the person can be recalled. So it is part of the right to recall you, a compensation for that.

Mr. GRAHAM. The answer is that when you retire after 20, you are subject to being recalled as long as you are physically able. I know one individual who was recalled at age 56 who was a JAG officer who had been out of the military for years. He set up his practice, and he said: Can they do this? I said: Hey, man, you are the lawyer. Of course. Read it. You know they can do this. And they did, only because we had to, and he went and did his part.

I bet you that of those 3,400, some of them were volunteers and some of them were not. But the cost-of-living adjustment is to make sure their retirement over time maintains its value. That is why we have a cost-of-living adjustment.

How much money do you make if you are a master sergeant after 20 years of service? It is less than $25,000 a year in retirement. So these people do not become millionaires when they retire. Try to raise a family of four on $25,000 without a COLA. So the COLA is designed to keep the benefit vibrant over time. When you do a COLA minus 1 percent, it does diminish the value of the package.

Here is what gets me the most. If we did it for everybody in the country, that would be one thing. These are the only people in America who get this special good deal.

Mr. SESSIONS. Madam President, I thank Senator GRAHAM. I think he made the defining point there, that this is a one-sided reduction of retirement benefits to people who served in the military, not impacting lots of others.

I want to return to the central point. This bill that will be voted on tomorrow—final passage—cuts military retirement by $6 billion. That $6 billion is counted in the numbers of the proponents of the legislation toward their justification for spending more money the next 2 years. They say they are paying for it by reducing this $6 billion over time. It is mandated. It is not an option in the bill. We should not pass legislation that does that.

So what I would propose is that we not go along with Majority Leader REID's determination to run the train over the men and women of our military, that we slow down and we follow the regular process of the Senate, not fill the tree, and allow amendments to be voted on on this substantive matter.

So parliamentary inquiry, Madam President.

The PRESIDING OFFICER. The Senator will state his inquiry.

Mr. SESSIONS. Is it correct that while the majority leader's motion to concur in the House amendment with an amendment to which the majority leader has also offered a second-degree amendment is pending—while it is pending, no Senator is permitted to offer an amendment to the House-passed spending package?

The PRESIDING OFFICER. The Senator is correct.

Mr. SESSIONS. So let me repeat to be sure my colleagues and I understand the situation. The Chair has just told the Senate that I cannot offer an amendment to the House-passed spending bill that would strike the military retiree pay cut because the majority leader has filled the tree with his own amendments. I have read the majority leader's amendments, and I see they merely change the date of enactment by a few days.

Further, parliamentary inquiry, Madam President: If a motion to table the majority leader's motion to concur with an amendment is successful, would there be an opportunity for me to offer a motion to concur with amendment No. 2572?

The PRESIDING OFFICER. Yes, there would.

Mr. SESSIONS. Again, summarizing for my colleagues, the Presiding Officer is telling this Senate that if there can be 51 votes to table the current amendment tree to the House-passed spending bill, then there will be an opportunity for me or other Senators to offer by motion a motion to concur with the amendment that strikes the military pay cut.

So, Madam President, in order to make a motion to concur with amendment No. 2572, I move to table the pending motion to concur with an amendment offered by the majority leader, and I ask for the yeas and nays.

The PRESIDING OFFICER. The yeas and nays have been requested.

Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Madam President, I would just state to all of our colleagues that this motion is an effort to bring this bill down——

Mr. SESSIONS. Madam President, there is no debate on a motion to table.

The PRESIDING OFFICER. Debate is not in order.

The question is on agreeing to the motion.

The yeas and nays have been ordered.

The clerk will call the roll.

The assistant legislative clerk called the roll.

The result was announced—yeas 46, nays 54, as follows:

[Rollcall Vote No. 280 Leg.]

YEAS—46

| | | |
|---|---|---|
| Alexander | Fischer | Moran |
| Ayotte | Flake | Murkowski |
| Barrasso | Graham | Paul |
| Blunt | Grassley | Portman |
| Boozman | Hagan | Risch |
| Burr | Hatch | Roberts |
| Chambliss | Heller | Rubio |
| Coats | Hoeven | Scott |
| Coburn | Inhofe | Sessions |
| Cochran | Isakson | Shelby |
| Collins | Johanns | Thune |
| Corker | Johnson (WI) | Toomey |
| Cornyn | Kirk | Vitter |
| Crapo | Lee | Wicker |
| Cruz | McCain | |
| Enzi | McConnell | |

NAYS—54

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

The motion was rejected.

Mrs. MURRAY. Mr. President, Section 401 of the Bipartisan Budget Act of 2013 creates a new category of employee called a further revised annuity employee and would require further revised annuity employees to contribute additional amounts into the Civil Service Retirement and Disability Fund. It is the intent of Congress for the Office of Personnel Management to create a new normal cost for the further revised annuity employees, and to ensure that the retirement plan not be underfunded.

Additionally, it is the intent that for the new further revised annuity employee plan that the only determinant of whether an individual is a Federal Employee Retirement System, FERS, employee or Member, as opposed to a FERS revised annuity employee or FERS further revised annuity employee, is through application of the FERS revised annuity employee test. And that the new further revised annuity employee test only differentiates between FERS revised annuity employee coverage and new FERS further revised annuity employee coverage.

TRANSBOUNDARY AGREEMENTS

Mr. MENENDEZ. Mr. President, I want to briefly discuss Section 304 of the Bipartisan Budget Act of 2013, which contained an amendment to the Outer Continental Shelf Lands Act. I was disappointed to see that the amended Section 32 requires submissions regarding future transboundary hydrocarbon agreements be made to the Speaker of the House, the Senate Majority Leader, the chair of the Committee on Natural Resources of the House of Representatives, and the chair of the Committee on Energy and Natural Resources in the Senate. This language fails to mention the Senate Foreign Relations Committee, an omission I find curious in light of the Foreign Relations Committee's jurisdiction over international agreements. I would like to yield to my colleague from Washington in order to clarify that this language was not intended to negate the Foreign Relations Committee's jurisdiction of transboundary hydrocarbon agreements.

Mrs. MURRAY. I thank the Senator for his question, and I appreciate his leadership as Chairman of the Senate Foreign Relations Committee. I understand his concerns and can assure him that the language in the Bipartisan Budget Act of 2013 was not intended to alter or negate the Foreign Relation Committee's jurisdiction.

Mr. MENENDEZ. I thank the Senator from Washington for her response, and I appreciate the tremendous work she has done to arrive at a budget agreement. Due to the importance of this issue, I want to seek additional confirmation of this point. The February 20, 2012 Agreement between the United States of America and the United Mexican States Concerning Transboundary Hydrocarbon Reservoirs in the Gulf of Mexico went through the Senate Committee on Energy and Natural Resources with the approval of the Senate Foreign Relations Committee because the implementing legislation was narrow and addressed the ability of the Department of the Interior to carry out the agreement. However, the Foreign Relations Committee engaged in robust oversight of this agreement in meetings with high-ranking officials at the Department of State and the Department of the Interior, including the submission of a detailed letter with several questions, which received a lengthy response. These actions reflect the Senate Foreign Relations Committee's intention to retain oversight of transboundary hydrocarbon agreements, and to reserve the right to draft and oversee implementing legislation for future transboundary hydrocarbon agreements.

Mrs. MURRAY. I thank the chairman of the Senate Foreign Relations Committee. It is quite clear by the extensive work the committee has done on the U.S.-Mexico Transboundary Hydrocarbon Agreement that the committee has an expertise in international agreements and should play an integral role in the oversight of future transboundary hydrocarbon agreements. The language in the Bipartisan Budget Act was not intended to undermine the Senate Foreign Relations Committee's jurisdiction with respect to any matter that would be properly before it.

Mr. MENENDEZ. I thank the chair of the Budget Committee for her responses.

NOT-FOR-PROFIT LOAN SERVICING

Mr. SANDERS. Mr. President, I rise to enter into a colloquy with the chairman of the Budget Committee, Senator MURRAY, and several of my colleagues regarding the not-for-profit student loan servicing provisions in the Bipartisan Budget Act of 2013.

Is it your understanding and intent that the not-for-profit servicing provision in this act does not require the termination of the existing Federal loan servicing contracts of any not-for-profit servicers who are currently servicing Federal loans?

Is it further the understanding and intent of the chairman of the Senate Budget Committee that the Education Department will continue to enter into contracts with not-for-profit servicers based on their performance?

Mrs. MURRAY. Mr. President, the Senator from Vermont is correct. It is my intent that existing contracts to use the services of not-for-profit servicers are not terminated by this bill and that they will be permitted to compete with the Department of Education's title IV servicers for additional accounts. I know several of my colleagues also feel strongly about this issue. I would like to recognize the following Senators to also join in on the colloquy: Senators LEAHY, HARKIN, ALEXANDER, HATCH, SHAHEEN, BEGICH, GRASSLEY, KING, BAUCUS, TESTER, and MURKOWSKI.

Mr. LEAHY. Mr. President, if I may join in this colloquy, I am glad for the clarification from the senior Senator from Washington and am pleased to know it is her legislative intent for the Department of Education to continue to use not-for-profit servicers and maintain their existing contracts and that not-for-profit servicers will be permitted to compete in the future for additional accounts. Like other not-for-profits around the country, the Vermont Student Assistance Corporation, VSAC, has provided counseling services and low-cost loans to students and Vermonters for more than 40 years. Since then, VSAC has worked hard to establish and maintain strong and longstanding working relationships with Vermont's higher education institutions, as well as K–12 schools, to provide outreach programs critical to the economic vitality of Vermont. In their new role servicing Federal loans, VSAC has consistently received praise from their customers and scored high in customer satisfaction surveys. In fact,

when Congress switched to direct lending we ensured that not-for-profit servicers would continue to service Federal loans because of the superior customer service experience that not-for-profits servicers have consistently provided. I am glad that Congress is continuing to recognize the importance of not-for-profit servicers in our communities and intends to allow for their continued role of servicing Federal loans and helping more students gain access to college and more students to complete their degrees.

Mr. HARKIN. Mr. President, as chairman of the Health, Education, Labor and Pensions Committee, which holds jurisdiction over the servicing of our Federal student loan programs, it is my understanding that the intent of the budget agreement is to allow for the continuation of the existing not-for-profit servicer contracts and that they will be permitted to compete based on performance with the Department of Education's title IV servicers for additional accounts, so that students receive the best possible service and taxpayer funds are used efficiently.

Mr. ALEXANDER. Mr. President, I thank the Senator from Vermont for engaging in this dialogue and appreciate the Senator from Washington clarifying that it is the intent of the budget measure for the Department of Education to continue to use not-for-profit servicers for the Federal loan program and that these entities should be permitted to compete for additional loan volume in the future.

Mr. HATCH. Mr. President, I thank the Senator from Vermont and the Senator from Washington for providing clarification on this issue. I am happy to hear that the legislative intent of the budget deal is to continue the use of the not-for-profit student loan servicers and that they will be permitted to compete in the future for additional accounts.

Mrs. SHAHEEN. Mr. President, I would like to associate myself with the comments of the senior Senator from Washington and am pleased to know it is her intent that not-for-profit servicers, like the New Hampshire Higher Education Loan Corporation and the NHHEAF Network, will be able to continue their important work and that they will be able to compete in the future for additional accounts.

For over 50 years, the New Hampshire Higher Education Loan Corporation and the NHHEAF Network have provided critical college access, financial education, and default-prevention programs to students in New Hampshire and across the country. The New Hampshire Higher Education Loan Corporation's dedicated staff services a national portfolio over 250,000 borrowers, helping them to manage repayment of almost $5 billion in student loans. These professionals play a uniquely important role in helping students to succeed in postsecondary education, and I am pleased that it is the Senator from Washington's intent to allow them to continue their work.

Mr. BEGICH. Mr. President, I rise as well to thank the senior Senator from Washington for her insight and to echo the comments from my colleagues, especially my good friend from Alaska. The not-for-profit student loan servicer in my State, the Alaska Student Loan Corporation, does an outstanding job of servicing student loans. They take a proactive and supportive role with the accounts they receive from the Department, and I want to ensure they will be able to continue to participate in this important program. I was pleased to learn that the chairman's intent in including this language was not to exclude not-for-profit servicers from competing for additional servicing accounts.

Mr. GRASSLEY. Mr. President, I would like to associate myself with the comments of the senior Senator from Washington and am pleased to know it is her intent that the use of not-for-profit servicers continues and that not-for-profit servicers will be permitted to compete on an equal basis in the future for additional accounts.

Mr. KING. Mr President, I wish to associate myself with the comments of the senior Senator from Washington. I am pleased to know that it is her intent that the work of not-for-profit servicers advances and that they will continue to be allowed to compete for additional accounts in the future. In Maine, two not-for-profit servicers, the Finance Authority of Maine and Maine Education Services, provide essential services to Maine students through financial literacy education and the servicing of Federal student loans. Indeed, not-for-profit servicers do meaningful work across the country, and I am glad to know it is the Senate Budget Committee Chairman's intent to continue to allow these State agencies and nonprofits to play a role in servicing federal student loans.

Mr. BAUCUS. Mr. President, I would also like to associate myself with the senior Senator from Washington, my colleague from Vermont, and my colleague from Montana. Our Montana servicer, the Student Assistance Foundation, provides vital services to Montana students by delivering financial aid education, scholarships, and grants. I am therefore pleased to know it is the intent of the chairman of the Senate Budget Committee that not-for-profit student loan servicers will continue to play a role in the servicing market and will be permitted to compete for future servicing contracts.

Mr. TESTER. Mr. President, I rise to share in this important discussion and would also like to associate myself with the comments of the senior Senator from Washington and my colleague from Montana. The Student Assistance Foundation is a strong employer in Montana, representing nearly 200 jobs, and I am pleased to know it is the chair of the Budget Committee's intent that the use of not-for-profit servicers continues. I am also pleased that not-for-profit servicers, such as the Student Assistance Foundation, will be permitted to compete in the future for additional accounts.

Ms. MURKOWSKI. Mr. President, I am pleased to know it is the intent of the chairman of the Senate Budget Committee—the chief Senate negotiator for the Bipartisan Budget Act—that nonprofit servicers will continue to play an important role in servicing Federal student loans, both now and in the future. I strongly support this intent and the vital public service role that nonprofit and State agency servicers have played in Federal student loan programs on behalf of Federal student loan borrowers and the American public. I will be one of those who will expect the Department to pay close attention to congressional intent in this matter. I also look forward to working with my colleagues on both the Senate Health, Education, Labor and Pensions Committee and the Appropriations Committee to ensure that this intent is carried out.

Ms. COLLINS. Mr. President, I would like to thank the chairman of the Senate Budget Committee, who coauthored this legislation, for clarifying that it is not the intent of the bill's authors to require that existing contracts with not-for-profit student loan servicers be canceled and that such servicers will continue to be able to compete for additional Department of Education contracts in the future. Not-for-profit servicers provide students in Maine and across the country with important financial counseling services, and I am pleased to know that they will continue to be allowed to compete to perform this work under this legislation.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. BOOZMAN. Madam Chair, I yield 1 hour of my time postcloture to Senator SESSIONS.

The PRESIDING OFFICER. The Senator has that right.

The Senator from Washington.

## MORNING BUSINESS

Mrs. MURRAY. I ask unanimous consent the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each, with the exception of Senator GRASSLEY for up to 20 minutes; further, that the time count postcloture.

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

The Senator from New York.

## COMMUNITY FIRE SAFETY ACT

Mr. SCHUMER. I ask unanimous consent the Senate proceed to the immediate consideration of H.R. 3588, which is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The bill clerk read as follows:

A bill (H.R. 3588) to amend the Safe Drinking Water Act to exempt fire hydrants from the prohibition on the use of lead pipes, fittings, fixtures, solder, and flux.

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

Mr. SCHUMER. I ask unanimous consent that the bill be read a third time and passed, and the motion to reconsider be considered made and laid upon the table, with no intervening action or debate.

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

The bill (H.R. 3588) was ordered to a third reading, was read the third time, and passed.

Mr. SCHUMER. To go over what happened, this is on behalf of myself and Senator TOOMEY. It is a bipartisan bill.

There was a recently released Environmental Protection Agency interpretation of a law that could cost local governments, municipalities, and taxpayers across the country millions of dollars and undermine public safety.

It is a classic case of the Federal bureaucracy and restriction harming our local communities and their budgets. No one would believe this, but it is about one of the most basic functions of government—fire hydrants.

Almost 3 years ago, Congress passed the Reduction of Lead in Drinking Water Act, legislation with an admirable goal, a goal that is spelled out right in the name, and the law is set to be implemented on January 4, 2014.

As we know, Congress intended for this law to direct the EPA to make rules that would keep our drinking water safe from coming into contact with lead-based parts. Congress did that and EPA exempted parts in bathtubs and showers that don't have direct impact on the quality of the drinking water, such as the knobs, the hot and cold knobs. Of course, the faucets would be under the law.

But at the end of October, suddenly, the EPA released a new interpretation of the law that for the first time put fire hydrants under the new standard set by law, meaning everyone needs to buy and install new and upgraded fire hydrants that contain less lead.

It took everyone by surprise. Only a small fraction of fire hydrants are ever used for drinking water. Even when they are, lead poisoning is associated with long-term exposure, which does not occur on the occasions when someone might drink from a hydrant.

While that surprising rule was announced at the end of October, the EPA expects all new fire hydrants installed after January 4 to be of this new reduced-lead standard. No manufacturer can make fire hydrants that quickly. If the interpretation stands, cities and county water authorities would be forced to throw out hundreds of hydrants now in stock, wasting millions of dollars and passing that waste on to consumers in terms of rate hikes. At the same time, there would be no new hydrants they could install when a fire hydrant malfunctioned, when it was run over by a car in an accident or when a snowplow knocked it down.

We are pleased this legislation we have just passed—my colleague from Pennsylvania and I—will now exempt fire hydrants from the reduced lead standard, just as bathtub and shower pieces that don't have contact with the water are exempt.

Simply put, the EPA's interpretation of reduced lead standards unnecessarily imposed a huge burden on municipalities and first responders without any discernible safety benefit. We have now undone that danger.

Mr. PORTMAN. Would the Senator yield?

I yield to my colleague from Ohio.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. I wish to thank the Senator and our colleague from Pennsylvania, Mr. TOOMEY, for the work on this issue.

Municipalities all around the country, including my State of Ohio, were shocked to hear about this. I appreciate joining my colleague from New York in a letter to the EPA.

Cash-strapped cities in New York, Ohio, and other States are happy to know they are not going to have to take on this burden. It makes sense to stop, take a look at this, and be sure we are not forcing these hydrants—that are otherwise in good shape—to be repaired and replaced. It is not something that is in the budgets of these cities.

I appreciate the Senator's work on it and look forward to ensuring that this does not move forward into regulation but also that we figure out a more sensible way to deal with the issue.

Mr. SCHUMER. I thank my colleague from Ohio. We appreciate his good work. We have now saved municipalities millions of dollars, as well as ensured safety in our communities because the fire hydrants that are in stock will be able to be used.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. On the last vote, I wish to mention to my colleagues what happened and what has happened. A major bill dealing with the debt of the United States was supposed to come out of a budget conference committee and come here.

The budget conference committee failed to complete its meetings and a piece of legislation was sent to the Senate. That legislation has not been subject to amendment.

The majority leader decided there would be no amendments, and he would simply tell us that if we have amendments that will kill the bill or if we have amendments that will make us delay, we can't do it and we will not do it and we will not get an amendment.

A number of good amendments have been filed. The one we just voted on was one of the more egregious. That amendment reduces the retirement pay of the U.S. military without reducing the retirement pay of anyone else who served in government, only the military. So I moved to table the filled tree that Majority Leader REID has been using to block anybody from having amendments in the Senate on serious legislation.

I mean, this is serious legislation we didn't get to vote on. So the choice for our colleagues, when they cast their vote, was would they vote to allow an amendment to be voted on that would protect veterans, military retirees, from having their pensions reduced; or would they support the majority leader in his determination to block any amendments to the legislation? So a majority has voted. They voted to block the classical rights of Senators to have amendments and therefore to protect the leadership and the domination of this Senate in an unprecedented way by the majority leader.

He has already filled the tree more times than the previous four majority leaders combined—more than twice as often. On every bill now, it seems, he fills the tree. To get an amendment, he has to approve it or you don't get it. If he decides there are no amendments, there are no amendments. So this is contrary to the tradition of the Senate, and we have to change this. This highlights the danger of supporting that kind of process because it keeps us from fixing bad legislation and improving it.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

## MAYORKAS NOMINATION

Mr. GRASSLEY. Madam President, soon we will be voting on the nomination of Mr. Mayorkas for Deputy Secretary of the Department of Homeland Security. I have concerns about the nomination. First, I will discuss how Mr. Mayorkas has carried out the President's directive giving legal status to thousands of individuals who are in the United States unlawfully.

In 2012, Mr. Mayorkas was charged with implementing this President's directive known as DACA—DACA—Deferred Action for Childhood Arrivals. I have always questioned whether the President's directive is legal. The administration never responded to our requests for their legal basis or opinions. This administration has not been transparent about who is getting deferred action, how they are processing them, and whether those who have been denied have been processed for removal.

They may call this program Deferred Action for Childhood Arrivals, but it clearly benefits older adults, and possibly people who intentionally broke our laws. The agency didn't deny any single applicant until after the 2012 election. We still don't know how many people were actually denied. We do know, however, that people were approved despite shoddy evidence, such as an Xbox receipt and Facebook posting. They always seem to find a way to get approval.

All denials for DACA have to be run through Washington. Adjudicators on

the line were given clear instruction they were not allowed to deny any applicant. Whistleblowers tell me that Mr. Mayorkas himself had to approve all denials.

Think about that. No denials were allowed unless the head of the agency personally approved the denial. What kind of message does that send to civil servants, the career employees trying to do their job under the law as the law requires, and to be very impartial. The boss has his thumb on the scales. That isn't the rule of law.

Mr. Mayorka's message to adjudicators seems to have been that they had better get to yes or he would personally get involved. This ''get to yes'' philosophy came up time and again with agency whistleblowers. The Office of Inspector General looked into the situation and the inspector general confirmed what employers had said. A quarter of Immigration Service Officers interviewed felt pressured to approve questionable applicants, and 90 percent felt they didn't have sufficient time to complete the interviews of those who seek benefits. The report of the Office of Inspector General clearly showed the agency had been pervaded by this ''get to yes'' culture.

Unfortunately, that culture hasn't changed under Mr. Mayorkas's leadership. In fact, based on concerns I heard from whistleblowers who contacted my offices in mid-July of this year, it seems to have even gotten worse. These whistleblowers were aware that Mr. Mayorkas had been nominated to this Homeland Security position by late June. They were also aware that since the fall of 2012, Mr. Mayorkas had been the subject of an Office of Inspector General investigation into allegations of ethical or criminal misconduct.

When Mr. Mayorkas's nomination hearing was scheduled, the whistleblowers were very surprised. They wondered why a hearing would proceed while the investigation was still open and pending, and then contacted my office to make sure Congress was told about the investigation. The existence of this investigation was news to me at that time. However, I didn't sit on the Committee on Homeland Security and Governmental Affairs. So my staff contacted the staff of the ranking member of that committee, Senator COBURN. His staff was also unaware the nominee was under investigation by the Inspector General.

It is extremely troubling that a hearing was scheduled to proceed without the ranking member of the committee knowing about the pending investigation of the nominee within the executive branch. Both my staff and the staff of Ranking Member COBURN contacted the inspector general's office. We told his office about the whistleblower allegations and asked for confirmation as to whether there was an open inquiry.

This type of procedural information is routinely disclosed by an inspector general's office to Congress, and rightly so. Further, we asked for an explanation of why that information would be withheld while the committee was considering the nomination.

Understand, the Senate has a constitutional function of providing advice and consent on these nominations. In order to do our duty, every Senator who is asked to vote on that nominee needs to have all the relevant information about that nominee, and particularly when there is a pending investigation.

To its credit, the Office of Inspector General answered our questions and confirmed there was indeed an open criminal investigation. Their written description stated that the inquiry involves ''alleged conflicts of interest, misuse of position, mismanagement of the EB–5 program, and an appearance of impropriety by Mayorkas and other . . . management officials.''

How was it possible that this information was withheld from staff for the ranking member of the committee considering that nomination? If not for the whistleblowers who came forward, would we have known of the investigation?

When a nominee is under investigation, the Senate has no business approving that nominee until the facts are in. Historically, committees have followed this precedent. As ranking member COBURN explained last week, both the President and the Vice President supported this precedent when they were in the Senate.

In July 2005, one ambassadorial nominee owned a company under investigation. Then-Senator BIDEN spoke out and supported delaying the vote on that nomination because of the investigation. Eventually, the nominee's company agreed to settle the investigation against it. Then-Senator Obama's spokesman issued a statement saying that due to the fact that a settlement was reached, Senator Obama would not seek to block the nomination.

Like then-Senators Obama and BIDEN, I believe the Senate should wait for investigations to conclude or, if the executive branch is taking too long, then Congress should do its own fact-finding. But forcing Senators to vote in ignorance is not a legitimate option. In fact, it is irresponsible.

Voting to approve a nominee who is under investigation without waiting for the facts is incredibly risky. What if the investigation determines allegations are true? By rushing to approve the nominee, this body would have failed one of our key functions under the Constitution.

I pointed this out when the Senate was considering the nomination of B. Todd Jones to become permanent head of the Bureau of Alcohol, Tobacco, Firearms and Explosives. Mr. Jones was the subject of an Office of Special Counsel investigation due to allegations he retaliated against a whistleblower in the U.S. Attorney's office in Minnesota.

As Mr. Jones' nomination progressed through the Senate, the Justice Department and the whistleblower agreed to try mediation. The majority tried to claim the special counsel's case was, therefore, closed. However, I did state on the floor the special counsel's investigation would continue if mediation failed.

Nevertheless, despite the open special counsel investigation, we voted on July 31 to confirm Mr. Jones. In early September, the whistleblower's mediation with the Justice Department did, indeed, fail.

The special counsel has resumed its investigation of Mr. Jones, just as the special counsel had told the Senate that it would. So the retaliation complaint against Mr. Jones is still pending this very day. We don't know what the outcome will be because we did not take time to gather the facts, as Senators should. If we are unwilling to wait for an executive branch inquiry, then we should further gather the facts ourselves.

Last week, Ranking Member COBURN asked Chairman LEVIN of the Permanent Subcommittee on Investigations whether that committee would consider interviewing witnesses in the controversy involving Mr. Mayorkas. While he declined, Chairman LEVIN rightly noted if the subcommittee were going to launch such an investigation, the vote on Mr. Mayorkas would need to be delayed. I completely agree. This vote should not take place until someone has been able to gather testimony and draw conclusions about these allegations.

Whistleblowers have provided my office with very troubling evidence regarding the substance of some of the allegations. Much of the evidence involves the EB–5 regional center program, which Mayorkas is responsible for managing. The evidence appears to support allegations Mr. Mayorkas and his leadership team at Citizenship and Immigration Services are susceptible to political pressure and favoritism. Our immigration system should be governed by equal application of the law, not by who has the best political connections to the director of the agency.

I have given Mayorkas a chance to defend himself and explain the evidence, which seems compelling. Back in July and August I wrote several letters to Mr. Mayorkas outlining whistleblower allegations and attaching some of the documents the whistleblowers provided. I asked how he accounted for this evidence, but he has utterly failed to reply to my letters.

It has been 4 or 5 months since I sent Mr. Mayorkas these letters. Just like his personal oversight of DACA, these documents show Mr. Mayorkas being much more directly involved in individual EB–5 cases than he has led my staff or the Homeland Security and Governmental Affairs Committee to believe. They appear to show him intervening in EB–5 decisions involving Gulf Coast Funds Management, an organization run by nobody other than Hillary Clinton's brother Anthony Rodham.

This decision benefited GreenTech Automotive, a company run by Terry McAuliffe which was receiving funding from Gulf Coast Funds Management.

This evidence about political influence and intervention is particularly troubling because of Mr. Mayorkas' prior history. In 2001 Mr. Mayorkas had a role in a group of pardons and commutations issued by President Clinton in the closing days of the second term. A 2002 House report found that then-U.S. Attorney Mayorkas inappropriately sought to influence a decision regarding whether drug trafficker Carlos Vignali's prison sentence should be commuted.

However, my concerns about the investigation pending against Mr. Mayorkas are about more than just improper political influence. Under his leadership over the last few years, the EB–5 Program has grown far beyond its original intent, which I supported. It is intended to be an avenue for foreign investors to participate in new commercial enterprises which actually create jobs in this country in exchange for a U.S. visa. The program was created as a pilot, allowing regional centers to pool funds from investors to create new businesses and jobs. In the process, the centers had to prove they were creating the jobs they promised to create.

Skeptics questioned whether the program truly creates jobs. Whistleblowers have expressed concerns that foreign investors are not being vetted carefully enough. They say Mr. Mayorkas is more interested in approving applications quickly than making security checks more robust.

Given what we know about these security concerns inside the agency, Congress needs to reexamine this program. It should serve its purpose without compromising our national security.

Mr. Mayorkas claims he has changed the program since learning of fraud and security concerns. The only tangible change we have seen is that additional economists have been hired and adjudicators from California were moved here to Washington, DC. Yet moving the EB–5 process to Washington increased Mr. Mayorkas' control over the program, just as he has in the DACA Program.

Whistleblowers have provided me with emails from Mr. Mayorkas saying that he wants to keep fraud and national security concerns about GreenTech or the SLS Hotel in Las Vegas ''close hold.'' As I said earlier, the rule of law isn't possible when the boss has his thumbs on the scales.

Further, the regional center program has serious national security risks that the Director hasn't addressed. He convened a working group with national security advisers but no formal product was finalized. The interagency collaborations seemed to fizzle. Whistleblowers say the working group was mere window dressing.

In the agency, employees received EB–5 applications from individuals with derogatory information about them in classified government files, but they were given little or no guidance about how to make sure that such were denied. Instead, they were pressured to approve applications as quickly as possible.

Simply put, the integrity of our immigration system is in question as long as the program continues without needed reforms which could be done this very day.

On May 15, 2012, Chairman LEAHY and I wrote to Mr. Mayorkas regarding the program and expressed our concerns about the potential for abuse of the program. We asked for his commitment to administratively reform two aspects of the program. He responded that he was interested in the reforms. Yet it has been a long 19 months and he has taken no action.

Mr. Mayorkas says he is concerned with fraud and abuse of the program, but actions speak louder than words. Despite my recent letters with questions about fraud and security concerns, not to mention political influence, Mr. Mayorkas is either completely unwilling or unable to respond to the allegations.

I sat down with Chairman CARPER on August 1, and he agreed that I deserved answers to my questions from the nominee. Now he has pressed forward without getting answers. I am truly surprised that this majority is not interested in getting to the bottom of these allegations—in other words, something that is under investigation—the same way that Senator BIDEN and Senator Obama demanded that we do during a previous Presidency.

If this body is unwilling to await the end of an investigation or if we aren't willing to conduct our own inquiry, one day this whole nomination will come back to bite us. As I said when B. Todd Jones was confirmed, eventually a situation will embarrass the Senate and damage the reputation of the Federal Government.

If this majority is determined to ignore ongoing investigations and at the same time ram through nominees, the American people should hold the Senate accountable for not doing its constitutional job—in fact, refusing to do its constitutional job.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

## ENOUGH IS ENOUGH

Mr. MURPHY. Madam President, I come to the floor for a few minutes, as I have most weeks, to mark a new number. That number is 11,584—the number of gun deaths America has experienced over the last year, since December 14 of last year. That date is burned in the memories of those of us in Connecticut and across the Nation because that was the date 26 people—20 little 6- and 7-year-olds and 6 teachers and educators who were there to protect them—died in Sandy Hook. We recognized the 1-year mark of that shooting this weekend. Almost 12,000 people have died at the hands of guns since then.

I have tried to come to the floor of the Senate in the months since to remind folks that these victims have stories and to give voice to these victims. I will share a few more today.

We were all gripped just a few days ago by news of another school shooting. Not too far from Columbine, Arapahoe saw another very troubled young man walk in with a shotgun and essentially open fire, apparently because of a grievance he had with his debate coach. Caught in the crossfire was a 17-year-old girl, Claire Davis.

Claire was described as outgoing, athletic, and an excellent student. According to reports, she loved horses and recently placed second in an equestrian competition. Another student said Claire is ''one of the nicest people I've met at Arapahoe'' High School. Claire, 17 years old, survived, but she is still in a coma today just because she was in the wrong place at her high school—a place where everyone expects to be able to go to school in safety. She isn't on this number yet because she survived, but her life is changed forever because of yet another school shooting.

School shootings now seem to pop up on the news on a weekly basis. But it is not just these school shootings where mass violence takes place. Now you can pick up most local papers every month and see evidence of a new mass shooting.

In Manchester, CT, on December 7 of this year, 41-year-old John Lynn shot Brittany Mills, 28, Kamesha Mills, 23, and Artara Benson, 46, before killing himself in a quadruple murder. He had a history of domestic violence. Police haven't completely sorted out exactly what happened, but all four of them are dead, marking the eighth homicide stemming from intimate partner violence in Connecticut since January 1, 2013.

Just days before, in Alma, AR, Tim Adams, believed to be in his early fifties, before killing himself killed his 4-month-old grandson, 4-year-old granddaughter, and Michael Williams, the 31-year-old boyfriend of his daughter, in the midst of what seemed to be a pretty simple argument about his daughter's court date that exploded into an episode of mass violence that took the lives of a 4-month-old, a 4-year-old, a 31-year-old, and then, as many of these episodes do, the life of the shooter himself.

These episodes of mass shootings are not just happening in schools, movie theaters, or places of worship; they are happening in backyards in Alma, AR, and they are happening in apartment complexes in Manchester, CT. And this body, in the 360-some-odd days since December 14, has done absolutely nothing about it. The survivors of these incidents of violence are the stories we don't talk about.

I have come down here to tell the story today of Claire Davis, Brittany

Mills, Kamesha Mills, Artara Benson, Tim Adams, Chayson Williams, Kierra Adams, and Michael Williams. They all died by gunshots. They left behind children, parents, and neighbors who are scarred for life.

Psychologists will tell you that when a shooting occurs, there are at least 10 people who experience life-altering trauma. What we know is that episodes of trauma don't just affect you up here; they affect your entire body. We have new developing evidence which shows that children who experience multiple episodes of trauma in their lives—and they don't have to be as grave or serious as a shooting—are physiologically affected for the rest of their lives. People who witness trauma and experience trauma die earlier than people who don't, never mind have episodes related to post-traumatic stress that stay with them for the rest of their lives. So the spillover, the ripple effects of these 11,000 deaths, frankly, represents a number that can't even fit on a chart like this.

There is no simple solution. Sometimes it seems as if the only thing we come down here and talk about is stricter gun laws. And I don't believe there is any reason why we don't require background checks for guns before they are purchased or we don't just simply say that these dangerous assault weapons should stay out of the hands of people who aren't in law enforcement or the military. But that is not the beginning and end of the conversation.

This young man, Karl Pierson, who walked into Arapahoe High School started shooting the place up because he was upset about his place on the debate team. He apparently had a history of disciplinary incidents at that school, but he clearly had some serious issues of mental illness not identified and treated. Of course, the same thing can be said of Jared Lee Loughner and Adam Lanza and this long list of mass shooters across this country. We absolutely have to put more resources into our mental health system.

I appreciate my colleagues on the other side of the aisle who have said: We are not willing to go with you when it comes to background checks or assault weapons, but we will work with you on mental health funding.

In order to do that, we actually have to put the money behind the system. We have closed down 4,000 in-patient mental health beds in this country over the last 5 years. Why? Because the Federal Government is pulling funding from the very programs that actually support increased mental health resources which can identify these individuals before they perpetrate incidents of mass violence. So there is an illusion of bipartisan support around the issue of mental health even while we have these outstanding disagreements on gun laws. Yet there really isn't agreement because when you are fighting over the budget, when Republicans are calling for massive cuts to programs such as Medicaid or the mental health block grant, then they are undermining the very programs that actually identify and help people such as Karl Pierson or Adam Lanza.

Enough is enough. I will be down here after the holiday, and that number will be over 12,000—12,000 individuals, many of them little girls and boys like those represented on this chart: Daniel Barden and Jesse Lewis and Dylan Hockley.

Back in Newtown, out of respect for the families who are tired from 365 days of grieving, there was no big public remembrance on Saturday. There was a small private ceremony which I had the honor of attending at St. Rose Church, where so many of the children were parishioners.

As tired as that community is, they also were bewildered, in Newtown, because they went up to the State capitol in Connecticut and got laws passed that will prevent these kinds of episodes of mass violence in the future, but they came down to Washington and, while they got a lot of meetings, they got absolutely no progress—zilch, zip, nada.

As we head into 2014, I hope the memory of these little boys and girls will not fade as we get beyond the 1-year mark of Sandy Hook. My hope is people will start paying attention to this number, creeping up to 12,500 deaths, and will recognize that while this number simply represents the number of people who have died, there are all sorts of people out there such as Claire Davis, who survived, but survived gun incidents that will cripple them for the rest of their lives, and there are, frankly, hundreds of thousands of more people who surround these incidents of violence who have their lives changed forever because of the trauma they experienced.

All of these victims, whether they were killed in the incident or were part of the collateral damage, have voices, voices that should command this place sometime soon to action.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Madam President, I ask consent to speak as in morning business for up to 20 minutes.

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

## CLIMATE CHANGE

### THANKING TODD BIANCO

Mr. WHITEHOUSE. Madam President, this is my 53rd time for consecutive weeks we are in session that I have come to the floor to speak about climate change and to urge my colleagues that it is time to wake up. These speeches are not easy. A great deal of effort goes into assisting me with research and crafting of them. I am particularly grateful for the hard work of Dr. Todd Bianco in helping me to prepare them. He is the fellow sitting on the other side of the sign, looking embarrassed that I have just called him out.

Todd joined my office in September of 2012 as a Geological Society of America-U.S. Geological Survey congressional science fellow. He has contributed considerable scientific understanding and analytical rigor to our work. His ability to interpret the latest climate research has helped me to convey complex scientific concepts both accurately and in a way that is accessible and meaningful to policymakers and the public. You may be used to seeing him with me here on the floor for each week's speech, but he has also been effective in researching legislation and preparing for hearings in the Environment and Public Works Committee.

I say this because this week marks the end of Todd's fellowship and he will soon return home to Rhode Island with his wife Allison. Allison Bianco, by the way, is a very talented artist whose work reflects our deep human connection to the natural world. In addition to lending us Todd, Allison has also lent us some of her artwork which is hung on display in my front office. So in addition to thanking Todd for his efforts, I also want to thank Allison. Todd, like me, is an over-married human being.

I wish them both the best of luck back home, and I thank Todd for his work in the U.S. Senate to advance responsible public policy, grounded firmly in the best science.

It is time at last for Congress at least to heed that best science and act responsibly. It is time to wake up. Denying and delaying is irresponsible. In the judgment of history, it will ultimately, I believe, be shameful. Carbon pollution from the burning of fossil fuels is altering the climate. The consensus around this fact within the scientific community is overwhelming, and public awareness of this crisis is growing stronger.

Interestingly, it is growing stronger across party lines. Republicans might want to listen to this. A survey conducted for the League of Conservation Voters found that more than half of young Republican voters, 53 percent of Republicans under the age of 35—53 percent would describe a politician who denies climate change is happening as ''ignorant,'' ''out-of-touch,'' or ''crazy.'' Madam President, 53 percent of Republicans under 35 view that kind of climate denying as ''ignorant,'' ''out-of-touch,'' or ''crazy.''

Even though a majority of young Republicans understands that denying climate change is out of touch with reality, Republicans in Congress refuse to get serious. Why? Another national survey, this one by the Pew Research Center, found that 61 percent of non-tea-party Republicans actually agree there is solid evidence the Earth is warming, with a plurality saying it is mostly because of humans. But the tea partiers are different. Seventy percent of tea partiers, contrarily, say there is

''no solid evidence'' the Earth is warming and 41 percent of tea partiers assert that warming is ''just not happening.'' Not that we don't have enough information yet, but it is ''just not happening.''

Regardless of what you think is the cause, there are legion independent measurements that the Earth is warming. This is not a theory. We measure that the temperature of the atmosphere and oceans is rising. We measure that snow, ice caps, and glaciers are melting. We measure that seas are rising. We measure that the very seasons are shifting.

It is one thing to be the party that is against science. The tea partiers would make it the party against measurement. Just as the tea partiers led the Republicans off the government shutdown cliff, just as the tea partiers tried to defeat the budget deal most Republicans supported, so the tea party wants to lead the Republican Party off the climate cliff.

Outside these walls it is different. Responsible Republican voices more and more acknowledge the threat of climate change and call for responsible solutions. Many want to correct the market failure that aids and abets the polluters' irresponsible practices.

My colleagues, Representative HENRY WAXMAN, Representative EARL BLUMENAUER, Senator BRIAN SCHATZ, and I have put forward just such a market-based proposal, a revenue-neutral fee on carbon emissions, the revenues of which would be returned back to the American people. Here, within Congress, where the polluters' money flows so abundantly, no Republican colleague has come forward to join us. But outside of Congress here are some of the responsible voices in the Republican Party: Former South Carolina Representative Bob Inglis has long urged his party to get serious on climate change. In an article in the Duke Environmental Law & Policy Forum this year, Mr. Inglis invoked the tenets of conservative economics. He wrote:

> If you're a conservative, it is time to step forward and engage in the climate and energy debate because we have the answer—free enterprise. . . . Conservatives understand that we must set the correct incentives and this should include internalizing pollution and other environmental costs in our market system. We tax income but we don't tax emissions. It makes sense to conservatives to take the tax off something you want more of, income, and shift the tax to something you want less of, emissions.

That was Bob Inglis and that is exactly how you use his words ''internalize pollution and other environmental costs in our market system.'' You do it with a carbon fee.

Sherwood Boehlert and Wayne Gilchrest, former Republican Representatives from New York and Virginia, in a joint February 2012 op ed with Representative WAXMAN and Senator MARKEY, made the fiscal case for a carbon fee. Here is what they said:

> The debate over how to reduce our nation's debt has been presented as a dilemma between cutting spending on programs Americans cherish or raising taxes on American job creators. But there is a better way: We could slash our debt by making power plants and oil refineries pay for the carbon emissions that endanger our health and environment. This policy would strengthen our economy, lessen our dependence on foreign oil, keep our skies clean—and raise a lot of revenue. The best approach [they continue] would be to use a market mechanism such as the sale of carbon allowances or a fee on carbon pollution to lower emissions and increase revenue.

For one former Republican Member of this body, the threat of climate change has serious professional implications. As Secretary of Defense, it is Chuck Hagel's job to account for all hazards to our national security and our interests in the world. He gave this clear-eyed assessment at the Halifax International Security Forum just last month:

> Climate change does not directly cause conflict, but it can significantly add to the challenges of global instability, hunger, poverty, and conflict. Food and water shortages, pandemic disease, disputes over refugees and resources, more severe natural disasters—all place additional burdens on economies, societies, and institutions around the world. . . . The effects of climate change and new energy resources are far-reaching and unpredictable . . . demanding our attention and strategic thinking.

Top advisers to former Republican Presidents have joined this chorus of Republicans speaking out on climate and urging a carbon fee. Republican Presidents listened to these men and women. Who knows, maybe Republican Members of Congress will listen to them also.

William D. Ruckelshaus, Lee M. Thomas, William K. Reilly, and Christine Todd Whitman, all headed the Environmental Protection Agency during Republican administrations. They spoke with one voice in an August New York Times op-ed. They wrote:

> As administrators of the EPA under Presidents Richard M. Nixon, Ronald Reagan, George Bush and George W. Bush, we held fast to common-sense conservative principles—protecting the health of the American people, working with the best technology available, and trusting in the innovation of American business and in the market to find the best solutions for the least cost.

These former Republican officials recognize both the wisdom of properly pricing carbon and, as well, the obstinate opposition that stands in the way of progress in Congress. They continued in their article:

> A market-based approach, like a carbon tax, would be the best path to reducing greenhouse gas emissions, but that is unachievable in the current political gridlock in Washington. But we must continue efforts to reduce the climate-altering pollutants that threaten our planet. The only uncertainty about our warming world is how bad the changes will get and how soon. What is most clear is that there is no time to waste.

They could even have said that it is time to wake up.

George Schultz, another prominent Republican, served as Secretary of both Labor and Treasury under President Nixon and Secretary of State under President Reagan. He, too, is calling for an end to the polluters' free ride.

In an April op-ed with Nobel economist Gary Becker that appeared in RealClearPolitics, George Schultz appealed to our American sense of fairness writing:

> Americans like to compete on a level playing field. All the players should have an equal opportunity to win based on their competitive merits, not on some artificial imbalance that gives someone or some group a special advantage. We think this idea should be applied to energy producers. They all should bear the full costs of the use of the energy they provide.

Let me repeat that:

> They all should bear the full costs of the use of the energy they provide . . . Clearly, a revenue-neutral carbon tax would benefit all Americans by eliminating the need for costly energy subsidies while promoting a level playing field for energy producers.

Veterans of a much more recent Republican administration are likewise acknowledging the appeal of a carbon fee proposal.

David Frum, speechwriter to George W. Bush, wrote in a December 2012 cnn.com op-ed that a carbon fee could help address a number of pressing national issues. Here is what he wrote:

> Take three worrying long-term challenges: climate change, the weak economic recovery, and America's chronic budget deficits. Combine them into one. And suddenly three tough problems become one attractive solution. Tax carbon. . . . The revenues from a carbon tax could be used to reduce the deficit while also extending new forms of payroll tax relief to middle-class families, thus supporting middle-class family incomes.

Gregory Mankiw, economic adviser to George W. Bush and Mitt Romney, specifically highlighted our carbon fee proposal in an August op-ed in the New York Times. Our bill, he wrote, ''is more effective and less invasive than the regulatory approach that the federal government has traditionally pursued.''

Speaking of us, he said:

> If the Democratic sponsors conceded to using the new revenue to reduce personal and corporate income tax rates, a bipartisan compromise is possible to imagine. Among economists, the issue is largely a no-brainier.
>
> I say to Mr. Mankiw, as one of the Democratic sponsors, we are very interested in a bipartisan compromise. We just need a Republican to come to the negotiating table and we can begin. That is what the American people want, what voters want, and it is what responsible State and local leaders want as well.

Take, for example, Jim Brainard, a five-term Republican mayor from Carmel, IN. In an Indianapolis Star op-ed this month, Mayor Brainard implored Democrats and Republicans alike to face up to the reality of climate change. Here is what Mayor Brainard said:

> [T]his issue isn't just about saving polar bears. It's about saving our cities. . . . No matter your politics, there is overwhelming evidence of climate change and we as a nation have a moral obligation to address these issues.

For himself, he says he plans ''to urge the federal government to take a stronger leadership role in helping our cities prepare for what is certainly coming our way.''

There are a lot of Republicans out there who are awake to the threat of climate change and to the win-win-benefits of pricing carbon and using the revenues to invest in tax reductions and adaptation and other ways to protect ourselves and advance our economy.

Unfortunately, in Congress, the dark, heavy hand of the polluters is helping the tea party drive the Republican party off the cliff. One day the Republican Party will pay a heavy price for this, and that day may be soon. They need to make the change.

It is the responsibility of Congress to heed the warnings of environmental calamity, to stamp out market distortions that favor polluters, and to steer this country on a prudent, reasonable path toward a proud future that is both sustainable and equitable. It is time for Congress to wake up.

I yield the floor.

The PRESIDING OFFICER (Mr. DONNELLY). The Senator from Ohio.

## BUDGET AGREEMENT

Mr. PORTMAN. Mr. President, I rise to talk about the budget agreement before the Senate. We had a vote today on moving ahead to that legislation, and I supported that movement. I supported the cloture vote and will support the underlying budget agreement because it does take modest steps to reduce the deficit. It does so without raising taxes. It also relieves some of the sequester's worst impact on our national security, and it also prevents another government shutdown next month and also next year.

I also support it because it is time for us to have a budget. We have not had a budget for 4 years. It will enable us to begin the process of having appropriations bills again. In the appropriations process, of course, we have oversight over the Federal departments and agencies and we prioritize spending, which is very important. Among other things, this will give us the opportunity to root out some of the waste and fraud and actually determine what programs are working and not working to be able to use the power of the purse that Congress has, to help be sure taxpayer funds are being used efficiently and effectively.

As Members know, this agreement was the culmination of what is called a Budget Conference Committee between the House and the Senate. So it was Democrats and Republicans but also the House and Senate coming together. That has not happened in 4 years. So we have not had a budget in 4 years. We have not had a budget conference in 4 years. If you think about that, is it any wonder that during those 4 years Congress has racked up historic debts and deficits?

The deficits of the past 4 years have been the largest deficits in the history our country, and one reason is we have not had the discipline that comes with having a budget and being sure there is some accountability for the spending. We have not made the hard choices our constituents have to make every day, how much to spend and what to spend it on. That is what a budget is supposed to do.

This budget agreement we will be voting on this week is far from perfect. There is a lot I don't like about it. In fact, I just supported the attempt to amend it on the floor of the Senate to improve it, but I do believe that with a divided Congress—Republicans in charge in the House, Democrats in charge in the Senate—it was the best we could hope for. There were no tax increases, as the Democrats wanted. We just heard from one of my colleagues about how more taxes are needed, but there were no tax increases in this budget agreement.

There is actual deficit reduction, although I will acknowledge that the deficit reduction is way too small. There is about $22 billion in deficit reduction over 10 years compared to the existing law.

It does provide some sequester relief for the Department of Defense. The Department of Defense was facing across-the-board sequester cuts which were kind of arbitrary across-the-board cuts of about $20 billion starting on January 15 and over the next few months.

This relief is very important to our military. We have heard from them. It is important to our readiness. It is important to our troops. It is important to Wright-Patterson Air Force Base in Ohio and other bases around the country. It is important to our war fighters who are stationed around the globe tonight and putting their lives on the line for us. So I think the sequester relief for the Department of Defense that is in the budget agreement is important.

While this might be the best 2-year budget agreement that is imaginable in a time of a divided government, such as we have with all of the dysfunction in this town, it is certainly not the comprehensive agreement the American people deserve.

Through this agreement, Congress has now accomplished the bare minimum of what the American people should be able to expect from Congress. After all, Congress does have, as I said earlier, the power of the purse, and that is in the Constitution. Every dime has to be appropriated by the Congress. We should be the ones determining how taxpayer dollars are spent, and we certainly need a budget.

There are some who took to the floor today, and will tomorrow I am sure, who will say this is a great budget agreement; this shows everyone how Washington can work and come together to fix a problem. Fair enough. We avoided a government shutdown. Yes, we are not going to gut national security, and, yes, we will have a small deficit reduction—again, about $22 billion.

Let's be honest about the opportunity Congress missed this week with this budget agreement. When it comes to the very real budget and fiscal problems we face as a country, when it comes to the mandatory spending, which is two-thirds of the budget and is on autopilot, that is the part that is driving our country toward bankruptcy and threatening to undermine important vital programs, such as Social Security, Medicare, and Medicaid.

We have done nothing on that side of the ledger in this budget agreement. We kicked the can down the road one more time and missed the opportunity. As we all know, unless we address these fiscal problems, the day of reckoning is coming.

This is a pie chart of Federal spending that will kind of show where we are relative to 1965 when mandatory spending—again, this is the part Congress does not appropriate. It is on autopilot. It is 34 percent of the budget. Defense is 43 percent of the budget, domestic discretionary is 23 percent.

Here is where we are today: Mandatory is 66 percent of the budget. We went from 34 percent to 66 percent. Remember, this is Social Security, Medicare, Medicaid, also interest on the debt. By the way, defense spending has gone from 43 percent down to 18 percent. Yet the sequester disproportionately takes most of the savings out of defense, which is one of the reasons this budget agreement was needed.

We have seen big growth in mandatory spending. By the way, over the next 10 years, it goes from 66 percent to 76 percent. What does that mean? That means it crowds out discretionary spending—defense spending, research spending, education spending, infrastructure spending. That is what is happening.

Our deficits are going to record highs over the next couple of decades and mandatory spending is exploding and it is squeezing the other spending in our budget.

Over the next decade, the Federal Government is going to collect revenue of about $40 trillion, spend about $46 trillion, and run a deficit of $6.3 trillion. Over the next 10 years, there will be another $6.3 trillion on top of the $17 trillion debt.

In that 10th year, by the way, 2023, the best case scenario has a projected annual deficit of nearly $1 trillion—$895 billion for 1 year. By the way, it assumes no wars, it assumes a decade of prosperity, and it assumes 10 years of historically low rates. It is quite a rosy scenario. If any of these factors fall through, things could be much worse, and it could be well over $1 trillion.

This is not a problem that can be solved by just cutting discretionary spending. Over the next 10 years, Washington will spend more than $22 trillion on these vital programs: Medicare, Medicaid, and Social Security. If we

were to cut our defense budget over the next decade all the way down to zero—have no defense spending at all, zero—we could pay for just one-quarter of that cost of the $22 trillion.

If we removed every penny of potentially identifiable waste in government—which we should do, by the way, and that is why we need to get back to appropriations—we could pay for less than 10 percent of this exploding cost on the mandatory side.

If we pulled out of Iraq and Afghanistan today and ended all bailouts and corporate welfare, reversed the tax cuts for all Americans making less than $450,000 a year that we kept as part of the fiscal cliff agreement, repealed ObamaCare altogether—if we did all of those things, we would cover just 20 percent of the cost of those programs, this $22 trillion.

In other words, even if we wanted to try to do it by cutting this spending, we could not do it because there is not enough money in that part of the budget. So it is not just a matter of choosing spending priorities and it is certainly not a matter of raising taxes.

Earlier my colleague talked about how we needed to raise more taxes for different things, and I understand a lot of people are saying that, but let's be honest about this: It is a bad idea at a time of a weak economy to raise taxes. Plus, over the next decade, you know what happens on taxes. Over the next decade we have been told by the Congressional Budget Office that taxes will be—as a percent of the economy, which is the way economists tell us we ought to look at it—at historically high levels.

So the economy is already weak, tax revenues are headed toward their highest sustained levels in history, and when it comes to taxes, there is an alternative, which is let's reform the Tax Code.

What we should be doing is restraining spending, reforming these vital but unsustainable programs, while also raising more revenues through growth, and economic growth can come through tax reform. That tax reform gives the economy a shot in the arm. It helps bring back the jobs. It increases revenue through growth. That is why we need both entitlement reform and tax reform.

The issue of entitlement reform is a tough one politically. A lot of Members of Congress are hesitant to touch it. It is called the third rail of American politics. That is akin to the electrified rail in the subway system, where if you touch it you are electrified. Let's start small. How about means testing of Medicare. This could be a first step in the right direction.

Under Medicare, the average two-earner couple retiring today pays $119,000 in lifetime Medicare taxes, yet receives $357,000 in lifetime Medicare benefits. So $1 of taxes for $3 of benefits. That is how Medicare works. That is for a typical family in Ohio or around the country. When we multiply this by 77 million retiring baby boomers, we can see why we have an unsustainable program, because not enough money goes in to pay for the benefits going out.

Providing $3 in benefits under Medicare for every $1 paid in taxes for low-income seniors is one thing. We want to be sure low-income seniors are being taken care of. For the most part, in their working years, they probably didn't earn enough income to pay large Medicare taxes, and the program is designed to see that they do receive the medical coverage they wouldn't otherwise get. But should upper income seniors—seniors who are on Medicare—receive benefits that far exceed what they pay into the system? That is what happens now. Is that fair? I don't think so, when the program is going bankrupt, when our kids and grandkids are facing massive tax increases to pay for a problem that we all foresee and yet fail to correct.

By the way, I tried in this latest budget agreement to say, on the mandatory side of the ledger, why don't we deal with means testing of Medicare. That would provide enough revenue to provide relief on sequester. We wouldn't be doing things such as TSA fees or things such as reducing the benefits for our military. It was rejected. I talked to a number of Democrats about it who said we can't touch that. We can't touch even means testing of Medicare without raising taxes. So, in essence, raising taxes on the wealthy is necessary to reduce benefits for the wealthy. That is the point we are at. That is how tough it is. That is why we need a new approach. That is why we need some leadership—in the House, in the Senate but also in the White House. We need a President willing to help us on this, to talk about it.

Have we ever heard the President talk about the fact that there is $3 of benefits coming from Medicare for every $1 paid in? Have we ever heard the President talk about the fact that entitlements are otherwise going to bankrupt the country? We need a little straight talk and honest dialogue about this.

If we do nothing, as we have done with this budget agreement in the Senate with regard to mandatory spending, entitlement spending, and as we have done time and time again, the Social Security disability trust fund will go bankrupt in 2016, a couple years from now. Medicare will follow in 2026—again, every year, much more being paid out than being paid in. Social Security, already in a cash deficit, meaning there is more money coming out in terms of benefits than there are payroll taxes going in every year—but it will collapse, the trust fund will collapse in 2035. Medicaid has no trust fund, so it will not go bankrupt itself; it will just continue to grow at unsustainable levels, helping to bankrupt the country, but also, in that case, it may take the States down with it, and States will tell us it is generally their largest and fastest growing expense, Medicaid.

So these are issues we must address. On the floor of this Chamber, we often talk about the next generation. We hear speeches about protecting the elderly and ensuring every American gets the benefit of the bargain made when Social Security and Medicare came into being. I agree, but to do that we need to improve and preserve these programs, and we need to stop blaming one another for what happened because, frankly, Republicans and Democrats alike are responsible for this. We have done one thing that is truly bipartisan in the last few decades; that is, we have overspent and we have overpromised, Republicans and Democrats alike. Because we helped create this mess together, we have to work together to resolve it.

With this vote on the budget this week, another budget crisis has passed, and that is good. We are on the road to avoiding another government shutdown in January and again next year. That is the most basic job of government, and I think that is good. We have a little bit of deficit reduction, we didn't raise taxes on a weak economy, but we need to aim higher. Perhaps in the context of the debt limit debate that is coming up in a matter of only a few months, we can get more serious about the underlying problem, because it is that underlying problem that is driving our future deficits. We all know that. We all agree on that. We all know it has to be fixed. So let's do it this coming year.

We have seen how divided government can achieve something important but small. That is what happened with this budget agreement this week. In 2014, next year, let's see how divided government can achieve something big and critical to economic growth and jobs and to the future of our children and grandchildren. That is our solemn responsibility in the Congress, to ensure that we are leaving a better world to future generations. We cannot do this if we do not address this fiscal crisis.

I yield back my time.

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.

Mr. REID. Mr. President, are we in a period of morning business?

The PRESIDING OFFICER. The Senator is correct.

## TRIBUTE TO KATHLEEN BIGNOTTI

Mr. REID. Mr. President, I rise today to recognize the extraordinary career of United States Capitol Police Sergeant Kathleen Bignotti, who is retiring after more than 28 years of service to the Department.

Sgt. Bignotti began her career in October 1985, when she was appointed as a U.S. Capitol Police officer and assigned to the House of Representatives Division. Less than 1 year later, she was selected to serve as a member of the First Responder Unit.

Her career with the Capitol Police included assignments to the Office of the Chief of Police, the Dignitary Protection Unit, the Senate Division, the Patrol Division, and the Library of Congress Division. Sgt. Bignotti's most highly regarded assignment came in 2003 when she was promoted to serve as Unit Commander of the USCP Mounted Unit. Her horse, Henry, will always have a special place in Sgt. Bignotti's heart.

Sgt. Bignotti represented the department with distinction in her duties that included assisting during the 1990 Goodwill Games in Seattle, WA; serving as a representative during National Police Week ceremonies; participating in the Special Olympics ceremonies and recruiting class graduations, and other special events as designated by the Chief of Police. In 1991, she received commendation as a member of the Ceremonial Unit for Honor Guard duties associated with Queen Elizabeth's visit to the Capitol.

As a former officer with the U.S. Capitol Police, I have a special appreciation for the commitment and dedication of the men and women on this force. I, along with my colleagues on both sides of the aisle, wish Sgt. Bignotti all the best in her retirement.

## FOREIGN MEDICAL SCHOOL ACCOUNTABILITY FAIRNESS ACT

Mr. DURBIN. Mr. President, last week I introduced the Foreign Medical School Accountability Fairness Act. The bill seeks to fix a loophole exploited by for profit schools to tap into the federal Treasury at the expense of students.

Under current law, a small number of medical schools in the Caribbean—about five, four of which are for profits—are exempt from meeting the same requirements to qualify for title IV funding that all other medical schools outside of the U.S. and Canada must meet. This loophole allows these schools to enroll large percentages of American students—which means access to more Federal dollars.

The biggest of these schools are St. George's, Ross, and American University of the Caribbean whose enrollments of Americans are 70 percent, 91 percent, and 86 percent respectively. Other schools are prohibited from having U.S. citizens make up more than 40 percent of enrollment.

These for profit schools have turned the idea of being a foreign school on its head—they are located outside of the United States, but have majority-American enrollments. They do not have to meet the same high standards U.S. medical schools must meet, but also do not have to meet the same requirements as schools located outside of the U.S. to access hundreds of millions of dollars of Federal funding.

Pretty sweet deal, huh?

In fact in 2012, the three schools I mentioned earlier—St. George's and the two DeVry-owned schools—took in more than $450 million from the Federal Government from American taxpayers. That amounted to more than two-thirds of all title IV funding that went to all foreign medical schools.

To sum up—three schools, two-thirds of the Federal funding, exempt from the law.

Not only are these schools exempt from the enrollment requirement, but they don't have to meet a minimum standard of success—having 75 percent of their students pass the U.S. board exams—a requirement for any of its students to actually practice medicine in the United States. The University of Sydney—with its dozen or so American students—has to meet this standard in order to receive title IV dollars. But DeVry's Ross University, with 1,000 or more American students, does not.

It doesn't seem right to the Department of Education, which says there is no rationale for continuing the exemption. And it doesn't seem right to me, either. Especially when you consider what students are getting for this Federal investment—more debt, higher rates of attrition, and lower residency match rates than U.S. medical schools.

Translation: More debt and less chance of becoming a doctor.

In September, an article in Bloomberg by Janet Lorin entitled ''Devry Lures Medical School Rejects as Taxpayers Fund Debt'' shined a bright light on the poor student outcomes of these schools.

It is no secret that for profit foreign medical schools prey on students who have been rejected by traditional U.S. medical schools. They promise to fulfill the unrequited dreams for students who want to be doctors, but for one reason or another, did not make the cut in the U.S. On average, scores on the MCAT, the test required to enter medical school, of students attending these offshore for profit schools are lower than those of students who are admitted to medical schools in the U.S. In 2012, students at U.S. medical schools scored an average of 31.2 out of 45 on the MCAT while students at the DeVry medical schools scored an average of 25.

The attrition rate at U.S. medical schools averaged 3 percent for the class beginning in 2009, while rates at for profit foreign medical schools can be up to 26 percent or higher. More than a quarter of the students at some of these schools drop out.

On average, students at for profit medical schools operating outside of the United States and Canada amass more student debt than those at medical schools in the United States. For example, in 2012, graduates of the American University of the Caribbean had a median of $253,000 in student debt versus $170,000 for graduates of U.S. medical schools.

To add insult to injury, these foreign trained graduates are on average less competitive candidates for coveted U.S. residency positions. In 2013, residency match rates for foreign trained graduates averaged 53 percent compared to 94 percent for graduates of medical schools in the United States. They are even less likely to land a residency position the second time around.

According to the Bloomberg article I referenced earlier, one graduate of St. George's University, Michael Uva, amassed almost $400,000 in medical school loans, but failed to land a residency spot twice. Michael now works at a blood donation clinic earning $30 an hour. Although he sacrificed years of his life training for it, without completing a residency he will never get to practice medicine and this $400,000 debt will likely follow him throughout his life.

Congress has failed taxpayers and students by subsidizing these Caribbean schools with billions in Federal dollars for years without adequate accountability and oversight. This bill takes a first step at addressing that failure by ensuring these Caribbean schools must meet the same standards other schools outside of the United States and Canada must meet.

At the same time, these schools are just another example of the systemic problem we have with for profit colleges trying to make a buck off of students in this country and usually bilking Uncle Sam to do it. In fiscal year 2010, we sent $32 billion to all for profit schools.

There are three numbers you need to remember when thinking about for profit schools:

The percentage of high school graduates that enroll in for profit schools—12 percent;

The percentage of Department of Education title IV funds that go to for-profit schools—25 percent;

The percentage of student loan defaults for profit schools are responsible for—47 percent.

I have been fighting these schools for a long time. But today I have a message for those schools down in the sunny Caribbean who may have thought they could continue to exploit taxpayers and students without anybody noticing—we're watching.

## VOTE EXPLANATION

Mr. McCAIN. Mr. President, I regret that I was absent from the Senate yesterday and was unable to vote on the nomination of Jeh Johnson to be Secretary of the Department of Homeland Security. Had I been here, I would have voted in opposition to this nominee.

Reforming our broken immigration system is one of the Nation's top priorities. To that end, ensuring that our borders are secure and preventing illegal entry is absolutely vital. In my capacity as the senior Senator from Arizona and one of the lead advocates of

comprehensively reforming our immigration system, I have a solemn obligation and a constitutional prerogative to make sure that the Department of Homeland Security, DHS, accomplishes that mission. In furtherance of that obligation and that prerogative, I—indeed Congress—must count on DHS cooperation to provide any relevant information I and this body request.

Unfortunately, in connection with the Senate's effort to craft legislation to help secure our borders, the former DHS Secretary unjustifiably refused to provide such information. The information I asked for was intended to let Congress and the American people judge for themselves if progress is being made to protect our borders from illegal entry. To date, I never received that information from this administration.

So first during his confirmation hearing and then in writing, I asked Mr. Johnson to commit to me that, if confirmed as the new DHS Secretary, he would provide me that same information. Unfortunately, on grounds that I find to be specious and unacceptable, he declined. On the basis of his response, I can only conclude that, if confirmed, the level of cooperation between DHS and me, particularly on the vitally important issue of border security—when comprehensive immigration remains such a vitally important issue—would remain business as usual, and that is unacceptable. It is unacceptable to me and to the people who interests I am committed to representing.

For this reason, I have no choice other than to oppose Mr. Johnson's nomination.

I have known Jeh for some time. I have respect for his work while General Counsel for the Department of Defense. In particular, I applaud his efforts in the development of the Department of Defense's policy regarding the use of deadly force in connection with counterterrorist operations and other important defense and national security issues.

But what I have seen all too frequently is the inability or unwillingness of appointed officials within this administration to free themselves from the unelected, unpointed, political staff in the West Wing that put political expediency ahead of meaningful governance. I can have no tolerance for another Secretary who will act as nothing more than a road block on behalf of those with a political agenda and is either unwilling or unable to provide transparency into the actions of this department and its components.

Congress, particularly those of us who are the border, has the right to have that information. It is our responsibility and obligation to our constituents. I have constituents in my State who every night, there are people who are crossing their border illegally. I have constituents that every day, drug smugglers are going across their property and their homes. They certainly have the right, as citizens, to know what measures need to be taken in order to control our border.

Earlier this year, the Senate passed a comprehensive immigration bill with 67 votes that included unprecedented increases in spending to help secure the border. The information we based these spending increases on came directly from leadership within the Border Patrol, and I believe it will be successful. But the American people deserve to have more than my faith in the efforts of the Border Patrol as to whether the border is made secure. Our constituents are relying on us to finally secure the border but also be good stewards of their tax dollars and to have the capabilities to ensure their money is being used wisely and if not, to make the appropriate adjustments.

When developing this legislation, we requested information from Secretary Napolitano that I believe would have helped make the legislation stronger and potentially garner more support from my Republican colleagues. This information was never provided to us, I believe, for solely political reasons but has ultimately harmed our ability to get comprehensive immigration reform legislation signed into law.

This is the source of my disappointment with Mr. Johnson: His refusal to commit to provide the information necessary would prevent Members of Congress from making reasonable and informed decisions that serve the American people. And Mr. Johnson did so under circumstances that other Members of this body have sought—and obtained—commitments of cooperation.

For example, here is what Secretary Kerry said in response to a request for answers regarding the Bengazi raid: ''[H]ere's what I say to you. After 29 years here—in my 29th, I respect the prerogatives of the United States Senate and the members of Congress. You represent the American people, you're the other branch of government, you have the right to know what took place. And I have an obligation commensurate with the, you know, regulations and classifications and privacy and other things that are at play here, to help you get the answers, and we'll do that.''

And what did I get from Mr. Johnson? ''If I am confirmed . . . I promise that addressing your letter will be a top and immediate priority for me.''

For years, we were told that apprehensions are down and the border is more secure. In reality, we all knew that the economy was the primary driver in reducing potential illegal border crossers. In the last 2 years, with slight improvements in the economy, we have seen a 20 percent increase in the number of apprehensions. Does that mean the border is less or more secure?

For years DHS has been telling us they are developing a border security index in a shift away from using apprehensions as the sole measure of success and to get a true measure of security along the border. We have been waiting 3 years with no sign that the index will be made public. All indications are the development of the index has been shelved.

Until Congress is provided greater information on the capabilities and deficiencies of the Department of Homeland Security's abilities to secure the border, Congress will not be able to determine if the border is secure.

I regret that Jeh Johnson has refused to commit to providing this information to Congress, and I do not support his nomination.

## TRIBUTE TO KAREN PONZURICK BROWN

Mr. CRAPO. Mr. President, today I wish to recognize the outstanding work of an invaluable member of my staff. Karen Ponzurick Brown, who is really quite young, has already reached 25 years of service on Capitol Hill, and she has chosen to retire. For 7½ years, she has worked tirelessly in a job that calls for 24/7/365 attention. I cannot thank her enough for her dedicated assistance. And I also thank her husband Paul who has shared his wife's attention with me for these many years.

Karen came to work for me at a time when technology was rapidly changing for the position that she held. While she had never worked in this type of capacity before, her sharp mind and intuitive sense quickly assessed how to put together a system that ensured Idahoans received priority attention on my schedule. She has been instrumental in creating efficiencies and effective processes in our office and in my time. Karen is conscientious, structured and hardworking. She was accessible to anyone who needed her and was a mentor to many of our staff. Her calm demeanor has soothed many agitated callers seeking appointments. Her sense of decorum has provided me and my staff with a greater sense of professionalism. Her ability to anticipate challenges has saved the day many times over. I have great respect for her thorough, diligent and well-thought-out approach to tackling any problem, and I will truly miss having her input on the many challenges that are encountered in our everyday workplace.

But above all her professional qualities, Karen has been a great friend and trusted advisor, and there are no words strong enough to express my gratitude for that friendship, which I hope will continue. No matter the challenges at hand, she always strives to meet and exceed expectations. Karen has been a great asset to me, my staff, Idahoans and countless others throughout her two and a half decades of committed public service. Thank you, Karen, for your dedication. Your confident and strong guidance will truly be missed, and I wish you all the best. Retirement has been a tough choice for you, but I know that you are at peace with that

decision, and you are certainly young enough to enjoy it!

## TRIBUTE TO VINCENT FORLENZA

Ms. MIKULSKI. Mr. President, Senator HATCH and I join together today to recognize the contributions of Vincent A. Forlenza, chairman, CEO and president of BD, in establishing and leading AdvaMedDx, an important new voice for the role of medical diagnostic tests in patient care.

BD, the leading global medical technology company, has a strong presence in both Maryland and Utah as do other companies in the medical device and diagnostics sectors. We understand firsthand the growing importance of diagnostics to power medical discoveries and transform patient care.

Mr. HATCH. The diagnostics sector spans thousands of different kinds of tests, from blood tests for cholesterol to new genetic tests that identify cancer variants and match patients to the most appropriate drugs. Diagnostic tests facilitate evidence-based medicine, improve quality of care, promote wellness, enable early detection of disease and often reduce overall health care costs.

In short, diagnostics play a critical role in the health care system and are an essential part of quality patient care. While these tests account for only about 2 percent of health care spending, they influence the large majority of the health care decisions made each and every day.

Ms. MIKULSKI. The impact of diagnostics, however, is not always well understood by patients, policymakers and, sometimes, even physicians. In 2010, Mr. Forlenza played an instrumental role in bringing together a group of leading diagnostics manufacturers to form a new trade association, AdvaMedDx, whose core mission is to create an understanding of the role diagnostics play in the health care system and help foster patient access to innovative, safe, and effective tests. Soon after the founding of the AdvaMedDx, Mr. Forlenza assumed the role of chairman of the board of directors, a position he has held for the last 3 years.

Mr. HATCH. During Mr. Forlenza's tenure as chairman, AdvaMedDx doubled the size of its membership and established itself as a credible voice on health care policy in Washington and around the world. Under Mr. Forlenza's leadership, the diagnostic industry has worked with a range of stakeholders to pursue initiatives that aim to reform and modernize the diagnostics regulatory and payment environment in order to keep pace with innovation and the changing health care landscape. AdvaMedDx works not only with Members of Congress and key public health agencies but also with organizations ranging from patient advocacy groups to cancer research societies to the World Health Organization.

Ms. MIKULSKI. As part of its contribution to the policy dialogue, AdvaMedDx has organized Capitol Hill briefings at which leaders in the field of diagnostics have shared insights and current developments on topics including women's health, cancer diagnostics, antibiotic resistance, and infectious diseases. Just a few weeks ago, AdvaMedDx and the American Association for Cancer Research held a daylong symposium on personalized medicine and companion diagnostics, keynoted by the Commissioner of the Food and Drug Administration and the Director of the National Institutes of Health.

Mr. HATCH. AdvaMedDx also has established itself as a global leader, driving collaboration with allied associations in Europe, Canada, Brazil, Japan, and Australia.

Ms. MIKULSKI. Mr. Forlenza has been a tireless champion for the power of diagnostics to promote wellness, improve patient outcomes and advance public health. The success of AdvaMedDx in a few short years is in large measure due to this vision that he brought to the organization.

Mr. HATCH. Congratulations to Vince on his accomplishments during his tenure as AdvaMedDx chairman, and best wishes to AdvaMedDx for many future successes.

# ADDITIONAL STATEMENTS

## REMEMBERING DR. RAY DOLBY

• Mrs. BOXER. Mr. President, I ask my colleagues to join me in honoring the memory of Dr. Ray Dolby, a trailblazing engineer, entrepreneur, and pioneer in the field of sound who passed away on September 12, 2013. He was 80 years old.

Born in Portland, OR and raised in the San Francisco Bay area, Ray Dolby was a dedicated tinkerer from a young age, always curious about how things worked. As a high school student, he worked after school for the electronics company Ampex Corporation, playing a key role in developing Quadruplex, the world's first commercially successful video tape recorder, which revolutionized the world of television broadcasting.

After graduating from Stanford University with a bachelor's degree in electrical engineering, Ray began a doctoral program in physics at Cambridge University in England, receiving his doctorate in 1961. The next year, his life changed: He met the love of his life, Dagmar, who was also at Cambridge studying as a summer student, and the two married in 1966 and had two beautiful sons, Tom and David.

In search of adventure, Ray spent 2 years traversing India as a technical adviser for the United Nations, working with the Indian Government to establish a new national laboratory focusing on the development of scientific and industrial instruments. Buoyed by his research in India, Dolby returned to England in 1965 and founded Dolby Laboratories, which he moved to San Francisco in 1976.

Throughout his career, Ray Dolby pioneered many of the most significant developments in sound and audio design. Early on, he invented noise-reduction technology that eliminated the hiss that had marred earlier forms of tape recorded sound and in the 1970s introduced Dolby Stereo, which allowed movie studios to record films in multichannel surround sound. The innovation of surround sound played a pivotal role in allowing theater goers around the world to enjoy the sound effects in such groundbreaking movies as ''Close Encounters of the Third Kind'' and ''Star Wars'' and innumerable other popular films produced in the decades that followed. Since then, Ray Dolby and Dolby Laboratories have pioneered a multitude of technologies in noise reduction, audio and video processing, live sound, and digital cinema, and won multiple Emmys and Academy Awards for their work.

While Ray is often recognized first and foremost for his revolutionary work in the field of sound, he and his wife Dagmar are also known as leaders in San Francisco's philanthropic community. They gave generously to numerous causes and organizations, supporting everything from stem cell research to community parks to the performing arts. I extend my deepest condolences to Ray's loving wife Dagmar; his children, Tom and David, and their spouses; and his four grandchildren. Dr. Ray Dolby will be deeply missed, but his legacy of generosity and innovation will live on in the countless lives he touched.•

## REMEMBERING ELIZABETH DENEBEIM

• Mrs. BOXER. Mr. President, I ask my colleagues to join me in honoring the memory of Elizabeth ''Libby'' Denebeim, a pillar of the San Francisco community, who passed away on November 15, 2013. She was 83 years old.

Libby was born and raised in the Midwest and graduated from the University of Missouri, where she met the love of her life, Robert Denebeim. After getting married, Libby went on to obtain a master's degree in education and taught elementary school in Tampa, FL, while Robert completed his service in the U.S. Air Force.

In 1956, the couple moved to the San Francisco Bay Area. Libby had always been dedicated to public service, and in San Francisco she became a leader in the community. She worked on behalf of so many agencies and organizations dedicated to improving education, mental health, the arts, and family services, including the San Francisco Board of Education; the San Francisco Mental Health Association; the Mayor's Advisory Council on Families, Children and Youth; the Mayor's Criminal Justice Council; San Francisco Head Start; and Jewish Family and Children's Services.

Libby was also a fierce advocate for the LGBT community. She fought to end the definition of homosexuality as a ''mental illness'' and remove it from the National Psychiatric Association's Manual of Mental Disorders. She campaigned against California Proposition 6, the Briggs Initiative, which sought to ban gays and lesbians from working in California's public schools, and also served on the San Francisco Health Department's Committee on Services for People with AIDS, the Mayor's HIV Task Force, and the NAMES Project.

Those lucky enough to know Libby recognized her as a vibrant, inspiring and generous woman who gave selflessly to her community. Through the years, she was honored by organizations ranging from the United Way to the Pacific Medical Center to the California State Legislature. Her contributions to the San Francisco Bay Area and beyond will be remembered fondly by everyone whose lives she touched. She will be deeply missed. I extend my heartfelt condolences to Libby's children, Robert, Nancy, David, William, Thomas, and Edward, and their spouses; her grandchildren, Daniel, Kathleen, Jack, Robert, Catherine, Allton, and Samuel; and her sisters-in-law, Beverley and Helene, brother-in-law Dart, their 13 children, and grandchildren.●

## MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Mr. Williams, one of his secretaries.

## EXECUTIVE MESSAGE REFERRED

As in executive session the Presiding Officer laid before the Senate a message from the President of the United States submitting a nomination which was referred to the Committee on Judiciary.

(The message received today is printed at the end of the Senate proceedings.)

## MESSAGE FROM THE HOUSE

ENROLLED BILL SIGNED

At 11:03 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker pro tempore (Mr. THORNBERRY) has signed the following enrolled bill:

H.R. 3458. An act to treat payments by charitable organizations with respect to certain firefighters as exempt payments.

The enrolled bill was subsequently signed by the President pro tempore (Mr. LEAHY).

## MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 3212. An act to ensure compliance with the 1980 Hague Convention on the Civil Aspects of International Child Abduction by countries with which the United States enjoys reciprocal obligations, to establish procedures for the prompt return of children abducted to other countries, and for other purposes; to the Committee on Foreign Relations.

## MEASURES READ THE FIRST TIME

The following bills were read the first time:

S. 1845. A bill to provide for the extension of certain unemployment benefits, and for other purposes.

S. 1846. A bill to delay the implementation of certain provisions of the Biggert-Waters Flood Insurance Reform Act of 2012, and for other purposes.

## EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–3883. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Prohydrojasmon; Exemption from the Requirement of a Tolerance'' (FRL No. 9398–1) received in the Office of the President of the Senate on December 11, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3884. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Flutriafol; Pesticide Tolerances'' (FRL No. 9902–17) received in the Office of the President of the Senate on December 11, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3885. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Flonicamid; Pesticide Tolerances'' (FRL No. 9902–07) received in the Office of the President of the Senate on December 11, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3886. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, a report relative to the Department of Defense (DoD) continuing to expand the role of women in the Navy and Marine Corps; to the Committee on Armed Services.

EC–3887. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, a report relative to the Department of Defense (DoD) intending to assign women to the following previously closed positions: Riverine Patrol Boat, Riverine Small Craft, and Maritime Interdiction Operations; to the Committee on Armed Services.

EC–3888. A communication from the Assistant Secretary, Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to law, a report entitled ''High-Performance Green Building Initiative Activities''; to the Committee on Energy and Natural Resources.

EC–3889. A communication from the Acting General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Small Generator Interconnection Agreements and Procedures'' (Docket No. RM13–2–000) received in the Office of the President of the Senate on December 12, 2013; to the Committee on Energy and Natural Resources.

EC–3890. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to groups designated by the Secretary of State as Foreign Terrorist Organizations (OSS 2013–1888); to the Committee on Foreign Relations.

EC–3891. 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; Delaware; Attainment Plan for the Philadelphia-Wilmington, Pennsylvania-New Jersey-Delaware Nonattainment Area for the 1997 Annual Fine Particulate Matter Standard'' (FRL No. 9904–14–Region 3) received in the Office of the President of the Senate on December 11, 2013; to the Committee on Environment and Public Works.

EC–3892. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; New Mexico; Prevention of Significant Deterioration; Greenhouse Gas Plantwide Applicability Limit Permitting Revisions'' (FRL No. 9903–98–Region 6) received in the Office of the President of the Senate on December 11, 2013; to the Committee on Environment and Public Works.

EC–3893. 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; Michigan'' (FRL No. 9904–11–Region 5) received in the Office of the President of the Senate on December 11, 2013; to the Committee on Environment and Public Works.

EC–3894. 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; Pennsylvania; Philadelphia County Reasonably Available Control Technology under the 1997 8-Hour Ozone National Ambient Air Quality Standard'' (FRL No. 9904–12–Region 3) received in the Office of the President of the Senate on December 11, 2013; to the Committee on Environment and Public Works.

EC–3895. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Standards of Performance for Petroleum Refineries for Which Construction, Reconstruction, or Modification Commenced After May 14, 2007'' (FRL No. 9904–06–Region OAR) received in the Office of the President of the Senate on December 11, 2013; to the Committee on Environment and Public Works.

EC–3896. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''National Priorities List, Final Rule No. 57'' (FRL No. 9903–89–OSWER) received in the Office of the President of the Senate on December 11, 2013; to the Committee on Environment and Public Works.

EC–3897. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13–174); to the Committee on Foreign Relations.

EC–3898. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to

law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13–131); to the Committee on Foreign Relations.

EC–3899. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the tenth annual report for the Temporary Assistance for Needy Families Program; to the Committee on Health, Education, Labor, and Pensions.

EC–3900. A communication from the Commissioner, Social Security Administration, transmitting, pursuant to law, the Administration's Performance and Accountability Report for fiscal year 2013; to the Committee on Homeland Security and Governmental Affairs.

EC–3901. A joint communication from the Chairman and the General Counsel, National Labor Relations Board, transmitting, pursuant to law, the Office of Inspector General Semiannual Report for the period of April 1, 2013 through September 30, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC–3902. A communication from the Chairman of the Merit Systems Protection Board, transmitting, pursuant to law, a report entitled ''Clean Record Settlement Agreements and the Law''; to the Committee on Homeland Security and Governmental Affairs.

EC–3903. A communication from the Acting Chief Financial Officer, Department of Homeland Security, transmitting, pursuant to law, the fiscal year 2013 Agency Financial Report; to the Committee on Homeland Security and Governmental Affairs.

EC–3904. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Anchorage Regulations; Pacific Ocean at San Nicolas Island, CA; Restricted Anchorage Areas'' ((RIN1625–AA01) (Docket No. USCG–2012–0967)) received in the Office of the President of the Senate on December 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3905. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulations; Lake Havasu City Christmas Boat Parade of Lights; Colorado River; Lake Havasu, AZ'' ((RIN1625–AA00) (Docket No. USCG–2013–0917)) received in the Office of the President of the Senate on December 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3906. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Reorganization of Sector Baltimore and Hampton Roads; Conforming Amendments'' ((RIN1625–ZA32) (Docket No. USCG–2013–0251)) received in the Office of the President of the Senate on December 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3907. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Regulated Navigation Area; Portsmouth Naval Shipyard, Piscataqua River, Portsmouth, NH'' ((RIN1625–AA11) (Docket No. USCG–2013–0956)) received in the Office of the President of the Senate on December 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3908. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Regulated Navigation Area; Upper Mississippi River between mile 0.0 and 109.9; Cairo, IL to Chester, IL'' ((RIN1625–AA11) (Docket No. USCG–2013–0907)) received in the Office of the President of the Senate on December 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3909. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''TWIC Not Evidence of Resident Alien Status'' ((RIN1625–AC09) (Docket No. USCG–2013–0916)) received in the Office of the President of the Senate on December 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3910. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zones; Pacific Northwest Grain Handlers Association Facilities; Columbia and Willamette Rivers'' ((RIN1625–AA00) (Docket No. USCG–2013–0011)) received in the Office of the President of the Senate on December 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3911. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone: Vessel Removal from the Oakland Estuary, Alameda, CA'' ((RIN1625–AA00) (Docket No. USCG–2013–0914)) received in the Office of the President of the Senate on December 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3912. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zones; Recurring Events in Captain of the Port Boston Zone'' ((RIN1625–AA00) (Docket No. USCG–2013–0060)) received in the Office of the President of the Senate on December 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3913. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; HITS Triathlon Series; Colorado River; Lake Havasu, AZ'' ((RIN1625–AA00) (Docket No. USCG–2013–0855)) received in the Office of the President of the Senate on December 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3914. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone, Sea World Fireworks; Mission Bay, San Diego, CA'' ((RIN1625–AA00) (Docket No. USCG–2013–0887)) received in the Office of the President of the Senate on December 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3915. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Google's Night at Sea Fireworks Display, San Francisco Bay, Alameda, CA'' ((RIN1625–AA00) (Docket No. USCG–2013–0902)) received in the Office of the President of the Senate on December 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3916. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operation Regulation; Genessee River, Rochester, NY'' ((RIN1625–AA09) (Docket No. USCG–2013–0921)) received in the Office of the President of the Senate on December 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3917. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operation Regulation; Umpqua River, Reedsport, OR'' ((RIN1625–AA09) (Docket No. USCG–2013–0526)) received in the Office of the President of the Senate on December 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3918. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operation Regulation; Hackensack River, Kearney and Jersey City, NJ'' ((RIN1625–AA09) (Docket No. USCG–2013–0639)) received in the Office of the President of the Senate on December 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3919. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operation Regulation; Passaic River, Kearney and Newark, NJ'' ((RIN1625–AA09) (Docket No. USCG–2013–0638)) received in the Office of the President of the Senate on December 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3920. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operation Regulations; Atlantic Intracoastal Waterway (AICW), Albemarle and Chesapeake Canal, Chesapeake, VA'' ((RIN1625–AA09) (Docket No. USCG–2013–0900)) received in the Office of the President of the Senate on December 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3921. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operation Regulation; Albemarle Sound to Sunset Beach, Atlantic Intracoastal Waterway (AICW), Wrightsville Beach, NC'' ((RIN1625–AA09) (Docket No. USCG–2013–00857)) received in the Office of the President of the Senate on December 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3922. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operation Regulation; Back Bay of Biloxi, between Biloxi and D'Iberville, MS'' ((RIN1625–AA09) (Docket No. USCG–2013–0852)) received in the Office of the President of the Senate on December 11, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3923. 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 '' Atlantic Highly Migratory Species; 2014 Atlantic Shark Commercial Fishing Seasons'' (RIN0648–XC611) received during adjournment of the Senate in the Office of the President of the Senate on December 5, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3924. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''International Fisheries; Pacific Tuna Fisheries; 2013 Bigeye Tuna Longline Fishery Closure in the Eastern Pacific Ocean'' (RIN0648–XC922) received during adjournment of the Senate in the Office of the President of the Senate on December 5, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3925. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant

to law, the report of a rule entitled ''Atlantic Highly Migratory Species; Vessel Monitoring Systems'' (RIN0648–BD24) received during adjournment of the Senate in the Office of the President of the Senate on December 4, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3926. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Halibut and Crab Prohibited Species Catch Allowances in the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XC985) received during adjournment of the Senate in the Office of the President of the Senate on December 5, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3927. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pacific Cod in the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XC971) received during adjournment of the Senate in the Office of the President of the Senate on December 5, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3928. A communication from the Acting Deputy Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer'' (RIN0648–XC932) received during adjournment of the Senate in the Office of the President of the Senate on December 4, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3929. A communication from the Acting Deputy Director, 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; 2013 Commercial Accountability Measure and Closure for South Atlantic Gag'' (RIN0648–XC966) received during adjournment of the Senate in the Office of the President of the Senate on December 4, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3930. A communication from the Acting Secretary of Commerce, transmitting, pursuant to law, a report relative to the export to the People's Republic of China of items not detrimental to the U.S. space launch industry; to the Committee on Commerce, Science, and Transportation.

EC–3931. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Species; Protective Regulations for the Gulf of Maine Distinct Population Segment of Atlantic Sturgeon'' (RIN0648–AY96) received during adjournment of the Senate in the Office of the President of the Senate on December 5, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3932. A communication from the Associate Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Special Access for Price Cap Local Exchange Carriers; AT and T Corporation Petition for Rulemaking to Reform Regulation of Incumbent Local Exchange Carrier Rates for Interstate Special Access Service'' ((RIN3060–AJ80)(DA 13–1909)) received during adjournment of the Senate in the Office of the President of the Senate on December 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3933. A communication from the Associate Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Rates for Interstate Inmate Calling Services'' ((WC Docket No. 12–375)(FCC 13–113)) received during adjournment of the Senate in the Office of the President of the Senate on December 2, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3934. A communication from the Associate Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Connect America Fund'' ((RIN3060–AF85)(DA 13–2115)) received during adjournment of the Senate in the Office of the President of the Senate on December 5, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3935. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Amendments to Existing Validated End-User Authorizations in the People's Republic of China'' (RIN0694–AF99) received in the Office of the President of the Senate on November 21, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3936. 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 Off West Coast States; Pacific Coast Groundfish Fishery Management Plan; Commercial, Limited Entry Pacific Coast Groundfish Fishery; Program Improvement and Enhancement'' (RIN0648–BD31) received in the Office of the President of the Senate on November 21, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3937. 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 Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 630 in the Gulf of Alaska'' (RIN0648–XC918) received in the Office of the President of the Senate on November 19, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3938. 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 Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 620 in the Gulf of Alaska'' (RIN0648–XC919) received in the Office of the President of the Senate on November 19, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3939. 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 Northeastern United States; Atlantic Herring Fishery; Sub-Annual Catch Limit (ACL) Harvested for Management in Area 1 A'' (RIN0648–XC903) received in the Office of the President of the Senate on November 19, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3940. 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 ''Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; 2012–2013 Accountability Measure and Closure for Gulf King Mackerel in Northern Florida West Coast Subzone'' (RIN0648–XC902) received in the Office of the President of the Senate on November 19, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3941. 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; Snapper-Grouper Resources of the South Atlantic; Trip Limit Reduction'' (RIN0648–XC870) received in the Office of the President of the Senate on November 19, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3942. 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; Closure of the 2013 South Atlantic Commercial Sector for Red Snapper'' (RIN0648–XC899) received in the Office of the President of the Senate on November 19, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3943. 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 ''Reef Fish Fishery of the Gulf of Mexico; 2013 Recreational Accountability Measure and Closure for Gray Triggerfish in the Gulf of Mexico'' (RIN0648–XC669) received in the Office of the President of the Senate on November 19, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3944. 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 ''Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Monkfish Fishery; Emergency Action Extension'' (RIN0648–XC79) received in the Office of the President of the Senate on November 19, 2013; to the Committee on Commerce, Science, and Transportation.

EC–3945. 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 Northeastern United States; Atlantic Herring Fishery; Framework Adjustment 2 and Specifications'' (RIN0648–BD17) received in the Office of the President of the Senate on November 19, 2013; 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, with an amendment in the nature of a substitute:

S. 134. A bill to arrange for the National Academy of Sciences to study the impact of violent video games and violent video programming on children (Rept. No. 113–126).

S. 269. A bill to establish uniform administrative and enforcement authorities for the enforcement of the High Seas Driftnet Fishing Moratorium Protection Act and similar statutes, and for other purposes (Rept. No. 113–127).

By Mr. CARPER, from the Committee on Homeland Security and Governmental Affairs, without amendment:

H.R. 1162. A bill to amend title 31, United States Code, to make improvements in the Government Accountability Office (Rept. No. 113–128).

## EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. WYDEN for the Committee on Energy and Natural Resources.

*Steven Croley, of Michigan, to be General Counsel of the Department of Energy.

*Christopher Smith, of Texas, to be an Assistant Secretary of Energy (Fossil Energy).

*Esther Puakela Kia'aina, of Hawaii, to be an Assistant Secretary of the Interior.

*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. INHOFE:

S. 1833. A bill to amend the Internal Revenue Code of 1986 to eliminate the taxable income limit on percentage depletion for oil and natural gas produced from marginal properties; to the Committee on Finance.

By Mr. INHOFE:

S. 1834. A bill to amend the Internal Revenue Code of 1986 to permanently extend the depreciation rules for property used predominantly within an Indian reservation; to the Committee on Finance.

By Mr. MANCHIN (for himself, Mr. SCHUMER, and Mr. KIRK):

S. 1835. A bill to amend the Congressional Budget Act of 1974 to require a jobs score for each spending bill considered in Congress; to the Committee on the Budget.

By Mr. BURR (for himself, Mr. COATS, and Mr. INHOFE):

S. 1836. A bill to merge the Department of Labor, the Department of Commerce, and the Small Business Administration to establish a Department of Commerce and the Workforce, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Ms. WARREN (for herself, Mr. BLUMENTHAL, Mr. BROWN, Mr. LEAHY, Mr. MARKEY, Mrs. SHAHEEN, and Mr. WHITEHOUSE):

S. 1837. A bill to amend the Fair Credit Reporting Act to prohibit the use of consumer credit checks against prospective and current employees for the purposes of making adverse employment decisions; to the Committee on Health, Education, Labor, and Pensions.

By Mr. UDALL of New Mexico (for himself, Mr. RUBIO, Mr. MENENDEZ, and Mr. HEINRICH):

S. 1838. A bill to amend the National Historic Preservation Act to make Hispanic-serving institutions eligible for technical and financial assistance for the establishment of preservation training and degree programs; to the Committee on Energy and Natural Resources.

By Mr. BEGICH (for himself and Mr. BLUNT):

S. 1839. A bill to make certain luggage and travel articles eligible for duty-free treatment under the Generalized System of Preferences, and for other purposes; to the Committee on Finance.

By Mr. KIRK (for himself and Ms. KLOBUCHAR):

S. 1840. A bill to allow the Secretary of the Treasury to rely on State examinations for certain financial institutions, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. INHOFE:

S. 1841. A bill to mitigate the reduction in the readiness of our Armed Forces by reducing the defense sequestration cuts for fiscal years 2014 and 2015 but implementing the cuts, in their entirety, over the duration of sequestration; to the Committee on the Budget.

By Mr. PORTMAN (for himself, Mr. ALEXANDER, Mr. BAUCUS, Mr. BLUNT, Mr. BOOZMAN, Mrs. BOXER, Mr. BROWN, Mr. BURR, Mr. CHAMBLISS, Mr. COATS, Mr. CORKER, Mr. FLAKE, Mr. HOEVEN, Mr. INHOFE, Mr. ISAKSON, Mr. KAINE, Mr. MANCHIN, Mrs. MCCASKILL, Mr. MORAN, Mr. REID, Mr. ROCKEFELLER, Mr. RUBIO, Mr. THUNE, Mr. VITTER, and Mr. WARNER):

S. 1842. A bill to require the Secretary of the Treasury to mint coins in recognition and celebration of the Pro Football Hall of Fame; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. UDALL of New Mexico (for himself, Mr. MORAN, and Mr. JOHANNS):

S. 1843. A bill to eliminate duplication and waste in Federal information technology acquisition and management; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. SHAHEEN (for herself, Mr. SCHATZ, Mr. WARNER, Mr. UDALL of New Mexico, Mr. REED, Ms. HIRONO, Mr. SANDERS, Mr. FRANKEN, Mr. BLUMENTHAL, Mr. MERKLEY, Ms. WARREN, Mr. KAINE, Mr. KING, Mr. BEGICH, Mr. UDALL of Colorado, Ms. KLOBUCHAR, and Ms. LANDRIEU):

S. 1844. A bill to restore full military retirement benefits by closing corporate tax loopholes; to the Committee on Finance.

By Mr. REED (for himself and Mr. HELLER):

S. 1845. A bill to provide for the extension of certain unemployment benefits, and for other purposes; read the first time.

By Mr. MENENDEZ (for himself, Mr. BEGICH, Mr. BLUMENTHAL, Mr. BOOKER, Mr. CASEY, Mr. COCHRAN, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. GRAHAM, Mrs. HAGAN, Ms. HEITKAMP, Mr. HOEVEN, Mr. ISAKSON, Ms. KLOBUCHAR, Ms. LANDRIEU, Mr. MANCHIN, Mr. MARKEY, Mr. MERKLEY, Ms. MURKOWSKI, Mr. NELSON, Mr. REED, Mr. SCHATZ, Mr. SCHUMER, Mr. SCOTT, Mr. VITTER, Ms. WARREN, Mr. WHITEHOUSE, and Mr. WICKER):

S. 1846. A bill to delay the implementation of certain provisions of the Biggert-Waters Flood Insurance Reform Act of 2012, and for other purposes; read the first time.

By Ms. HIRONO (for herself, Mr. CHAMBLISS, and Mr. SCHATZ):

S. 1847. A bill to provide for the redesignation of the Asia-Pacific Center for Security Studies as the Daniel K. Inouye Asia-Pacific Center for Security Studies; considered and passed.

## ADDITIONAL COSPONSORS

S. 313

At the request of Mr. CASEY, the names of the Senator from New Hampshire (Ms. AYOTTE) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. 313, a bill to amend the Internal Revenue Code of 1986 to provide for the tax treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes.

S. 624

At the request of Mr. BURR, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 624, a bill to amend the Child Care and Development Block Grant Act of 1990 to require criminal background checks for child care providers.

S. 641

At the request of Mr. WYDEN, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 641, a bill to amend the Public Health Service Act to increase the number of permanent faculty in palliative care at accredited allopathic and osteopathic medical schools, nursing schools, and other programs, to promote education in palliative care and hospice, and to support the development of faculty careers in academic palliative medicine.

S. 666

At the request of Mr. BLUMENTHAL, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 666, a bill to prohibit attendance of an animal fighting venture, and for other purposes.

S. 864

At the request of Mr. WICKER, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 864, a bill to amend the Safe Drinking Water Act to reauthorize technical assistance to small public water systems, and for other purposes.

S. 870

At the request of Mr. UDALL of New Mexico, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 870, a bill to authorize the Secretary of Education to make grants to promote the education of pregnant and parenting students.

S. 895

At the request of Mrs. GILLIBRAND, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 895, a bill to improve the ability of the Food and Drug Administration to study the use of antimicrobial drugs in food-producing animals.

S. 958

At the request of Mr. UDALL of Colorado, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 958, a bill to amend the Internal Revenue Code of 1986 to reduce the tax on beer to its pre-1991 level, and for other purposes.

S. 1007

At the request of Mr. KING, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 1007, a bill to amend the Internal Revenue Code of 1986 to include biomass

heating appliances for tax credits available for energy-efficient building property and energy property.

S. 1181

At the request of Mr. MENENDEZ, the name of the Senator from Oregon (Mr. MERKLEY) 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. 1187

At the request of Ms. STABENOW, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1187, a bill to prevent homeowners from being forced to pay taxes on forgiven mortgage loan debt.

S. 1291

At the request of Mr. REED, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1291, a bill to strengthen families' engagement in the education of their children.

S. 1332

At the request of Ms. COLLINS, the names of the Senator from Oregon (Mr. MERKLEY) and the Senator from New Mexico (Mr. HEINRICH) were added as cosponsors of S. 1332, a bill to amend title XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program.

S. 1361

At the request of Mr. MURPHY, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 1361, a bill to direct the Secretary of Homeland Security to accept additional documentation when considering the application for veterans status of an individual who performed service as a coastwise merchant seaman during World War II, and for other purposes.

S. 1364

At the request of Mr. WYDEN, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 1364, a bill to promote neutrality, implicity, and fairness in the taxation of digital goods and digital services.

S. 1422

At the request of Mr. CARDIN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1422, a bill to amend the Congressional Budget Act of 1974 respecting the scoring of preventive health savings.

S. 1456

At the request of Ms. AYOTTE, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 1456, a bill to award the Congressional Gold Medal to Shimon Peres.

S. 1459

At the request of Mr. KIRK, the names of the Senator from Hawaii (Mr. SCHATZ) and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of S. 1459, a bill to amend title 49, United States Code, to prohibit the transportation of horses in interstate transportation in a motor vehicle containing 2 or more levels stacked on top of one another.

S. 1500

At the request of Mr. CORNYN, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 1500, a bill to declare the November 5, 2009, attack at Fort Hood, Texas, a terrorist attack, and to ensure that the victims of the attack and their families receive the same honors and benefits as those Americans who have been killed or wounded in a combat zone overseas and their families.

S. 1570

At the request of Ms. MURKOWSKI, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 1570, a bill to amend the Indian Health Care Improvement Act to authorize advance appropriations for the Indian Health Service by providing 2-fiscal-year budget authority, and for other purposes.

S. 1613

At the request of Mr. KIRK, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 1613, a bill to amend the Fair Credit Reporting Act to clarify Federal law with respect to reporting full-file alternative data, including positive and negative consumer credit information to consumer reporting agencies by public utility or telecommunications companies, and for other purposes.

S. 1661

At the request of Mr. CRUZ, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 1661, a bill to require the Secretary of State to offer rewards of up to $5,000,000 for information regarding the attacks on the United States diplomatic mission at Benghazi, Libya that began on September 11, 2012.

S. 1690

At the request of Mr. PORTMAN, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 1690, a bill to reauthorize the Second Chance Act of 2007.

S. 1697

At the request of Mr. HARKIN, the names of the Senator from Rhode Island (Mr. REED) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 1697, a bill to support early learning.

S. 1711

At the request of Mr. BARRASSO, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 1711, a bill to enable States to opt out of certain provisions of the Patient Protection and Affordable Care Act.

S. 1719

At the request of Mrs. MURRAY, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 1719, a bill to amend the Public Health Service Act to reauthorize the poison center national toll-free number, national media campaign, and grant program, and for other purposes.

S. 1725

At the request of Mr. VITTER, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 1725, a bill to amend the Securities Investor Protection Act of 1970 to confirm that a customer's net equity claim is based on the customer's last statement and that certain recoveries are prohibited, to change how trustees are appointed, and for other purposes.

S. 1728

At the request of Mr. CORNYN, the names of the Senator from Ohio (Mr. PORTMAN) and the Senator from Texas (Mr. CRUZ) were added as cosponsors of S. 1728, a bill to amend the Uniformed and Overseas Citizens Absentee Voting Act to improve ballot accessibility to uniformed services voters and overseas voters, and for other purposes.

S. 1747

At the request of Mr. REED, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 1747, a bill to provide for the extension of certain unemployment benefits, and for other purposes.

S. 1765

At the request of Mr. CORKER, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 1765, a bill to ensure the compliance of Iran with agreements relating to Iran's nuclear program.

S. 1767

At the request of Mr. MARKEY, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 1767, a bill to amend title 49, United States Code, to require gas pipeline facilities to accelerate the repair, rehabilitation, and replacement of high-risk pipelines used in commerce, and for other purposes.

S. 1768

At the request of Mr. MARKEY, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 1768, a bill to establish State revolving loan funds to repair or replace natural gas distribution pipelines.

S. 1779

At the request of Mr. TOOMEY, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 1779, a bill to amend the Safe Drinking Water Act to exempt fire hydrants from the prohibition on the use of lead pipes, fittings, fixtures, solder, and flux.

S. 1797

At the request of Mr. REED, the names of the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Hawaii (Mr. SCHATZ) were added as cosponsors of S. 1797, a bill to provide for the extension of certain unemployment benefits, and for other purposes.

S. 1798

At the request of Mr. WARNER, the names of the Senator from New Hampshire (Ms. AYOTTE), the Senator from

Montana (Mr. TESTER), the Senator from Minnesota (Mr. FRANKEN), the Senator from Louisiana (Mr. VITTER) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 1798, a bill to ensure that emergency services volunteers are not counted as full-time employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act.

S. RES. 75

At the request of Mr. KIRK, the names of the Senator from Montana (Mr. TESTER), the Senator from Mississippi (Mr. COCHRAN) and the Senator from California (Mrs. BOXER) were added as cosponsors of S. Res. 75, a resolution condemning the Government of Iran for its state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

S. RES. 252

At the request of Mr. CRUZ, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. Res. 252, a resolution expressing the sense of the Senate on steps the Government of Iran must take before President Obama meets with the President of Iran.

S. RES. 317

At the request of Mr. SESSIONS, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. Res. 317, a resolution expressing the sense of the Senate on the continuing relationship between the United States and Georgia.

S. RES. 318

At the request of Mr. DURBIN, the names of the Senator from California (Mrs. BOXER) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. Res. 318, a resolution expressing the sense of the Senate regarding the critical need for political reform in Bangladesh, and for other purposes.

S. RES. 319

At the request of Mr. MURPHY, the names of the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Florida (Mr. RUBIO) were added as cosponsors of S. Res. 319, a resolution expressing support for the Ukrainian people in light of President Yanukovych's decision not to sign an Association Agreement with the European Union.

AMENDMENT NO. 2562

At the request of Mr. REED, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of amendment No. 2562 intended to be proposed to H.J. Res. 59, a joint resolution making continuing appropriations for fiscal year 2014, and for other purposes.

AMENDMENT NO. 2563

At the request of Mr. REED, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of amendment No. 2563 intended to be proposed to H.J. Res. 59, a joint resolution making continuing appropriations for fiscal year 2014, and for other purposes.

AMENDMENT NO. 2564

At the request of Mr. REED, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of amendment No. 2564 intended to be proposed to H.J. Res. 59, a joint resolution making continuing appropriations for fiscal year 2014, and for other purposes.

AMENDMENT NO. 2576

At the request of Ms. AYOTTE, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of amendment No. 2576 intended to be proposed to H.J. Res. 59, a joint resolution making continuing appropriations for fiscal year 2014, and for other purposes.

## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. INHOFE:

S. 1833. A bill to amend the Internal Revenue Code of 1986 to eliminate the taxable income limit on percentage depletion for oil and natural gas produced from marginal properties; to the Committee on Finance.

Mr. INHOFE. Mr. President, I would like to announce the reintroduction of a bill to amend the Internal Revenue Code to eliminate the taxable income limit on percentage depletion for oil and natural gas produced from marginal properties.

Since 1926 small producers and millions of royalty owners have had the option to utilize percentage depletion to both simplify their accounting methodology and to account for the decline in the value of minerals produced from a property. Percentage depletion is particularly important to America's 700,000 low-volume marginal wells. The average marginal well produces barely 2 barrels per day, yet cumulatively they account for nearly 28 percent of domestic production in the lower 48 states. Since every on-shore natural gas and oil well eventually declines into marginal production, the economic life span and corresponding production of all wells is extended by allowing the use of percentage depletion.

Until 1998, the deduction marginal producers could take from percentage depletion was limited to 100 percent of taxable income from each individual property. Many producers, however, specialize in marginally producing wells and have many properties operating simultaneously. Naturally, some wells in a producer's portfolio are more productive than others. Some would have depletion rates greater than 100 percent of taxable income, while others would have depletion rates lower than the limit. Removing the taxable income limitation allows producers to take percentage depletion deductions on a portfolio-wide basis, which makes their entire operation more economical.

Since 1998, Congress has understood this fact and has suspended the limitation. Unfortunately, the provision has never been made permanent. It has just been extended year after year as part of the Tax Extenders Package. Since we have had this suspension on the books for more than a decade, I think it is time to give producers the predictability they need by making this common sense tax accounting provision permanent.

At a time when our unemployment rate remains over 7 percent, we need to be doing everything we can to encourage economic growth. The energy industry is a major contributor to our economy, and it has a lot of room to grow. The Congressional Research Service released a report that says the United States has the most energy potential under its soil than any other country on earth. Hiding beneath our soil are jobs, wealth, and lower deficits. We should allow this sector to grow. This is a common sense, easy way to do this, so I urge swift passage.

By Mr. INHOFE:

S. 1834. A bill to amend the Internal Revenue Code of 1986 to permanently extend the depreciation rules for property used predominantly within an Indian reservation; to the Committee on Finance.

Mr. INHOFE. Mr. President, I would like to bring to your attention a bill I am reintroducing that would make permanent the current tax provision that allows capital assets on Indian lands to be depreciated on an accelerated schedule.

For many years, the Federal tax code has provided an incentive for businesses to invest in operations on Indian reservations and lands across the country. According to the law, businesses that purchase capital equipment and use it on Indian lands will be able to depreciate it, on average, more than 40 percent faster than would otherwise be allowed.

This tax provision is important to Oklahoma because of our longstanding history and unique relationship with Indian tribes. With our sluggish economy, we need to do all we can to encourage businesses to reinvest in and expand their operations, as this will create sustainable job growth.

The accelerated depreciation schedule gives businesses the opportunity to recover investment dollars in capital assets more rapidly. This frees money that would have been tied up in the value of their capital assets, such as buildings, equipment, and machinery and enables companies to reinvest it more quickly than was available with a slower depreciation schedule.

The Oklahoma Department of Commerce has reported that many companies attribute this provision as a key reason for relocating to and expanding within the State. One Oklahoma food processing plant manager stated that the credit was a significant factor in the company's decision to expand.

Additionally, today's announcement by Macy's, Inc. to locate a new, world class online processing center in Tulsa was justified in part by the Indian lands tax provision. This new 1.3 million square feet facility will employ

1,100 people full time and will expand to 2,500 people during peak periods. Construction on this project will begin in 2014, and the facility will open for business in 2015. I could not be more excited by Macy's decision to expand its operations in Oklahoma. It is a testament to Oklahoma's strong, business friendly culture and capable work force.

Although the accelerated schedule is currently allowed, the law states it will expire at the end of this year. The provision has typically been renewed each year, but many business leaders have expressed concern that it is not permanent, including the executives of Macy's.

As a former businessman, I understand the problem of unpredictability and so do Oklahoma's business leaders who have expressed frustration over dramatically changing government policies ranging from environmental regulations to the tax code. This kind of environment makes it difficult for businesses to proceed with investment decisions. Businesses need stability, and this is particularly true during times of economic weakness. We in Congress should take this point seriously, and take a step in the right direction by making permanent this important tax provision.

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. 1834

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. PERMANENT EXTENSION OF DEPRECIATION RULES FOR PROPERTY ON INDIAN RESERVATIONS.**

(a) IN GENERAL.—Subsection (j) of section 168 of the Internal Revenue Code of 1986 is amended by striking paragraph (8).

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to property placed in service after December 31, 2013.

---

By Ms. WARREN (for herself, Mr. BLUMENTHAL, Mr. BROWN, Mr. LEAHY, Mr. MARKEY, Mrs. SHAHEEN, and Mr. WHITEHOUSE):

S. 1837. A bill to amend the Fair Credit Reporting Act to prohibit the use of consumer credit checks against prospective and current employees for the purposes of making adverse employment decisions; to the Committee on Health, Education, Labor, and Pensions.

Ms. WARREN. Mr. President, I come to the floor in support of the Equal Employment for All Act, a bill I introduced today with Senators BLUMENTHAL, BROWN, LEAHY, MARKEY, SHAHEEN, and WHITEHOUSE. This legislation would prohibit employers from requiring prospective employees to disclose their credit history as part of the job application process. It makes sure that hiring decisions are based on an individual's skill and experience—not on past financial problems. This is also about basic fairness. Let people compete for jobs on the merits, not on whether they have enough money to pay all their bills.

Many people have bad credit because they hit hard times. They got sick, their husband left or their wife died or they lost their jobs. These are tough events under any circumstances, and they often put a real financial strain on a person. That strain sometimes results in late payments or an increase in the amount of money they must borrow.

The problems of bad credit were compounded following the 2008 financial crisis. Millions of people stumbled financially when shrinking home prices left them unable to refinance or to sell a home. Depreciated savings left people with a smaller financial cushion to survive fluctuations in their income. People lost their small businesses and found themselves mired in debt. For too many people, the fallout from the 2008 crisis also damaged their credit.

Much of America, hard-working, bill-paying America, has a damaged credit rating, and the impact of that bad credit rating lasts a long time. Negative information generally remains on a credit report for 7 years and, in some cases, it lasts even longer.

Most people recognize that one consequence of bad credit is that they are going to have trouble borrowing money or they are going to pay more when they borrow. But for many people, a damaged credit rating can block access to a job. After a terrible blow—a job loss, a death in the family, a divorce, a serious medical problem—many people are scrambling to get back to work or to pick up a second job or to change jobs so they can get back on their feet financially, but they are knocked back by damaged credit. Today, highly qualified applicants with bad credit can be shut out of the job market. This is wrong.

It was once thought a credit history would provide insight into a person's character and, today, many companies routinely require credit reports from job applicants. But research has shown that an individual's credit rating has little to no correlation with his or her ability to succeed in the workplace. A bad credit rating is far more often the result of an unexpected personal crisis or economic downturn than a reflection of someone's character or abilities.

The Equal Employment for All Act would amend the Fair Credit Reporting Act to put an end to these unfair and harmful practices. This would benefit millions of American families down on their luck, giving them a chance to rebuild their financial security. It will particularly help women, minorities, students, and seniors because these groups are disproportionately likely to be hit hard by bad credit ratings. For example, the economic fallout from a divorce often hits women's finances particularly hard. It only gets more difficult for women when they apply for good jobs for which they are fully qualified, but they are barred because employers insist on examining their credit history.

Another challenge with using credit reports during the job application process is that they are not always accurate. According to a February 2013 FTC report, 20 percent of consumers could identify at least one error in their credit reports.

Unfortunately, someone whose credit report has a significant error may have trouble learning about the mistake and, even if the mistake is identified, have trouble getting it corrected in a reasonable time.

According to the same FTC report, correcting credit report errors can be difficult to manage and the reporting agencies can be unresponsive. This means innocent job applicants are paying the price for a credit rating company's mistake.

This is only one more way the game is rigged. A rich person who loses a job, gets divorced or faces a family illness is unlikely to suffer from a drop in his credit or her credit rating. But for millions of working families, a hard personal blow translates into a hard financial blow that will show up for years in a credit report. No one should be denied the chance to compete for a job because of a credit report that bears no relationship to job performance and that can be riddled with inaccuracies.

In the aftermath of the 2008 financial crisis—a crisis that hammered middle-class families and from which millions of families are still struggling to recover—these practices should be stopped. It is time to give more families a chance to get back in the workforce and to get back on their feet.

---

## AUTHORITY FOR COMMITTEES TO MEET

### COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on December 17, 2013, at 10 a.m.

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

### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on December 17, 2013, at 10 a.m., in room SD–366 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Department of the Interior and Department of Energy Nominations.''

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

### COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. CARDIN. 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 December 17, 2013, at 2:30 p.m., in room SD–406 of the Dirksen Senate Office Building.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on December 17, 2013, at 4 p.m.

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. CARDIN. 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 December 17, 2013, at 10:30 a.m., to conduct a hearing entitled ''The Navy Yard Tragedy: Examining Physical Security for Federal Facilities.''

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

COMMITTEE ON THE JUDICIARY

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on December 17, 2013, at 10 a.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Protecting Small Businesses and Promoting Innovation by Limiting Patent Troll Abuse.''

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

COMMITTEE ON THE JUDICIARY

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on December 17, 2013, at 2:30 p.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''The Federal Arbitration Act and Access to Justice: Will Recent Supreme Court Decisions Undermine the Rights of Consumers, Workers, and Small Businesses?''

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. CARDIN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on December 17, 2013, at 2:30 p.m.

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

SUBCOMMITTEE ON AFRICAN AFFAIRS

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on the Foreign Relations be authorized to meet during the session of the Senate on December 17, 2013, at 2 p.m., to hold a African Affairs subcommittee hearing entitled, ''Responding to the Humanitarian, Security and Governance Crisis in the Central Africa Republic.''

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

## PRIVILEGES OF THE FLOOR

Mr. HARKIN. Mr. President, I ask unanimous consent that Trenton White of my staff be granted floor privileges for the duration of today's proceedings.

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

## SAFE ACT CONFIDENTIALITY AND PRIVILEGE ENHANCEMENT ACT

Mr. REID. Mr. President, I ask unanimous consent that the Banking, Housing, and Urban Affairs Committee be discharged from further consideration of S. 947 and the Senate now proceed to its consideration.

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

The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 947) to ensure access to certain information for financial services industry regulators, and for other purposes.

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

Mr. REID. Mr. President, I ask unanimous consent that the bill be read three times and passed, and the motion to reconsider be considered made and laid upon the table, with no intervening action or debate.

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

The bill (S. 947) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 947

*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 ''SAFE Act Confidentiality and Privilege Enhancement Act''.

**SEC. 2. CONFIDENTIALITY OF INFORMATION SHARED BETWEEN STATE AND FEDERAL FINANCIAL SERVICES REGULATORS.**

Section 1512(a) of the S.A.F.E. Mortgage Licensing Act of 2008 (12 U.S.C. 5111(a)) is amended by inserting ''or financial services'' before ''industry''.

## DANIEL K. INOUYE ASIA-PACIFIC CENTER FOR SECURITY STUDIES

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. 1847.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 1847) to provide for the redesignation of the Asia-Pacific Center for Security Studies as the Daniel K. Inouye Asia-Pacific Center for Security Studies.

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

Mr. REID. Mr. President, I ask unanimous consent that the bill be read three times and passed, and the motion to reconsider be considered made and laid upon the table, with no intervening action or debate.

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

The bill (S. 1847) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1847

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. REDESIGNATION OF THE ASIA-PACIFIC CENTER FOR SECURITY STUDIES AS THE DANIEL K. INOUYE ASIA-PACIFIC CENTER FOR SECURITY STUDIES.**

(a) REDESIGNATION.—The Department of Defense regional center for security studies known as the Asia-Pacific Center for Security Studies is hereby renamed the ''Daniel K. Inouye Asia-Pacific Center for Security Studies''.

(b) CONFORMING AMENDMENTS.—

(1) REFERENCE TO REGIONAL CENTERS FOR SECURITY STUDIES.—Subparagraph (B) of section 184(b)(2) of title 10, United States Code, is amended to read as follows:

''(B) The Daniel K. Inouye Asia-Pacific Center for Security Studies.''.

(2) ACCEPTANCE OF GIFTS AND DONATIONS.—Subparagraph (B) of section 2611(a)(2) of such title is amended to read as follows:

''(B) The Daniel K. Inouye Asia-Pacific Center for Security Studies.''.

(c) REFERENCES.—Any reference to the Department of Defense Asia-Pacific Center for Security Studies in any law, regulation, map, document, record, or other paper of the United States shall be deemed to be a reference to the Daniel K. Inouye Asia-Pacific Center for Security Studies.

## MEASURES READ THE FIRST TIME—S. 1845 AND S. 1846

Mr. REID. Mr. President, I am told there are two bills at the desk and I ask for their first reading en bloc.

The PRESIDING OFFICER. The clerk will read the bills by title for the first time.

The legislative clerk read as follows:

A bill (S. 1845) to provide for the extension of certain unemployment benefits, and for other purposes.

A bill (S. 1846) to delay the implementation of certain provisions of the Biggert-Waters Flood Insurance Reform Act of 2012, and for other purposes.

Mr. REID. Mr. President, I now ask for a second reading en bloc, but I object to my own request en bloc.

The PRESIDING OFFICER. Objection having been heard, the bills will be read for the second time on the next legislative day.

## COURTHOUSE NAMINGS

Mr. REID. Mr. President, I ask unanimous consent that the Environment and Public Works Committee be discharged from further consideration of H.R. 2251 and that the Senate proceed to its consideration and the consideration of H.R. 185 which was received from the House and is at the desk.

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

The Senate proceeded to consider the bills.

Mr. REID. Mr. President, I ask unanimous consent the bills be read three times and passed en bloc, the motions to reconsider be considered made and

laid upon the table, with no intervening action or debate.

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

## EDWARD J. DEVITT UNITED STATES COURTHOUSE AND FEDERAL BUILDING

The bill (H.R. 2251) to designate the United States courthouse and Federal building located at 118 South Mill Street, in Fergus Falls, Minnesota, as the ''Edward J. Devitt United States Courthouse and Federal Building,'' was ordered to a third reading, read the third time, and passed.

## PAUL BROWN UNITED STATES COURTHOUSE

The bill (H.R. 185) to designate the United States courthouse located at 101 East Pecan Street in Sherman, Texas, as the ''Paul Brown United States Courthouse,'' was ordered to a third reading, read the third time, and passed.

## ORDERS FOR WEDNESDAY, DECEMBER 18, 2013

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Wednesday, December 18, 2013; that following the prayer and the pledge, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate resume consideration of the motion to concur in the House message to accompany H.J. Res. 59, the bipartisan budget agreement, postcloture; further, that all time during the adjournment count postclouture on the motion to concur.

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

## PROGRAM

Mr. REID. Mr. President, votes are possible throughout the day tomorrow. Senators will be notified when they are scheduled.

## ADJOURNMENT UNTIL 10 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 7:29 p.m., adjourned until Wednesday, December 18, 2013, at 10 a.m.

## NOMINATIONS

Executive nomination received by the Senate:

### PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD

ELISEBETH COLLINS COOK, OF VIRGINIA, TO BE A MEMBER OF THE PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD FOR A TERM EXPIRING JANUARY 29, 2020. (REAPPOINTMENT)