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Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable BRIAN SCHATZ, a Senator from the State of Hawaii.

PRAYER

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

Let us pray.

Our Father, be with our Senators not only in great moments but also in the repetitive and common tasks of life. Make them children of faith and heirs of peace. May they tackle even mundane responsibilities with integrity and faithfulness, cheerfulness and kindness, optimism and civility. Lord, give them wisdom to be patient with others, ever lenient to their faults and ever prompt to praise their virtues. May they bear one another's burdens and so fulfill Your law. Keep them ever mindful of the brevity of life and of the importance of being faithful in little things.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, July 25, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BRIAN SCHATZ, a Sen-

ator from the State of Hawaii, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. SCHATZ thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following my remarks and those of Senator McCONNELL, there will be a period of morning business until 11 a.m., with the first 30 minutes controlled by the majority and the second 30 minutes by the Republicans.

Following morning business the Senate will resume consideration of S. 1243, which is the Transportation appropriations bill. Senator MURRAY will continue to work through the amendments with ranking member SUSAN COLLINS from Maine. We also hope to vote on confirmation of the West nomination to be Associate Attorney General. Senators will be notified when votes are scheduled.

DOING WHAT IS GOOD FOR AMERICA

Mr. REID. Mr. President, about 80 years ago when President Franklin Roosevelt first proposed Social Security as insurance against poverty in old age, the idea was controversial, new, never been done before, nothing like it. But in 1935, 97 Republicans joined Democrats in Congress to create one of the most successful programs—if not the most successful program—in the history of our country and in the world.

Two decades, about sixty years later, President Dwight Eisenhower proposed the Nation's first interstate highway

system, proposing the investment would pave the way for a new era of American growth.

Why did Dwight Eisenhower do this? As a young major in the Army, he was directed to bring a convoy of troops and equipment across the country and he determined at that time something had to be done. The roads were nonexistent, and those that existed were not in very good shape. So when he became President, after having been such a successful leader of our efforts in World War II, he asked Congress to invest \$50 billion. Under present-day dollars, that would be about \$500 billion. That meant almost 50,000 miles of new highways.

There are still ideas out there we should do. Eisenhower, along with Roosevelt, did some things that were new and unique. But look back at what they did. Look at the good of Social Security. Look at the good of our interstate highway system.

With the highway bill, back in 1956, the bipartisan vote wasn't even close. Listen to this: It passed the Senate 89-1. It was approved in the House of Representatives by a voice vote.

About 40 years after President Roosevelt decided he should do something about taking care of people in their golden years here in America, President Harry Truman envisioned a program that would protect every senior citizen from illness and need. Well, 83 Republicans helped Lyndon Johnson and Democrats in Congress create Medicare. Democratic President Roosevelt, Republican President Eisenhower, Democratic Presidents Truman and Johnson were the reason we have Medicare. Since the law was enacted in 1965, poverty among seniors in this country has decreased and life expectancy has increased every 10 years because of Medicare.

On each of these occasions I have talked about, and countless others throughout the course of American history, lawmakers—divided by political

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



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party—have united to pass important groundbreaking legislation. On the issues that matter most—when lives are at stake, when the country and the economy of the country is at stake, when America's competitiveness is at stake—lawmakers, divided by political party, have been drawn together by shared priorities. It is time to renew that tradition.

Over the last 5 years, this Nation has dug its way out of the hole created by the great recession. I could go into reasons why the great recession happened, but let's drop that for now. It happened. We have an opportunity now to come together again, this time to lay the foundation for a stronger, smarter, and more competitive America.

As Democrats and Republicans came together in the past to ensure the health and dignity of our Nation's seniors, as Democrats and Republicans came together to pave the way for a mobile and competitive economy, so Democrats and Republicans today must come together to build a future where hard work is all it takes to turn opportunity into prosperity.

Yesterday President Obama laid out a roadmap to restore that promise for every American. The speech took an hour, but every minute of it was important. He laid out a vision to encourage responsible home ownership, to educate a new generation of workers, and to create jobs rebuilding Eisenhower-era roadways and bridges.

Every day I am impressed by President Obama's focus on restoring a vibrant economy. And every day I am encouraged by his optimism that with a little cooperation and the help of a few reasonable Republicans, we can achieve that goal. We only need a handful of Republicans to break away from what has gone on this past 5 years. I look forward to hearing more details from the President about his proposals in the coming days and weeks.

President Eisenhower understood that lawmakers—Republican or Democrat—should be drawn together by shared priorities. We should all play on the same team. This is what he said:

I have one yardstick by which I test every majority problem—and that yardstick is: Is it good for America?

General Eisenhower was right then and he is right today.

Throughout our Nation's history, Congress has used that same measure. But over the last 5 years, something has changed. When my Republican counterpart said his No. 1 goal was to defeat President Obama, the words "at any cost" were implied.

Since 2009, Republicans have refused to join Democrats in the important job of legislating. It has worked. They have refused to join us in leading, preferring instead to stake out ideological territory or try to score political points. Republicans have balked at new ideas. But they have also balked at old ideas they once supported, solely because those ideas are now favored by President Obama. This kind of opposi-

tion for opposition's sake has resulted in gridlock and dysfunction and bitter bipartisanship, hostage-taking and standoffs.

I was on a long interview on public broadcasting yesterday. They asked, What about the numbers of Congress being so low? I said, I haven't gotten a call from any of the pollsters, but if I had, I would agree with this number. Congress is dysfunctional, and that is unfair to the American people. It has made it almost impossible for Congress to advance the big ideas, to achieve the big things, to realize the big dreams it once could. But it is not too late for reasonable people from both parties and on both sides of the Capitol to change that. It is not too late for lawmakers, divided by political party but sharing the same priorities, to unite to pass important legislation.

Like President Obama, I am an optimist. I remain hopeful despite the disagreements and difficulties over the last 5 years. I am hopeful my Republican colleagues are using the same yardstick as I am. And I know they are asking themselves, as I am, Is it good for America?

RECOGNITION OF THE MINORITY LEADER

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

WORKING WITH OTHERS

Mr. McCONNELL. Mr. President, like the President, I appreciate a good literary reference every now and then. Placed in the proper context, a citation from some great writer or thinker can sum up a vision and inspire people.

When Douglas MacArthur bade farewell to West Point, he echoed an ancient thinker's ominous warning that "only the dead have seen the end of war." And the biblical references in JFK's famous inaugural address represent another classic use of the well-placed quote.

But I think a lot of people are still scratching their heads about President Obama's promise yesterday to bring Americans an "ocean of tomorrows." Frankly, I don't even think that Carl Sandburg fans out there would get it. I wonder: Does he? Because the President himself said his speech probably wouldn't change any minds.

Even the advisers who endlessly hyped this thing more or less conceded there wouldn't be any there there—no groundbreaking proposals, no tack to the center, no promise to finally start working collaboratively with Congress. Well, they were right. So you have to ask, what was the point?

Look, this President is a terrific campaigner. We all recognize that. He has a way with words too. But at some point campaign season has to end and the working with others season has to begin. At some point you have to stop promising an ocean of tomorrows and

start actually working with the representatives of the people. Because, let's be perfectly clear, Americans aren't worried about how many tomorrows there are to come. They are worried about what those tomorrows will actually bring: the bills in tomorrow's mail, the cuts in tomorrow's paycheck, the affordability of tomorrow's health costs. These are the things that can't be addressed with reheated speeches or clever quotes. They require actually working with people, including those you might not always agree with.

For instance, going around telling people ObamaCare is working the way it is supposed to or that it is fabulous or wonderful, as several of our Democratic friends have done, doesn't change reality. It is just words. It doesn't change the fact that recent surveys show only 13 percent of Americans now believe the law will help them or that about half believe it will make things worse for the middle class or that actuaries are now predicting cost increases of 30 percent or more in my home State of Kentucky.

I know the President likes to point to the few places, as he did yesterday, where premiums might actually drop under ObamaCare, but he is basically silent on the places where it has been announced that premiums will go up under ObamaCare, and he will not say a word about all the people who have lost their jobs or seen their pay cut.

For instance, the Washington Post recently profiled a part-time college professor from Virginia who, like many in his situation, will see his hours slashed as a result of this law. As the Post put it:

For [this man], the President's health care law could have meant better health insurance. Instead, it produced a pay cut.

And, many would agree, not for the better, especially for the growing number of Americans forced into part-time work with fewer hours and smaller paychecks as a result.

One part-time waitress interviewed in another paper said:

I can't believe I voted for this. This is not the change I wanted, and it feels like there's no hope.

So if the President is ready to pivot from campaign mode to governing mode, he can start by dropping the misleading claims and admitting what pretty much everybody knows: that a lot of Americans are going to feel the pain once this ocean-full of tomorrows finally crashes ashore. Americans are worried, and I don't blame them.

Just last week, as I often do, I met with employers from around Kentucky who expressed continued concerns about the impact this law will have on their operations. They want the Democrats who run the Senate to follow the lead of the House in delaying ObamaCare for everyone, both businesses and individuals, and they know it makes sense to do so. I know they want the President to sign the bill when it passes, and I agree he should. It would be a great first step toward

implementing the permanent delay our country needs—a delay that would give Republicans and Democrats the chance to start over and work together, this time on a bipartisan step-by-step set of health reforms that would actually lower costs.

But we cannot get there until the President changes his mindset, until he puts the poetry down for a moment, flips the campaign switch off and the governing switch on. When he does, I think he will be surprised to find just how many Republicans want to do exactly what we have said all along—to work with him on solutions to get our economy moving, our jobs growing, and our health care more affordable. We are waiting. Americans are waiting. I hope he will finally be ready soon.

I yield the floor.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business until 11 a.m., with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first 30 minutes and the Republicans controlling the second 30 minutes.

Mr. MCCONNELL. I suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

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

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

CREDIT RATING AGENCIES

Mr. FRANKEN. Mr. President, I rise today to discuss a problem I have spoken about many times over the past 3 years, beginning with debate on the Dodd-Frank Wall Street reform bill. That bill, which Congress passed in July 2010, contained a provision I authored with my Republican colleague Senator ROGER WICKER of Mississippi. Our provision gave the Securities and Exchange Commission the authority to issue rules to address the conflicts of interest inherent in the credit rating industry—conflicts of interest which contributed mightily to our recent financial collapse and which have continued to plague that industry through today.

I am speaking about this issue again because even though the conflicts continue to put our economy at risk, the

SEC still has not proposed meaningful reforms. The SEC has studied the issue, the Financial Crisis Inquiry Commission has studied the issue, and the Permanent Subcommittee on Investigations has studied the issue. Now it is time to move forward and take action on the issue.

Let me start off by briefly reminding everyone what this conflict of interest is about and why it is important. In the years leading up to 2008 financial collapse the credit rating agencies were enjoying massive profits and booming business. There is nothing inherently wrong with massive profits and booming business, but there was one fundamental problem: Booming business was coming at the expense of accurate credit ratings, which is supposed to be the entire reason for the existence of the credit rating agencies.

Credit rating agencies were and still are paid to issue ratings directly by the big Wall Street banks issuing the paper and requesting the ratings. If a rating agency—let's say Moody's—does not provide the triple-A rating the bank wants, the bank can then just take its business over to Fitch or S&P. That is called ratings shopping, and it continues to this day. The opportunity for ratings shopping creates an incentive for the credit raters to give out those triple-A ratings even when they are not warranted, and that is exactly what happened with the subprime mortgage-backed securities that played such a crucial role in the financial crisis—and it happened over and over. It became ingrained in the culture of the industry.

The Permanent Subcommittee on Investigations, chaired by Senator LEVIN, took a close look at the big three rating agencies, examined millions of pages of documents, and released an extensive report detailing the internal communications at Moody's, S&P, and Fitch. Among the many troubling e-mails, there is one in particular from an S&P official that sums up the prevailing attitude quite nicely: "Let's hope we are all wealthy and retired by the time this house of cards falters."

With all the risky bets in the financial sector—and bets on those bets—our financial sector indeed became a house of cards. But without the conduct of the credit raters, the house of cards would have been just one card tall.

Two years after that e-mail was written, that house of cards did not just falter, it collapsed. Because that house of cards had grown several stories high, when it collapsed it brought down the entire American economy with it. The financial meltdown cost Americans \$3.4 trillion in retirement savings. It triggered the worst crisis since the Great Depression with its massive business failures and mass foreclosures and job losses and the explosion of our national debt.

The crisis profoundly affected the everyday lives of millions of Americans in so many negative ways, including in

Minnesota. People lost their homes, their jobs, their retirement savings, and their health insurance.

I have previously shared on the floor the story of my constituent Dave Berg from Eden Prairie, MN. He testified at a field hearing I had in May of 2010 and told his story about having to start over—finding a new job and rebuilding his retirement savings—at 57 years of age. His reflections on his experience in the recession mirror those of millions of other Americans.

He said:

The downturn of the economy, caused in part by the abuses on Wall Street, led to the loss of my retirement security. Reforming the way Wall Street operates is important to me personally, because I have a lot of saving yet to do—and I simply cannot afford another Wall Street meltdown. I need to have confidence in the markets—and I need to know there is accountability to those who caused a financial crisis.

It is hard to overestimate the extent to which the credit rating agencies contributed to the financial crisis in which millions like Dave Berg lost their jobs, their homes, and far too many Minnesotans had their hopes for the future dashed.

These Americans are not necessarily seeking retribution from Wall Street. They just need to be assured it will not happen again. They know there is a problem and the problem needs to be fixed.

We do not need further proof of that, but we get it in the February complaint filed by Department of Justice against S&P in which DOJ alleges—as it stated when it filed the complaint—that the credit rating agency "falsely represented that its ratings were objective, independent, and uninfluenced by S&P's relationships with investment banks when, in actuality, S&P's desire for increased revenue and market share led it to favor the interest of these banks over investors."

The complaint highlights the patently problematic way the credit rating agencies habitually did business. One e-mail obtained in that investigation from a high-level S&P official reads:

We are meeting with your group this week to discuss adjusting criteria for rating CDO's of real estate assets . . . because of the ongoing threat of losing deals.

CDOs—collateralized debt obligations—are one of those derivatives, or bets, that added stories to the house of cards. This official had apparently become so comfortable with the culture of conflicts of interest that he appeared to have no reservations about putting it in writing.

In fact, a while ago, S&P asked the judge in the case to throw out the Justice Department lawsuit against them by pointing to a previous decision made by a U.S. district court judge in an earlier securities fraud case against them. That earlier suit against the S&P had been filed by shareholders who said they had bought their shares believing that S&P's ratings were independent and objective—as the S&P had

long declared. But the judge in the earlier case dismissed the shareholders' suit, finding that the S&P's statements that their ratings were independent and objective were "mere puffery." In other words, no one could take S&P's statements about their ratings objectivity and independence seriously. It was just puffery and advertising that no one could believe.

Very recently, S&P tried to use—in the Department of Justice's case against them in their filing—the earlier "puffery" ruling to try to get the Justice Department suit thrown out against them. So S&P's legal argument was that no one could reasonably think that they had a reputation for producing independent and credible ratings.

Thankfully, earlier this month, the judge in the DOJ suit ruled that the DOJ suit could go forward and said last week he found S&P's puffery defense to be "deeply and unavoidably troubling."

S&P's rationale should strike us all as deeply and unavoidably troubling because their legal defense—this is S&P's legal defense—said no one could possibly rely on their ratings. But their job is to provide independent, objective, and accurate ratings. Millions of Americans lost their jobs because S&P didn't do its job. S&P didn't do their one job. They have one job and that is to provide accurate ratings. They didn't do their one job. They have no other job.

I am glad the Department of Justice is pursuing this case, but DOJ's action is not enough. It is backward-looking and addresses past harms. My concern is that the conduct continues to this day.

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

Mr. FRANKEN. Mr. President, I ask unanimous consent for 5 more minutes.

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

Mr. FRANKEN. Mr. President, I am glad the DOJ is going forward in pursuing this case, but as I said it is not enough. It is backward-looking and addresses past harms. My concern is that the conduct continues to this day. The credit raters are still influenced by the relationships with the banks because that is who pays them. It is a clear conflict of interest, and we need to prioritize actions that will prevent another meltdown in the future.

The Dodd-Frank provision I wrote with Senator WICKER, if implemented in full, would root out the conflicts of interest from the issuer pays model. The amendment we offered and the Senate passed directed the SEC, Securities and Exchange Commission, to create an independent self-regulatory organization that would select which agency—one with the adequate capacity and expertise—would provide the initial credit rating of each structured financial product.

The assignments would not be based just on the agency's capacity and ex-

pertise but also, after time, on its track record. Our approach would incentivize and reward excellence. The current pay-for-play model—with its inherent conflict of interest—would be replaced by a pay-for performance model. This improved market finally allows smaller rating agencies to break the Big Three's oligopoly.

The oligopoly is clear. The SEC estimates that as of December 31, 2011, approximately 91 percent of the credit ratings for structured finance products were issued by the three largest credit rating agencies—Fitch, Moody's, and S&P—each of which was implicated in the PSI investigation. The other five agencies doing structured finance make up the remaining 9 percent.

The current oligopoly does not incentivize accuracy. However, if we move to a system based on merit, the smaller credit rating agencies would be better able to participate and serve as a check against inflated ratings, thereby helping to prevent another meltdown.

In our proposed model, the independent board would be comprised mainly of investor types—managers of university endowments and pension funds—who have the greatest stake in the reliability of credit ratings, as well as representatives from the credit rating agencies, the banking industries, and academics who have studied this issue.

Our amendment passed the Senate with a large majority, including 11 Republican votes. This is not a progressive or conservative idea, it is a commonsense idea.

The final version of Dodd-Frank modified the amendment and, to be frank, put more decisionmaking authority in the hands of the SEC as to how to respond to the problem of conflicts of interest in the credit rating agency industry. The final version directed the SEC to study the proposals that Senator WICKER and I made, along with other alternatives, and then decide how to act.

The SEC released its study in December. The study acknowledged the conflicts of interest in the credit rating industry and reviewed our proposal and many of the alternatives. They laid out the pros and cons of each proposal without reaching a definitive conclusion on which route to pursue.

The study also proposed holding a roundtable discussion to further examine reform opportunities. This SEC convened this roundtable on May 14, and both Senator WICKER and I had the opportunity to present opening remarks. Bloomberg News had a good article on the roundtable on March 14, including several key quotes that I am going to use in my remarks. The roundtable provided a rigorous examination of our proposal and of the alternatives.

One executive who was from a smaller rating agency endorsed the concept of a rotating assignment system to help break up the current oligopoly.

Jules Kroll, the CEO of Kroll Bonding Credit Agency, said of the Big Three: "They're selling themselves out, just as they did before."

The Big Three were also represented at the roundtable. An S&P representative argued against meaningful reform by suggesting that "a government assignment system could create uncertainty, could slow down markets, and disrupt capital flows at a time when we could least afford it." He didn't mention puffery. Unsurprisingly, I disagree with his characterization and would indeed suggest that what we can least afford is to maintain the status quo.

An alternative proposal, the continuation of the 17g-5 proposal, was met with more than a little skepticism. The 17g-5 Program seeks to encourage unpaid, unsolicited ratings by requiring the sharing of data on which ratings are based. The theory is, unsolicited ratings will keep paid ratings honest. Joseph Petro of Morningstar Credit Ratings said using the unsolicited rating program "is not the best use of resources as we're trying to build out our ratings platform." SEC Commissioner Troy Paredes made a strong point when he noted that negative, unsolicited ratings by a firm "may not be the best way to get business in an issuer-pays setting." By the time the report was written, the 17g-5 Program had produced only one or two ratings.

I have said all along that I believe the proposal of Senator WICKER and myself is a good one and the right one, and I continue to believe that more and more as I have thought about it and looked at it in the years now since we originally wrote the legislation. But I have also said I am open to any other meaningful proposals, and I will support any proposal the SEC recommends that addresses the conflicts of interest in a meaningful way. But the Roundtable made very clear once again that reform is necessary and that the status quo is inadequate to protect American investors, workers, and homeowners in the years ahead.

Dealbreaker.com, a satirical blog that covers Wall Street, ran a post on the day of the SEC Roundtable with this title: "The SEC Will Keep Talking About Credit Rating Agencies Until Everyone Stops Paying Attention." That is one approach Wall Street regulators can choose to take and it would be completely unacceptable. To do that would be to fail the American people. Senator WICKER and I have worked with the SEC continuously over the past 3 years, and I will continue to pursue this issue until the SEC fulfills its directive to address the conflicts of interest in the credit rating industry. I am obligated to my constituents and to the American public to make sure that satirical headline does not become reality.

I look forward to working with the SEC on the next steps toward a proposed rule on credit rating reform.

I yield the floor, and I note the presence of both of my esteemed colleagues

from Hawaii, including the one presiding, and Senator HIRONO, who is about, I believe, to ask for the floor.

The ACTING PRESIDENT pro tempore. The Senator from Hawaii.

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT APPROPRIATIONS

Ms. HIRONO. Mr. President, I rise today to speak in support of S. 1243, the Transportation, Housing and Urban Development and Related Agencies Appropriations Act for 2014. I wish to thank Senators MURRAY and COLLINS as well as Senators MIKULSKI and SHELBY for their hard work. The bill before us reflects the bipartisan agreement that funding our Nation's transportation and housing infrastructure is vital to creating jobs and supporting strong communities.

I wish to thank the committee for funding programs that support projects that are especially crucial for my home State of Hawaii.

First, the committee's bill provides nearly \$2 billion for capital improvement grants which support transit projects across the country. Especially important for Hawaii is Honolulu's rail transit project which, when completed, will provide much needed relief for Oahu's commuters. Studies have shown that during the morning peak period, the average travel time from East Kapolei to Honolulu is 89 minutes—89 minutes for a 17-mile drive. The rail will turn that into a 40-minute ride above traffic. The project is estimated to remove roughly 40,000 cars from Oahu's congested roadways, providing relief for buses and other surface public transportation services.

While the rail project is a crucial step forward for developing Hawaii's most populous island, it is the committee's support for Hawaii's indigenous people for which I especially extend my thanks. The committee's funding of both the Native Hawaiian Housing Block Grant and the 184A Loan Guarantee Program will help our Nation continue fulfilling its trust obligations to Native Hawaiians.

In 2010, the American Community Survey reported that 27.2 percent of Native Hawaiians in Hawaii live in overcrowded conditions, compared to 8.5 percent of Hawaii's total population. In addition, the overall cost of living in Hawaii is almost 50 percent higher than the United States average, and housing costs are almost 150 percent higher. Coupled with these costs is the fact that 18 percent of Native Hawaiians live in poverty.

The ACTING PRESIDENT pro tempore. The time of the majority has expired.

Ms. HIRONO. I ask unanimous consent for an additional 5 minutes.

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

Ms. HIRONO. Thank you, Mr. President.

Congress created the Hawaiian Home Lands trust to provide housing and settlement opportunities for Native Hawaiians. However, as the statistics I just laid out show, this indigenous population continues to struggle with finding affordable quality housing in their place of origin.

That is why the Native Hawaiian Housing Block Grant, or NHHBG, is so important. These funds can be used for a variety of initiatives. For example, the current wait list for access to housing on homestead land is long and continues to grow. Funding the NHHBG helps the Department of Hawaiian Home Lands to continue developing lands to meet the housing needs of those on the wait list as well as future beneficiaries, allowing the Department to effectively administer this trust responsibly.

The 184A Program is another important tool for assisting Native Hawaiians in securing homes on homesteads—lands they cannot own. As I have mentioned, the cost of living—especially housing—in Hawaii is among the highest in the country. On top of saving up the cost of a downpayment for a mortgage, there is the tricky task of securing a mortgage for a home without ownership of the land beneath it. This has proved problematic not only for Native Hawaiians but also Native Americans and Alaska Natives. The 184A Loan Guarantee Program helps get Hawaiians onto homesteads by providing a guarantee for lenders who are unfamiliar with the Hawaiian homes program.

I also wish to thank the committee for supporting the Essential Air Services Program. Being an island State, Hawaii is uniquely affected by any changes to air transportation policy. For us, driving between counties is not an option. So air service is, for all intents and purposes, the only way to get from one island to another.

There is a population in Hawaii that uniquely demonstrates the reason for the Essential Air Service Program: the residents of Kalaupapa. Kalaupapa is an isolated peninsula on the island of Molokai. Beginning in 1966, this area was used as an exile for Hansen's disease patients. This practice continued until a quarantine of the area was finally lifted in 1969. It was precisely because of Kalaupapa's remoteness and isolation that it was selected to serve this function for Hansen's disease patients.

There are Hansen's disease patients who still reside in Kalaupapa. Their only option for getting in and out of the area for medical treatment, or to visit family and friends, is flying. Maintaining proper funding for the Essential Air Service Program directly translates into assuring continued access for the people of Kalaupapa to other communities and the services they need.

The committee's bill also provides appropriate levels of funding for larger national programs such as the Commu-

nity Development Block Grant, or CDBG. Certainly, Hawaii has been able to put CDBG funds to good use, and agencies across the country rely on this essential block grant funding to continue meeting the needs of their most vulnerable populations.

The HOME Investment Partnerships Program is yet another example where the funding level in the Senate's bill is warranted. If Hawaii is any indication, HOME funds move out the door so quickly that many subgrantees with equally worthwhile projects are left waiting for the next fiscal cycle to compete.

The support for CDBG, HOME, and other programs in the bill provides communities across the country with the means to provide safe, affordable housing for the least fortunate, the elderly, and others. However, as the wide support for these programs demonstrates, there is more need in our communities than there are resources. Since the sequester has taken effect, things have only gotten harder for those who are struggling the most. Every day it seems we hear about housing vouchers being frozen or rescinded or about how elderly or support services are being cut back or about how the lines for limited public housing grow as people who have been out of work for too long exhaust their savings. For many of the people who rely on these programs, there is nowhere else to turn.

This bill doesn't fix all of the problems caused by the sequester, nor does it fully address the critical needs to create jobs. However, it is a bipartisan step forward that makes positive progress in all of these areas. Perhaps it will give us some momentum in tackling those big challenges our Nation faces in a more comprehensive way.

I urge my colleagues to support this important legislation.

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

The ACTING PRESIDENT pro tempore. The Republican whip.

Mr. CORNYN. Mr. President, we now know, the IRS targeting scandal implicates senior officials at the very highest levels of the Internal Revenue Service. Indeed, we know the Office of the Chief Counsel of the IRS, headed by an administration appointee, was aware of the abuses, according to sworn testimony in the House of Representatives. We know that former IRS Commissioner Douglas Shulman categorically denied those abuses in March of 2012, even though senior IRS officials learned about them as early as June 2011. We know the IRS official who first revealed the abuses to the American people decided to take the Fifth Amendment, invoking her right not to incriminate herself, rather than testify before Congress. Finally, we know IRS officials improperly targeted not only conservative organizations but also political candidates and donors.

Still, yesterday the White House Press Secretary called the various

scandals involving this administration phony scandals. Well, I don't know anyone who actually believes that is true. When an institution such as the Internal Revenue Service, with its power to literally tax and destroy, is abusing that power, it deserves the investigation of Congress and we need to get to the bottom of it. The idea, as initially floated out, that this scandal was the work of a few rogue staffers in the Cincinnati office is no longer plausible, even if it was at one point.

This scandal clearly represents a serious breach of the public trust and has created a major credibility problem for this agency that is supposed to be objective and nonpartisan. It is bad enough that America's tax collection authority has behaved like a thuggish political machine, indeed, policing political speech and rights guaranteed under the First Amendment to the U.S. Constitution.

To make matters worse, the Internal Revenue Service will soon be responsible for administering some of the most important provisions of the Affordable Care Act, otherwise known as ObamaCare, including the individual mandate. In other words, the Internal Revenue Service will be responsible for administering a law that affects one-sixth of the U.S. economy, and it will be collecting even more information about individual American citizens.

Are we comfortable with dramatically expanding the power of an agency that has proven so abusive and so untrustworthy? I know I am not, which is why 2 months ago I introduced a piece of legislation that would prevent the Internal Revenue Service from participating in its current role of implementing ObamaCare. Yesterday I submitted this legislation as an amendment to the appropriations bill we are currently considering.

Rather than give more power to the Internal Revenue Service, we should be giving more power to patients and their doctors. Remember, even before ObamaCare became law, the IRS had enough power to destroy the lives of American citizens. In the famous words, I believe, of a Supreme Court Justice, the power to tax is the power to destroy. He had it right. Now is the worst possible time to give this agency such massive influence over the U.S. health care system, and this is past overdue action on our part. Instead, we should be curtailing the power of the Internal Revenue Service, replacing ObamaCare with sensible, patient-centered alternatives, and my amendment would do that.

Before I conclude, I wish to mention another amendment we will be filing to the appropriations bill—one I cosponsored with my friend from South Carolina Senator GRAHAM. Our amendment would prevent any funds in this bill from being used to bail out Detroit or any American city that mismanages its public finances. We have a Federal bankruptcy code—chapter 9, specifically—that was designed to handle

these problems, and Detroit has filed for bankruptcy. There is no good reason why Detroit or any other American city ought to receive a taxpayer-funded bailout from Washington. I hope that the normal bankruptcy process will be allowed to go forward, and I hope that the bankruptcy follows the rule of law and that the Obama administration resists any temptation to meddle in the process and play politics.

My colleagues might recall that during the 2009 government-run Chrysler bankruptcy process, the company's secured bondholders received much less for their loans than the United Auto Workers pension funds. My colleagues might also recall that during the runup to the 2011 Solyndra bankruptcy, the Obama administration actually made taxpayers subordinate to private lenders, in violation of the law.

Detroit's financial woes offer a warning to all cities and States that are struggling with pension obligations and unfunded liabilities. And speaking of unfunded liabilities, the Federal Government currently owes more than \$100 trillion worth of unfunded liabilities ourselves for Medicare and Social Security—something that urgently needs our attention. It is time for government officials at all levels—State, Federal, and local—to make the hard fiscal choices we have been postponing for way too long.

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

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

The legislative clerk proceeded to call the roll.

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

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

OBAMACARE

Mr. HELLER. Mr. President, last summer the Supreme Court narrowly upheld as a tax the massive government takeover of health care in America, known more commonly as ObamaCare. Since then, as the law's provisions have slowly been implemented, the size and scope of this colossal monstrosity have become clear.

I opposed the ObamaCare bill from the very beginning as a Member of the House of Representatives serving on the Ways and Means Committee. Back then Americans were told that Congress needed to pass the bill before they could know all that was in it, but the more the American people learn about it, the less popular it becomes. In fact, news reports tell us the administration is now looking for help from Hollywood celebrities to push a bill that many Americans clearly do not support. That tactic has been used before. In the 1950s and the 1960s, Hollywood and some athletes were used to sell and glamorize tobacco products. Today, Hollywood and some athletes

are being asked to peddle the Affordable Care Act, perhaps to make up for past sins.

While the American people grow more uncomfortable with this law, the administration has allowed \$54 million to be spent on "navigators" to help push people toward this program. Reports have suggested that there will be 175,000 of these so-called navigators, whose job it is to facilitate this law. Add that to the 16,000 new IRS agents who are being hired to implement ObamaCare, and it has become even clearer now just how flawed this law is. It is being widely circulated that the administration is willing to spend nearly \$1 billion on advertisements to entice the American people into buying something they do not want.

The President's recent decision to delay for another year the law's mandate on employers and small businesses is more compelling evidence that the ObamaCare approach to health care reform is not working and is only going to make matters worse. It is remarkable that the same administration that pushed so hard for this health care takeover is now hesitant to put in place the very measures contained in the law, but I think the administration has a very good reason to be hesitant.

Since ObamaCare's inception, middle-class families have seen their premiums skyrocket by an average of \$2,500. Nearly 75 percent of small businesses in this country have been forced to fire their employees or cut their hours and turn full-time employees into part-time workers. In fact, just last month 322,000 workers were forced into part-time employment. So the administration has created quite the balancing act for middle-class families: At the same time they are dealing with increased health care costs and higher premiums, they are confronted with reduced work hours and the threat of being forced into part-time positions. I say that is an unacceptable situation in which to put the American people.

Clearly, at a time when we are approaching 5 straight years with an unemployment rate over 7.5 percent, ObamaCare's job-crushing provisions are only making things worse for our economy, and that is why the administration is having second thoughts.

No one argues that the health care system in this country is perfect. There are absolutely steps we can take to increase access to high-quality, affordable health care. But ObamaCare's massive expansion of the Federal Government's role in the health care industry is not turning out to be the solution its supporters said it would be. That is why the architects of the legislation are cherry-picking which parts of the law to enforce, delaying some of its key provisions. It is obvious this legislation is well on its way to collapsing under its own weight, and that will only further hurt the American people and cause even greater damage to our economy.

I have a three-part test that I have told my constituents about countless

times. It is a test that I apply whenever I evaluate legislation, and it is called the more-higher-less test. When legislation hits my desk, I evaluate whether that bill will lead to more competition, higher quality, and less cost—hence the more-higher-less test. If the bill passes the test, then it is a bill I will consider supporting.

That test is rooted in my belief that the American free market system has created the world's greatest economy and allowed innovation and creativity to thrive. Competition is the key to improving our health care system, not burdensome regulations and mandates, especially when they are selectively enforced by government bureaucrats.

Perhaps the Obama administration has the same concerns about ObamaCare that I have, and that is why they would rather not fully enforce it until after the next election. But if that is the case, they need to make the tough decisions to address the problems instead of pretending those problems do not exist.

When I was recently back in my home State of Nevada, I toured a medical school and spoke with a number of bright, hard-working students who expressed serious concerns about the effects of ObamaCare. I told them that one of my biggest fears was that the law would turn them all into government employees and it would put a bureaucrat between them and their patients.

Instead of a system like that, we need to reduce the cost of health care services by enacting meaningful tort reform, making insurance more affordable, and providing market-based solutions to meet consumer needs. We need to create an atmosphere that will foster economic growth and job creation instead of punishing the middle class with higher health care premiums and fewer hours at work.

I can understand the Obama administration's decision to delay the employer mandate that is crushing small businesses across the country. That is why so many of us opposed the law to begin with. But the American people deserve far better than a cherry-picking, tax-increasing approach to health care reform. American families should not have to juggle higher health care premiums with the threat of losing their jobs or losing hours at work. They deserve commonsense solutions that will reduce costs and increase access to high-quality care. ObamaCare clearly is not that solution.

I yield the floor.

I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

OBAMACARE

Mr. THUNE. Mr. President, this week, the President of the United States, President Obama, has made yet another pivot back to the economy and to jobs, issues the American people have not had the luxury of pivoting away from.

While the President is yet again attempting to refocus on jobs and the economy, giving speeches is not a real solution to our Nations problems. In fact, yesterday President Obama said in his speech that Washington is taking its eye off the ball. Mr. President, you are Washington. You have been President now for 4½ years. These are your policies, policies that are hurting our economy and costing Americans jobs.

As for taking your eye off the ball, the President appears to be swinging with his eyes closed, with his eyes closed to the impact that his policies are having on the economy in this country. We do not have to look very far to see the impact of those policies. The ObamaCare legislation is having a crushing impact on jobs in this country—a crushing impact on the economy.

As we look at the unemployment rate, it is still over 7½ percent. It has been there now for 54 months. That is the worst job record of any President since the Great Depression.

The President's signature law, ObamaCare, continues to hamstring the job market. In June alone, the last month for which we have data, 322,000 Americans were forced into part-time employment status. Those are people who otherwise would have been willing to work full-time but because of these policies that are encouraging more employers to push their employees into part-time status, we have 322,000 individuals in this country who want to work full-time that are now having to work part-time.

ObamaCare and other policies put forward by this administration have been probably the best thing that has happened to part-time jobs. Unfortunately, for most Americans, they want to be working full-time. A recent chamber of commerce survey shows that nearly 75 percent of small businesses are firing workers or cutting hours. As implementation of the ObamaCare law continues, the number of small business owners who take those steps, unfortunately, is only going to increase.

According to a recent Wall Street Journal article:

Rod Carstensen, owner of 11 Del Taco restaurants around Denver began in April converting his mostly full-time workforce into one comprising mostly part-time help to minimize his health care costs. . . . He is plowing ahead despite the ObamaCare administration's reprieve, he said, because we need to get there anyway, and it will take until January 1 of 2015 to make this transition.

He is referring, of course, to the employer mandate which the President

has chosen to delay for this next year when it was supposed to take effect, until January 1 of 2015. Most employers, unfortunately, are not taking great consolation in the fact that this is being delayed by 1 year. They know at some point they are going to have to comply with it.

So they are taking those steps already, which is adding and fueling the data—the numbers I just mentioned with regard to people being forced into part-time jobs. Americans are facing decreased hours which means decreased wages. Additionally, families are facing higher insurance premiums, which further erodes their disposable income and opportunities to invest in a new home or a better education for their children.

A growing number of Americans are realizing ObamaCare is the wrong prescription for families who are at the mercy of an already struggling economy. The administration has been forced to concede that the employer mandate, which is a key component of the ObamaCare legislation, is broken and unworkable, which is why they have delayed it.

We are starting to see Democrats, who have historically been supportive of the law, suddenly jumping from the ObamaCare sinking ship. On Monday, a headline in the Washington Post read, "Moderate Democrats are quitting on ObamaCare."

The article disclosed that fewer than 50 percent of moderate to conservative Democrats now support ObamaCare, which is down more than 25 percentage points since 2010 when it passed. Congressional Democrats are also becoming increasingly skittish about ObamaCare. The House vote last Wednesday on the employer mandate delay passed 264 to 161—35 Democrats joined 229 Republicans in support for that bill.

Additionally, there were 22 House Democrats who voted to delay the law's individual mandate. Even a Democratic Senator has introduced legislation for a 2-year—not a 1-year but a 2-year employer mandate delay. In a recent letter to the Democratic leadership, three large unions expressed grave concerns with the law, led by the Teamsters Union, the organization that Jimmy Hoffa leads.

Once some of the biggest supporters of ObamaCare penned a letter—three major unions penned a letter basically saying that the health care law will "shatter" health benefits and cause "nightmare scenarios." Shatter health benefits, create nightmare scenarios, that is what the unions are saying. The unions also slammed the law for defining a full-time employee as one who works less than 30 hours.

The unions went on to say in their letter that the law "will destroy the foundation of the 40 hour work week that is the backbone of the middle class."

It is very clear that even those who were vocal, those who vigorously defended and supported the ObamaCare

legislation, recognize this is not working and are making it abundantly clear in the statements that they are now making.

Just yesterday, as I mentioned, the President delivered a speech aiming to yet again pivot, as he says, back to jobs and the economy. He used the speech to kick off another campaign-style tour of speeches in hopes that touting his continued commitment to an economic recovery will overshadow these harsh realities of ObamaCare and other economic woes that plague this country.

During yesterday's speech, the President claimed he is dedicated to the middle class and growing the economy from "the middle out." What do these concerns tell us about the state of the middle class? Hard-working Americans are now fearful about their job security, about their health care coverage, and their ability to make ends meet all because of this catastrophic law.

The President's strongest political allies who represent millions of workers say the President's signature domestic achievement is "destroying the backbone of the middle class." Although the President continues to pivot to and away from these issues, Senate Republicans remain focused on creating jobs and growth in this country. It is time for a real recovery. The American people are ready to get back to work.

For 54 months, we have seen unemployment at or above 7½ percent. That number does not reflect the people who have given up looking for work. Let's remove the heavy hand of Washington regulations from our job creators. Let's create certainty for employers so they might hire new employees, not cut the hours of those they already have.

Let's spare the middle class from premium increases. I have seen studies all over the place that suggest, for families, for individuals, premiums across this country are going up. According to Kaiser, for families, it is \$2,500. In order to achieve the goals of addressing these issues in our economy, we have to start with a permanent delay of ObamaCare for all Americans—not just for the employers, not just the employer mandate but the individual mandates, the other regulations that are 20,000 pages high—7½ feet tall are the regulations that have been promulgated to implement this law. It continues to grow by the week.

We did not need a 2,700-page bill. We did not need 20,000 pages of regulations to address the problems we have in our health care delivery system and health care coverage system today. But that is what we got. But the President's job-killing tactics do not stop just at health care. The President's proposed climate change regulations alone would cost 500,000 jobs and reduce household income by up to \$1,000 per year.

Dodd-Frank has already cost \$15.4 billion and 58.3 million hours in paperwork burdens on businesses across the

country. Rather than more campaign-style speeches touting the same old flawed ideas, the President should work with Congress to put more Americans back to work.

By working together, we can enact meaningful regulatory reform that will provide relief to employers and to employees alike. We can fix our health care system in a manner that lowers costs while allowing families to keep the doctors they want. We can enact tax reform that will create economic growth, lower the unemployment rate, and reduce our unsustainable budget deficit.

We can expand access to domestic energy resources in a manner that fully realizes the benefits of increased energy production. This cooperation must start with President Obama getting off the campaign trail and getting to work with Congress on these important issues. So instead of pivoting yet again to the economy, in campaign-style speeches, we need a President that is here, that is working to address the economic woes American families are experiencing.

If you want to start by going out and touting things that you are going to do for the economy, start right away by approving the Keystone Pipeline. That is a no-brainer, in most people's estimation. In fact, the President's own administration has analyzed and reviewed and scrutinized and studied this thing now four different times and concluded it would have not an impact on the climate.

It would create immediate jobs, thousands of jobs, construction jobs, and then jobs over a long period of time. It would help lessen the dependence we have on foreign sources of energy by freeing up transportation of energy resources that come from friendly allies in countries such as Canada to get to American consumers in this country.

There are things the President could be doing that actually will create jobs. Come up here and engage in the debate on tax reform. Commit to tax reform that is revenue neutral, that does not raise taxes on people who create jobs in this country but, rather, lowers the rate to unleash economic growth and job creation in this country. Work with us to repeal, permanently delay, the ObamaCare regulations that are crushing jobs and the economy and, as I pointed out earlier, are forcing more and more Americans into part-time jobs, forcing employers to either cut and reduce their workforce or not hire people they otherwise might hire, and raising premiums for hard-working middle-class families.

Mr. President, it is not Washington that does not have its eye on the ball, it is you who does not have your eye on the ball.

We need you to focus like a laser on the economy and recognize that you can't close your eyes to the harmful, economic impact that your policies are having on too many middle-class Americans and small businesses who

create jobs in this country to generate the economic growth that is necessary to improve the standard of living and the take-home pay of every American family. This is what we need.

I hope the President will get off the campaign trail, come back, and focus on what really matters to middle-class Americans; that is, jobs, the economy, and a better life for their children and grandchildren.

I yield the floor.

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

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

The legislative clerk called the roll.

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

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

ORDER OF PROCEDURE

Mrs. MURRAY. Mr. President, I ask unanimous consent that morning business be extended until 11:30 a.m., and at 11:30 a.m. the Senate proceed to executive session to consider Calendar No. 186, as provided under the previous order.

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

Mrs. MURRAY. Mr. President, I suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

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

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

THE BUDGET

Mrs. MURRAY. Mr. President, as the House and Senate have begun debating our separate appropriations bills for the coming year, we have been forced to take a very hard look at the numbers and exactly what so many important programs and services will look like next year under cuts that are forced by sequestration. I am here to tell you, it is not pretty.

As chair of the Budget Committee, it has only served as a reminder to me of just how important it is to fully replace the across-the-board cuts that sequestration has forced us to make, because it is only getting worse.

Some of my Republican colleagues in the Senate, and most of them in the House, it seems, don't believe sequestration has had a real impact on families, their communities, and our military.

I wish to take a few minutes to talk about what I have already seen in my home State of Washington, where the impacts of sequestration have been very severe.

Washington State has a proud history of supporting our Nation's Armed Forces. From Fairchild Air Force Base in eastern Washington to Joint Base Lewis-McChord in the Puget Sound region, our State is home to thousands of military families.

In addition to those active-duty servicemembers, Washington State is also home to thousands of civilian defense employees who work at these various military installations. Under sequestration, these men and women have borne the brunt of these across-the-board budget cuts. This month, weekly furloughs began for nearly 10,000 of these civilian employees in my home State of Washington. So now, once every week, they can't go to work. That amounts to a pay cut for them of 20 percent.

These are men and women—many of them veterans—with mortgages and medical bills and tuition costs, just like the rest of us. And thanks to the gridlock here in Congress, their lives have become 20-percent tougher. One of those people who is impacted is Will Silva. He lives in Tacoma, WA, and he works at Joint Base Lewis-McChord. We call it JBLM. Will is a former marine, he is an amputee, and he is a fire inspector at the base. Thanks to sequestration, he is one of 6,700 people in that community who won't be going to work tomorrow because Friday is furlough day at JBLM.

So tomorrow, Friday, in my home State of Washington, the 911 call center and fire departments will be understaffed, air fields will be shuttered except for emergencies, the military personnel office and the substance abuse center will be closed, the Madigan Army Medical Center will be forced to close clinics, and even the wound care clinic is going to be understaffed. All of this is because of the cuts we all agree are hurting our country.

Jennifer-Cari Green is another person who won't be going to work at JBLM tomorrow. Jennifer happens to be a single mother of a 6-year-old boy. She works at the Madigan Army Medical Center in the neurosurgery department. Her job is to care for servicemembers, many of whom are undergoing serious brain operations.

Jennifer was here in Washington, DC, on Tuesday to testify at our Budget Committee hearing about the impacts of sequestration. It is impossible to forget her story. Jennifer works very hard. She started there as a volunteer in the surgery center but has worked her way up. She doesn't make much money to support herself and her young son, and so she budgets every month right down to the dollar. She has no luxuries, and in her only spare time she cares for her son and works toward an associate degree at the community college.

Jennifer told me that because of these furloughs her take-home pay will be almost exactly \$1,000 a month—\$1,000 a month. That isn't enough for her to pay her most basic expenses. But

even with all of the challenges she faces, Jennifer came here to talk about what those cuts will mean for others, for the people she cares for at the army hospital where she works.

Because she has been furloughed—by the way, along with doctors and technicians and other employees at the hospital—servicemembers and veterans aren't going to get the care they need. These furloughs mean that everything from routine checkups to brain surgeries is being delayed for these men and women who served our country. Let me repeat that: brain surgeries at military hospitals are being delayed because of cuts from sequestration. That is unacceptable and, unfortunately, it is very real.

The impacts on our civilian defense employees are just the tip of this iceberg. Sequestration has resulted in dramatic cuts to countless other programs throughout our country. Head Start facilities have been forced to shut their doors. Meals-on-Wheels Programs—vital to our Nation's seniors—are serving less needy seniors, and even our judicial system has been forced to let go of prosecutors and public defenders. The cuts are clear and they are, across the board, impacting so many people in this country in our communities and in our families.

I understand many of us have different opinions here on how to address our Nation's financial challenges, but before we do that, all of us have to understand the devastating impact sequestration has already had on our Nation. I want to remind all my colleagues that it doesn't have to be this way. It doesn't have to be this way. It is now 124 days since the Senate passed a budget that fully replaced the sequestration, and 17 times my colleagues and I have stood here and asked to go to conference with the House to fix these ridiculous cuts. But 17 times now our Republican colleagues have said no. They have refused.

So I am here today absolutely committed to replacing sequestration. If some of my colleagues think this is about politics or this is some kind of game, I would ask them to talk to Will or Jennifer or any of the thousands of families who suddenly today can't pay their bills, because, for them, these cuts are very real and they need a solution now.

I hope other Members of the Senate will come and talk about these cuts. We can fix this. We can replace sequestration. We can manage our country responsibly. We can be much smarter about what we are doing, but we need the will of the Senate to allow us to go to conference to fix this and move forward and tell Will and Jennifer we, as a country, can work for them.

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

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

The assistant legislative clerk proceeded to call the roll.

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

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

EXECUTIVE SESSION

NOMINATION OF DEREK ANTHONY WEST TO BE ASSOCIATE ATTORNEY GENERAL

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The assistant legislative clerk read the nomination of Derek Anthony West, of California, to be Associate Attorney General.

The ACTING PRESIDENT pro tempore. Under the previous order, there will be 1 hour of debate equally divided and controlled in the usual form prior to a vote on the nomination.

Mr. LEAHY. Mr. President, today the Senate considers President Obama's nomination of Tony West to be the Associate Attorney General, the No. 3 position at the Justice Department. He is a superbly qualified veteran of the Department of Justice who has been serving in this position in an acting capacity for over a year. He had previously been confirmed by the Senate to be the Assistant Attorney General for the Civil Division.

Before his work in the Justice Department, Mr. West spent 8 years in private practice in San Francisco, where he was a partner at a well-respected law firm and specialized in complex commercial litigation. He also served as a special assistant attorney general in the California Department of Justice, as an assistant U.S. attorney for the Northern District of California, and as a special assistant to two Deputy Attorneys General at the U.S. Department of Justice. Mr. West earned his B.A. from Harvard, and his J.D. from Stanford University Law School, where he was elected president of the Stanford Law Review.

The Judiciary Committee received dozens of letters in support of Tony West from various individuals and organizations, including the International Association of Chiefs of Police, the U.S. Conference of Mayors, the National Association of Attorneys General, the National Sheriff's Association, and Taxpayers Against Fraud. The National Association of Black Law Enforcement Executives wrote that "throughout Mr. West's career, he has proven to be an effective partner to law enforcement. With this experience, we believe him to be well-qualified to serve as Associate Attorney General and look forward to working with him on a broad range of law enforcement and public safety issues. It is our hope that the Senate will confirm Mr. West promptly to serve as the Associate Attorney General of the United States."

This endorsement is typical of the many letters sent in support of Mr. West. I ask unanimous consent that a list of all 36 letters of support for Mr. West's nomination be printed in the RECORD at the conclusion of my statement.

I am confident that Tony West is well-qualified to be Associate Attorney General, and I hope he will be confirmed without further delay.

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

LETTERS RECEIVED FOR TONY WEST

May 14, 2013—Esta Soler, President and Founder, Futures Without Violence

May 14, 2013—Ann Harkins, President and CEO, National Crime Prevention Counsel

May 14, 2013—William J. Bratton, President and CEO, The Bratton Group LLC

May 15, 2013—Randy I. Bellows, Circuit Court Judge, Fairfax County

May 15, 2013—Gregory P. Suhr, Chief of Police, San Francisco

May 15, 2013—Robert Wolf, CEO, 32 Advisors, LLC

May 15, 2013—Anthony W. Batts, Police Commissioner, Baltimore Police Department

May 15, 2013—Charlie Beck, Chief of Police, LAPD

May 16, 2013—Christine Varney, former AAG (Antitrust)

May 16, 2013—Aaron D. Kennard, Executive Director, National Sheriff's Association

May 16, 2013—Richard Parsons, Senior Advisor, Providence Equity

May 16, 2013—Kim J. Raney, President, California Police Chiefs Association

May 16, 2013—Scott R. Seaman, Chief of Police, Los Gatos/Monte Sereno Police Department

May 16, 2013—Jamie S. Gorelick, former DAG

May 17, 2013—Luis G. Fortuño, Former Governor, Puerto Rico

May 17, 2013—Alejandro J. Garcia-Padilla, Governor, Puerto Rico

May 17, 2013—National Organization of Black Law Enforcement Executives

May 20, 2013—Jefferson Keel, President, National Congress of American Indians

May 20, 2013—MARCIA L. FUDGE, Chair, Congressional Black Caucus

May 20, 2013—David S. Kris, former AAG (National Security)

May 20, 2013—NAACP

May 20, 2013—William M. Lansdowne, Chief of Police, San Diego

May 20, 2013—Bill Lee, former AAG (Civil Rights)

May 20, 2013—Ken Salazar, former Secretary of the Interior

May 21, 2013—Mai Fernandez, Executive Director, National Center for Victims of Crime

May 21, 2013—Bernard K. Melekian, former director, DOJ Office of Community Policing Services

May 22, 2013—State Attorneys General

May 22, 2013—Craig T. Steckler, President, International Association of Chiefs of Police

May 22, 2013—Leadership Conference

May 22, 2013—Michael A. Nutter, Mayor of Philadelphia, President of the U.S. Conference of Mayors

May 22, 2013—Mark L. Shurtleff, former Utah Attorney General

May 22, 2013—Catherine W. Sanz, President, WIFLE Foundation, Inc.

May 23, 2013—National Association of Attorneys General

May 23, 2013—Janet Murguia, President and CEO, NCLR

May 28, 2013—Neil Getnick, Chairman, Taxpayers Against Fraud

May 28, 2013—Michael Brune, Executive Director, Sierra Club

Mrs. FEINSTEIN. Mr. President, I am pleased that the Senate is considering Tony West's nomination to be Associate Attorney General of the United States today. I have a great deal of respect for Tony. As a fellow Californian, I know he will serve the position of Associate Attorney General with distinction.

The role of the Associate Attorney General—the third-highest ranking position at the Department—is to help lead the Justice Department and to oversee the Department's civil units, such as the Civil Division, Antitrust Division, and Tax Division, as well as the Office of Justice Programs, which provides grants, including to State and local law enforcement.

Mr. West's qualifications for this position are unquestionable. He has served as Acting Associate Attorney General since March 2012. He also spent 3 years as Assistant Attorney General of the Civil Division, so he is no stranger to the responsibilities and demands of leadership in the Justice Department.

From 2001 to 2009, Mr. West was a partner at Morrison & Foerster LLP, where he represented major corporations in securities litigation, antitrust cases, and white-collar criminal defense.

From 1994 to 1999, he served as assistant U.S. attorney in the Northern District of California for 5 years. He prosecuted high-tech crimes, bank robberies, fraud schemes, and sexual exploitation offenses.

He received his bachelor's degree from Harvard University and later earned his law degree at Stanford Law School, where he was president of the Stanford Law Review.

Simply put, Tony West brings a great deal of experience in Justice Department leadership, private practice, and criminal prosecution to this position.

I am confident he will do an outstanding job, and I urge my colleagues to support his nomination.

Mrs. MURRAY. Mr. President, I ask unanimous consent that the time under the quorum call be divided equally.

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

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

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

The assistant legislative clerk proceeded to call the roll.

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

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

THUD APPROPRIATIONS

Mr. VITTER. Mr. President, I rise to propose and support two amendments to the appropriations bill that is on the

floor today and will continue into next week. They both have a common theme, and that theme is to keep faith with the American people; to not put ourselves here in Washington, here in Congress, in a different, higher class than middle-class Americans but to be one of them; to truly represent them; to truly fight for them here in Washington.

The two amendments address this in different ways. One is to block a pay raise that would otherwise happen for Members of Congress even in the midst of this very sluggish economy, barely getting out of the recent recession. There is an automatic pay raise in the law. This was done years ago, really behind closed doors in a bit of a smoke-filled room, to put an automatic pay raise for Members of Congress in the law so that almost every year it just happens automatically. There is no inconvenience of having to propose it, actually having to come to the Senate floor and come to the floor of the House of Representatives and justify it and, God forbid, have to vote for it. It just happens.

I disagree strongly with that system. I think that entire system and premise is offensive. For that reason, Senator CLAIRE McCASKILL of Missouri and I have a bill, a proposal to undo that and require that any future pay raise has to be proposed, justified on the floor of the Senate and the floor of the House, and actually voted on. This amendment is not that entire bill. This amendment is focused on the here and now, to block the automatic pay raise that would happen this year if we do not act.

You will hear from members of the committee, handlers of this appropriations bill, that this amendment is not relevant, is not germane to this bill. The folks who set up the automatic pay raise system several years ago were very clever. They figured out a way that an amendment such as this would not be germane to any appropriations bill, would not be germane to any bill. That is why we need to act on this bill—because this may be one of the few appropriations bills, spending bills we actually deal with on the floor of the Senate this year.

To the credit of Congress, in the midst of the recent recession Congress denied itself these automatic pay raises, so they have not happened since 2009. But we are not into healthy growth. The American middle class is not doing just fine. Unemployment is still over 7.5 percent—7.6 percent, which is well above the 5 percent promised when Congress and President Obama passed a \$1 trillion stimulus. In fact, we have had 53 straight months with unemployment above 7.5 percent. That is not a healthy economy. That is not recovery.

As Americans continue to suffer, continue to look for work, continue to look for full-time work as part-time becomes more the norm, particularly in the era of ObamaCare, we need to relate to them and not set ourselves

apart. We need to be a fighter for them, not a member of a higher, different class in Washington. One simple but important way to do that is to say no pay raise when we are in the midst of this very sluggish nonrecovery.

Again, Senator CLAIRE MCCASKILL of Missouri has joined me in this effort. I appreciate her partnership on the broader bill, and I appreciate her partnership on this amendment, the Vitter amendment No. 1746. I urge all my colleagues, Democrats as well as Republicans, to adopt and support this commonsense amendment.

This is an important message. This is an important statement. The question and the choice is simple: Are you going to be a true representative of the folks back home, relate to them, be one of them, or did you really come to Washington to put yourself in a different, higher class? The answer needs to be the first answer provided. We need to represent the folks back home, not put ourselves in a different, higher class. This pay raise amendment is one way to do that. Say no to any congressional pay raise in the midst of this horribly slow economy.

My second amendment also continues this theme. It relates to our health care benefits, but it is really the same issue, the same theme. Are we one with the folks we were elected to represent or are we trying to set ourselves out as a different, higher class here in Washington?

This amendment is Vitter amendment No. 1748. It would ensure that all Members of Congress, all congressional staff, and all executive appointees deal with ObamaCare in the same way ordinary Americans do. They have to go in the exchange; they have to deal with their health care that way. They do not get special treatment.

In the midst of the ObamaCare debate, that issue came up. I brought up the issue. I brought an amendment to the floor. My Louisiana colleague JOHN FLEMING did the same thing in the House. Because of the attention we focused on that issue, there was a limited provision in the law that said Members of Congress and their direct staffs would be in the exchanges. However, very conveniently, some of the details were jiggered around so that Members of the leadership and their staffs and committee staffs would somehow be in a different, higher category and they would not be subject to the same ObamaCare rules. They would benefit from the very generous and very lucrative Federal Employees Health Benefits Plan that Congress has traditionally been under.

I think we should undo that. I think we should be one of the American people, relate to the American people, and get the same treatment through the exchanges that the great majority of them will get under ObamaCare. The problem is that here on Capitol Hill, again behind closed doors, the effort is largely in the opposite direction.

The Wall Street Journal unveiled this on April 25 of this year. It reported

that Senator REID and Congressman STENY HOYER had initiated some behind-closed-doors secret discussions to actually fix the problem, as they saw it, and put all Members of Congress and all of our staffs back in that select category—not with the American people, not in the exchanges, but in that select higher category and be granted preferential treatment. Because that hit the press, because that word got out, I am hopeful that those secret negotiations have stopped. We need to make sure we do not move in that direction.

ObamaCare is a train wreck. Implementation is causing dramatic problems for millions upon millions of Americans. But the solution is not to fix it selectively for us; the solution is to fix it for everybody, to fix it for average middle-class Americans. If we do that we would benefit as well.

So this amendment not only blocks the effort by Senator REID and STENY HOYER and others to move Members of Congress and our staffs back into a select category and protect us from the train wreck of ObamaCare implementation, the solution is to broaden that pool and actually have that same treatment, along with ordinary Americans, for every Member of Congress, for all of our staffs, for leadership, for committee staffs, and also for President Obama's appointees.

My amendment, Vitter amendment No. 1748, on which DEAN HELLER is a cosponsor, would do just that. It would ensure that all bureaucrats, all Obama appointees, all congressional staff, all Members, leadership and otherwise, all of our staffs, committee and otherwise, are subject to ObamaCare and are not put into a select higher class and offered preferential treatment—again, the common theme with my other amendment. That is how we relate to the folks we represent. That is how we are truly one of them.

ObamaCare is a problem. Implementation is a train wreck. But the solution is not to put ourselves in a higher class, divorced from that problem; the solution is to live that problem ourselves, and hopefully that will promote us and motivate us to solve that problem for all of the American people.

This is not a partisan amendment. This should not be a partisan fight. This is about are we truly part of the States we represent? Do we truly relate to those citizens who sent us to Washington or do we come here and put ourselves in a select, different class, give ourselves preferential treatment under law, after law, after law—in this case, ObamaCare?

Again, this is Vitter amendment No. 1748. I urge all my colleagues—Republicans, Democrats, Independents, everyone—to support it, to tell your constituents: No, I did not come here to put myself in a special class. I did not come here to get preferential treatment. I came here to fight for you.

And, yes, ObamaCare has major issues, major problems. Implementation is, as one of my Democratic col-

leagues has forthrightly said, a train wreck. But the solution is not to fix it behind closed doors selectively for us; the solution is to fix it—which personally I think means delay or repeal it—for the American people.

I yield the floor.

I suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Ms. BALDWIN). Without objection, it is so ordered.

Mr. GRASSLEY. Madam President, am I in order to speak about the nomination of Tony West?

The PRESIDING OFFICER. The Senator is in order.

Mr. GRASSLEY. Madam President, today the Senate will vote on the nomination of Tony West to be Associate Attorney General. Although I will be supporting Mr. West's nomination, I have some concerns about his record that I want to share with my colleagues.

This is a very important position. The Associate Attorney General is the third highest ranking official within the Department of Justice. Mr. West is currently serving as Acting Associate Attorney General, and as far as I can tell he has generally done a pretty good job. However, before serving as Acting Associate Attorney General, Mr. West was confirmed as Assistant Attorney General for the Civil Division. My concerns are with his record while serving in that position.

Specifically, while heading the Civil Division, Mr. West was involved in and even defended the quid pro quo deal between the Department of Justice and the City of St. Paul, MN. That scheme was orchestrated by Tom Perez, who headed the Civil Rights Division and was recently confirmed by the Senate to be Labor Secretary.

My colleagues have heard me on the floor of this body many times talking about this quid pro quo, most often emphasizing Tom Perez's involvement with it, but not too much about Mr. West.

The quid pro quo involved the Department agreeing to decline two False Claims cases pending against the City of St. Paul. Remember, if successful, those two False Claims cases were estimated—and they were pretty good cases—to bring \$200 million back into the Federal Treasury. In exchange, the City of St. Paul would agree to drop a case pending before the Supreme Court.

As I have said, I have spoken at length on the St. Paul quid pro quo as it relates to the nomination of Mr. Perez to be Secretary of Labor.

As my colleagues know, I have been a major supporter of whistleblowers and their protection under the laws of this country. Whistleblowers are a very important source of information in helping us if laws are not being abided by

or money is being misspent. Of course, that is why I authored the 1986 amendments to the False Claims Act. It was to protect whistleblowers, but it also gives a resource for getting money back into the Federal Treasury if it is misspent.

Those amendments—meaning the False Claims Act amendments—revitalized the law by empowering individual qui tam whistleblowers to come forward and file suits on behalf of the Federal Government to recover taxpayer dollars lost to fraud. Since those amendments were enacted, over \$40 billion has been recovered.

Under Mr. West's tenure as head of the Civil Division, that Department has been successfully utilizing the tools of qui tam whistleblowers' information. Of course, they are not shy about saying so, and as far as I am concerned it is their right to do that. The more publicity we can have about recovering money under the False Claims Act, the more we may encourage more whistleblowers to come forth and recover even more money.

The False Claims Act is within the purview of the Civil Division, which Mr. West oversaw at that time, not the Civil Rights Division. However, in the quid pro quo, the evidence uncovered by my investigation suggests that Mr. West allowed Tom Perez to take control of the Civil Division in order to cut this deal that saved Mr. Perez's favored legal theory referred to as the "disparate impact" theory. As I have discussed previously, Mr. Perez was concerned the Supreme Court was going to strike down this theory as unconstitutional.

In doing so, the Department undercut a viable case against St. Paul and, in the process, left the whistleblower who filed the suit to fight the City on behalf of the American taxpayers all alone—left him out there twisting in the wind.

This is not how I expect the Department to treat good-faith whistleblowers. They are patriotic people. They are people who probably destroyed their opportunity of livelihood because they know something is wrong and they want to report it, just as patriotic people ought to do. In fact, I believe it is contrary to the assurances Mr. West gave me during his confirmation hearing in 2009 when he indicated he would protect whistleblowers and vigorously enforce the False Claims Act.

Let everybody understand there is not a single individual subject to Senate confirmation in the Justice Department who comes before the committee or to my office for an interview that I don't ask them their view of the False Claims Act, because I don't want anyone serving in the Justice Department who doesn't support vigorous enforcement and use of the False Claims Act.

As I have said, ultimately Mr. Perez was the architect of this ill-advised quid pro quo that left Frederick Newell, a good-faith whistleblower, hanging

out there to dry. In my view, Mr. Perez bears the most responsibility in this whole matter. He was the one who was manipulating the process and he did so at times behind the back of Mr. West.

Nonetheless, Mr. West was the individual in charge of the Civil Division, and as head of that division the decision regarding whether to join those False Claims cases fell to Mr. West.

It is troubling to me that Mr. Perez, who at the time was head of the Civil Rights Division, would be the one who was so clearly orchestrating the deal, and acting as de facto head of the Civil Division. Unfortunately, Mr. West let him get away with it. So that concerns me as it relates to the nomination of Mr. West to be the third highest ranking official at the Department of Justice.

We need individuals serving in these positions who are willing to stand up to those who are trying to advance a political agenda; and that is exactly what Mr. Perez was trying to advance. In this instance, at least, it doesn't appear that Mr. West stood up to Mr. Perez as he should have.

On the contrary, the record appears to indicate Mr. West allowed Mr. Perez to orchestrate this deal on behalf of the Civil Division even though Mr. Perez was head of the Civil Rights Division.

However, notwithstanding these concerns, I am willing to give Mr. West the benefit of the doubt and vote for his nomination. Part of the reason I am willing to do so is because the Civil Division, under the leadership of Mr. West, has established a respectable record in utilizing the tools available under the False Claims Act amendments that I got passed in 1986 and that have brought back into the Treasury approximately \$40 billion.

And, as an instance of the use of the False Claims Act by Mr. West, the Civil Division secured approximately \$4.9 billion coming back into the Federal Treasury in the single year of 2012. Taken together over the last several years, the Civil Division has secured a total of approximately \$13.3 billion.

Obviously, this is not an insignificant amount of taxpayer dollars coming back. Although the Department's recovery of this money, on the one hand, does not excuse their behavior in the quid pro quo matter, I do believe Mr. West deserves a certain degree of credit for his leadership in this area.

So, as I said, I will support his nomination, and I expect he will be confirmed. It is my sincere hope he will perform his job well and not let somebody undercut him as he let Mr. Perez undercut him in regard to the quid pro quo and the False Claims cases involving St. Paul, MN. But I want him to know, and everybody else to know, that I plan to conduct aggressive oversight of the Department to ensure the mistakes that occurred as part of the quid pro quo that potentially cost the taxpayers nearly \$200 million lost to fraud are not repeated.

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.

The PRESIDING OFFICER. The Senator from Montana.

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

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

Mr. TESTER. I ask unanimous consent that all time be yielded back.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the nomination of Derek Anthony West, of California, to be Associate Attorney General?

Mr. TESTER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

There is a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Kansas (Mr. MORAN).

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

The result was announced—yeas 98, nays 1, as follows:

[Rollcall Vote No. 186 Ex.]

YEAS—98

Alexander	Franken	Murkowski
Ayotte	Gillibrand	Murphy
Baldwin	Graham	Murray
Barrasso	Grassley	Nelson
Baucus	Hagan	Paul
Begich	Harkin	Portman
Bennet	Hatch	Pryor
Blumenthal	Heinrich	Reed
Blunt	Heitkamp	Reid
Boozman	Heller	Risch
Boxer	Hirono	Roberts
Brown	Hoeven	Rockefeller
Burr	Inhofe	Rubio
Cantwell	Isakson	Sanders
Cardin	Johanns	Schatz
Carper	Johnson (SD)	Schumer
Casey	Johnson (WI)	Scott
Chambliss	Kaine	Sessions
Chiesa	King	Shaheen
Coats	Kirk	Shelby
Cochran	Klobuchar	Stabenow
Collins	Landrieu	Tester
Coons	Leahy	Thune
Corker	Lee	Toomey
Cornyn	Levin	Udall (CO)
Crapo	Manchin	Udall (NM)
Cruz	Markey	Vitter
Donnelly	McCain	Warner
Durbin	McCaskill	Warren
Enzi	McConnell	Whitehouse
Feinstein	Menendez	Wicker
Fischer	Merkley	Wyden
Flake	Mikulski	

NAYS—1

Coburn
NOT VOTING—1
Moran

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table. The President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2014

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 1243 which the clerk will report by title.

The bill clerk read as follows:

A bill (S. 1243) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes.

Pending:

Murray (for Cardin) amendment No. 1760, to require the Secretary of Transportation to submit to Congress a report relating to the condition of lane miles and highway bridge deck.

Coburn amendment No. 1750, to prohibit funds from being directed to federal employees with unpaid Federal tax liability.

Coburn amendment No. 1751, to prohibit Federal funding of union activities by Federal employees.

Coburn amendment No. 1754, to prohibit Federal funds from being used to meet the matching requirements of other Federal programs.

AMENDMENT NO. 1760, AS MODIFIED

Mrs. MURRAY. Madam President, I call for the regular order with respect to Amendment No. 1760 and to modify it with the changes which are at the desk.

The PRESIDING OFFICER. The amendment is so modified.

The amendment (No. 1760), as modified, is as follows:

On page 38, between lines 17 and 18, insert the following:

SEC. 127. Funding made available under the heading "FEDERAL HIGHWAY ADMINISTRATION LIMITATION ON ADMINISTRATION EXPENSES" shall be made available to submit to Congress a report describing the percentages of lane miles and highway bridge deck in each State that are in good condition, fair condition, and poor condition, and the percentage of Federal amounts each State expends on the repair and maintenance of highway infrastructure and on new capacity construction.

Mrs. MURRAY. I understand my colleague is here to offer an amendment. I yield to him at this time.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. Madam President, I ask unanimous consent to call up amendment No. 1783.

The PRESIDING OFFICER. Is there objection?

Objection is heard.

Mrs. MURRAY. It is my understanding the Senator from Connecticut was going to call up an amendment. There was an objection?

The PRESIDING OFFICER. The Senator is correct.

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

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

AMENDMENT NO. 1783

Mr. MURPHY. I call up amendment No. 1783 and ask that it be pending.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered. The clerk will report.

The legislative clerk read as follows:

The Senator from Connecticut [Mr. MURPHY] proposes an amendment numbered 1783.

Mr. MURPHY. I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To require the Secretary of Transportation to assess the impact on domestic employment of a waiver of the Buy American requirement for Federal-aid highway projects prior to issuing the waiver)

On page 34, line 23, after "shall" insert "assess the impact on domestic employment if such a waiver were issued and".

Mr. MURPHY. Mr. President, there is a broad consensus among the people of this country that when we spend dollars through the Federal Treasury, when we spend taxpayer dollars, they should be used to fund American jobs. In fact, that has been a law on the books since the early part of this century. For a long time the Buy American Act has required that when we buy things, whether it be through the military or through the Department of Transportation, we buy things from American contractors. That makes more sense today than ever before because as we struggle to try to get our economy back up and running, one of the sectors that is hurting more than others is the construction sector. Every time we violate the Buy American provisions of our law, we lose the opportunity to try to alleviate great stress that is currently upon our construction industry.

Thankfully, the DOT has been one of the best agencies, actually, when it comes to making sure American-made material goes into construction projects. The \$41 billion the Highway Administration receives in this bill to be spent on roads and bridges is an important engine of job growth throughout the country. I have to say they generally do a pretty good job, as opposed to some other agencies—the Department of Defense at the top of the list—in making sure those dollars go to American companies.

There are circumstances in which the Buy American provisions are waived. There are a number of ways you can waive those provisions, but it is important for us to have full transparency and disclosure when the Department of Transportation and FHWA are considering awarding a major project funded by American taxpayers to a foreign company.

When the Buy American statute is waived, the requirement that American-made material be used is null and void. What this bill says is that when the FHWA provides public notice that they are considering waiving the Buy American clause for a particular project, they include in that public notice a consideration of the impact on American jobs. It is worth knowing whether a waiver is simply going to result in the loss of 10 American jobs or the loss of 500 American jobs.

This amendment very simply says that when a waiver to the Buy American law is pending, we should know from the Department of Transportation and from the FHWA how many American jobs are at risk. That gives us the opportunity to weigh in and try to make sure that waiver is not granted. This, frankly, gives American companies a little bit better information to use when they are trying to make the case that they can actually do the work that may be being considered for a foreign company.

We all know what is happening to jobs in the building trades. In some parts of the country unemployment is hitting 20 percent when it comes to carpenters, operating engineers, plumbers, and sheet metal workers.

I wish to applaud the DOT for being one of the models when it comes to trying to make sure taxpayer dollars are kept here at home. This amendment would make sure that in those limited cases where the DOT is sending work overseas, we get a chance to understand what the real impact will be.

We have a lot of work to do when it comes to tightening our Buy American laws. We are talking about the DOT, but the real problem is another agency we will hopefully have a chance to talk about later on the Senate floor; that is, the Department of Defense. Seventy percent of Federal purchasing comes through the Department of Defense. They have been expediting the offshoring of defense work at a rate that should make every single Senator on this floor shudder.

This is an important amendment that I hope will get bipartisan support. I thank Senator COLLINS for allowing it to become pending on the floor. I think it is just the beginning of a lot of work we have to do when it comes to enforcing a very simple principle. When our constituents send their hard-earned tax dollars to Washington, DC, and they are used to buy things or build things for the U.S. Government, we need to hire U.S. companies and American workers to do the job.

I ask unanimous consent that there be a period for debate only until 2:15 p.m. today.

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

Mr. MURPHY. 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. CHAMBLISS. 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. CHAMBLISS. Mr. President, I come to the floor today to voice my concerns with the Transportation, Housing and Urban Development appropriations bill.

I do not take issue with the bill's specific spending provisions, and I believe my home State of Georgia needs a strong bill that recognizes the importance of ongoing infrastructure and housing and development projects. As some of my colleagues have already noted, this bill includes many taxpayer protection provisions, specifically that extravagant conferences will be curtailed, an issue many of our constituents as well as Members of Congress were shocked to learn about. But my concern is with the overall spending level and the decision of the majority to write this and other appropriations bills to levels that exceed the Budget Control Act.

In 2011, Congress passed the Budget Control Act which placed caps on what the Federal Government could spend. I voted against that bill in August of 2011. Over the years I have served in both the House and the Senate and there have been too many times when I have seen both bodies come together to bust spending caps. For us to have no checks and balances on the ability of either the House or the Senate to bust the spending caps that were set in 2011, I thought, was wrong because they were going to get busted. Well, guess what. Here we are, and this is not the first time since 2011 we have had a vote in the Senate that will ultimately bust those spending caps.

The THUD appropriations bill the Senate is now debating completely disregards the 2011 Budget Control Act. THUD is the first of 12 appropriations bills the Senate will consider on the Senate floor. So my question to my colleagues is, What kind of precedent are we setting for the remaining spending bills?

While all Americans deserve for Congress to pass appropriations bills, we simply cannot afford to pass bills that spend more than our government can fund. This Senate bill alone costs \$5 billion more than is allowed under the Budget Control Act. How can we demand a cure to our fiscal woes if we cannot take our own medicine of fiscal restraint? We should focus our efforts on legislation that can pass both Chambers of Congress and be signed into law by the President, not create another political nightmare that negatively affects the country as well as our constituencies.

Right now, the Senate can correct this mistake and allocate spending in a manner that is consistent with the law we passed. Shortly, my colleague from Pennsylvania, Senator PAT TOOMEY, will come to the floor and offer a motion that would require the Appropria-

tions Committee to change the spending levels of this bill to comply with the Budget Control Act or, in other words, to comply with current law. I urge my colleagues to follow Senator TOOMEY's lead and vote to recommit.

We should work toward a bill that adheres to the budget guidelines set by the Budget Control Act and provides the needed appropriations for the Department of Transportation, Department of Housing and Urban Development, as well as the independent agencies. While I would like to see the Senate pass a Transportation, Housing and Urban Development appropriations bill, the bill before us now does more harm than it does good.

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

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

SEQUESTRATION

Mr. WARNER. Mr. President, I rise today to talk about the very real effects sequestration is having. I want to speak about the people of Virginia, but I am sure it is equally true of folks in New Mexico and for that matter folks all across the country. I remind folks, sequestration was set up so it would be so stupid, so draconian, so outside the realm of possibility that no rational people would ever let it happen. We are actually seeing now that we did not pass that bar. Sequestration is happening. It is actually stupidity on steroids.

Earlier this week a group of us heard from Dr. Francis Collins, the head of NIH. NIH, as we all know, is America's premier health research institution. Dr. Collins told us of the real world impacts of sequester cuts. He gave heart-breaking examples of lifesaving medical research that is being disrupted, perhaps irrevocably, due to budget cuts and employee furloughs.

Two days ago I had the opportunity to chair a Budget Committee hearing about the impact of sequestration on our Nation's security. We heard policymakers talk about what sequestration was doing to military readiness. But what drove home the point to me was Virginia business owner Mark Klett who had actually been named as the Small Businessman of the Year back in 2011, who said this start-and-stop environment, where you did not have any predictability of whether your funding was coming through, was completely wrecking his business model and it already had caused him to bench over a third of his 60 employees.

In the last 2 weeks alone, since sequestration has started, I have received over 500 letters, e-mails, phone calls from Virginians who are bearing the very real brunt of our failure to do our job, with real consequences on real peo-

ple with potentially devastating impacts on a dedicated, experienced Federal workforce. This is no way to run a business. It is no way to run an enterprise as large as the Federal Government.

One letter is from Virginia Beach. Hampton Roads and Virginia Beach are our most concentrated area of naval installations and Air Force and Army installations. This woman is from Virginia beach. Her husband is a retired Navy officer who is now furloughed once a week for the next 11 weeks. She writes that her husband came home with a letter about the furlough, that he felt his moral character and the oath he had taken to protect his Nation would not allow him to write, so she said she was going to write. She says:

It pains me to see what he has worked so hard to defend, you're working so hard to tear down. This country is deserving of good leadership and right now Congress is not providing it.

Another Navy employee from the Fredericksburg area writes:

Three years of pay freezes followed by a furlough seriously makes me question if this is where I want to spend the rest of my career.

Think about the hours and dollars that we as a public have invested in getting these individuals trained to provide these services. They are now saying they are not sure this is where they want to work.

A woman down at the Portsmouth Naval Hospital writes:

Both my husband and I are DOD employees and will be taking a 20 percent pay cut for 11 weeks.

She points out they may be able to get by but a lot of her coworkers do not know how they are going to make ends meet.

A Federal employee from Woodbridge, VA, down the road in Prince William County, says:

I want all my elected officials to know how disappointed I am that we have been abandoned and let down by our representatives in Congress.

I have three children in college, and I am paying for college loans of two children who have graduated. Eleven furlough days don't sound like much, but over the year a loss of over \$4,000 in income is crucial. If I ran my own budget like this, I would have to fire myself.

This employee I do not think is going to get a sequestration discount on repaying those student loans.

A West Point graduate and Iraq war veteran says:

The failure of Congress is having a tangible and real negative impact on people's lives and livelihood. I do not see leadership, I do not see accountability, and I do not see selfless service that rises above partisan politics.

Finally, a former Army officer who lives in Springfield, VA, says:

The morale in our agency is so poor that most workers who used to work 10 or 11 hours a day are planning to work their exact 8 hours [only].

So the 20 percent cut 1 day a week is actually cutting productivity in a much greater percentage.

I could stand here the rest of the afternoon and go through letter after letter that has the same theme. What strikes me about these letters—I am sure, again, the Presiding Officer is hearing from New Mexicans what we are hearing from Virginians—is that none of these letters talk about the red team or the blue team. None of these letters say this is all the Democrats' fault or Republicans' fault. None of these letters say this is a House problem; the Senate has the solution.

They are saying, regardless of party, regardless of whether you are in the House or the Senate, your job is to get this fixed. It is appropriately targeted at the entire Congress and, while our dismal performance recently may be great fodder for late night comedians, I think having a 90-percent-plus disapproval rating candidly undermines Americans' basic faith in our democratic institutions.

Let me try to respond. Here is what I have done and will continue to do. I will keep fighting for the significant Federal workforce that lives in the Commonwealth of Virginia. In the 4½ years I have been in the Senate, I have come down to the floor on a regular basis to celebrate the great work of individual Federal employees. I will continue to come down to the floor and appeal to my colleagues and provide real examples of the real impacts that this funny name—sequestration—is actually having on people's livelihoods.

On a personal basis I am giving up 20 percent of my salary through the end of this budget year. I am donating it to the Federal Employee Education & Assistance Fund, which provides emergency loans as well as childcare assistance, scholarships, and other financial help for the families of Federal and postal workers.

I will continue to work with any colleague, Democrat, Republican, Independent, libertarian, vegetarian—it doesn't matter—who is willing to try to, yes, replace sequestration in a more rational way and get our debt and deficit under control.

I am proud of the fact that the 3½ years—I guess 4½ years I have been here, there is no issue on which I have tried to work harder. I am proud of the fact I was one of the founders of the so-called Gang of 6 that built on the very good work of the Simpson-Bowles plan. And I remind my colleagues, anyone who thinks there is any solution that is not going to involve raising additional revenues and starting to reform our entitlement programs either can't read a balance sheet or has not grasped the magnitude of this issue.

I will continue to advocate for a balanced bipartisan blueprint that will work on these issues: Raise the revenues, not to grow the size of government but to pay our bills, make sure the promise of Medicare and a Medicaid and Social Security are here, not just for today's generation but for future generations, in a way that is responsible.

We are soon coming up on another series of important fiscal and budgetary deadlines. I know many of my colleagues and the American public probably got to budget fatigue after the end of the fiscal cliffs and supercommittees and debt ceilings and thought maybe we were past a little bit of that.

Well, the economy is recovering and the size of the deficit is decreasing but our challenge is still in front of us. We are soon set to come to the end of this fiscal year which will present these issues again at the end of September. The debt ceiling will be not far after that. I have heard there are only slightly more than 20 legislative days left before the new fiscal year starts. It is incumbent upon us to recognize, to reflect the voices of these Virginians who, again, don't call out red team, blue team or House or Senate, but say to us in Congress, implore us to do our jobs.

We have been joined by my colleague, the Senator from Maryland. I think we could debate whether Maryland or Virginia is more ground zero for the negative impacts of sequestration. But whether it is NIH workers in Bethesda or civilian Navy employees in Woodbridge, the stories are the same. This is not fair. It is not right. None of these folks are getting a 20-percent discount on daycare, rent or, as the one person said, repayment on their student loans.

It is incumbent upon us to get this problem fixed and that is going to require the kind of hard work on revenues and entitlement reform so many of us have tried to avoid; otherwise we will not see an America that will stay as competitive as it needs to be and we will disrespect the literally hundreds of thousands if not millions of workers who work directly or indirectly to protect our Nation and are trying to provide the services that are so essential to our people.

Let's not do any more harm. Let's not waste any more time.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, I have not been on the floor during the entire remarks of my friend from Virginia, but I did hear part of it. I first want to thank him for his extraordinary leadership on behalf of the people of Virginia and on behalf of a sensible way to resolve our budget problems. The Senator has been a leader in building bridges and recognizing how devastating sequestration is, not just to the Federal workers who live in his State, not just to the people who live in his State, but to our entire country.

This is dangerous, sequestration. The Senator has been a leader in pointing that out.

He has also made it very clear that sequestration is mindless across-the-board cuts and that we have a responsibility to make priority decisions. When we use sequestration we are on automatic pilot but it is an automatic pilot

that cannot carry out its current mission. It cannot safely navigate the air. That is where we are.

I applaud my colleague for taking on this issue of saying to our friends on both sides of the aisle: Let's listen to each other. We know we are divided. We have different views. But we need to sit down, work together, and come up with a sensible way to balance the Federal budget to give the predictability that is necessary and to eliminate these sequestration cuts.

It is particularly painful right now when we have so many Marylanders, so many Virginians, so many people in this country who are receiving paychecks with a 20-percent cut. Yet the work they have to do is the same.

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

Mr. CARDIN. I will be glad to yield.

Mr. WARNER. I thank the Senator from Maryland for his comments. Let me say no Senator has served with more distinction, both here in the Senate and prior to that in the House, in being a constant advocate for Federal employees and being willing to step up to protect them and rebut what we too often hear from some of our colleagues who, across the board, without distinction, demean and denigrate the extraordinary good work that so many countless unnamed Federal employees do.

I thank the Senator from Maryland for that work. I thank him for his continued willingness in conversations with me and others to talk about: Hey, we all have to stretch a little way to get things done. I know he is hearing the same thing in Maryland. People are not distinguishing red shirt, blue shirt. They want us to get this done. I thank the Senator for his good work and I look forward to working with him and folks on both sides of the aisle on this issue.

Mr. CARDIN. I thank my colleague for his comments. I understand he already mentioned what has happened at the National Institutes of Health and the fact that, because of the sequestration cuts, the number of grants being given out this year, contracts with young scientists to do research, is going to be cut by the hundreds.

We don't know which one of these researchers would have come up with an advancement, a major breakthrough, but there would have been some. And they are going to be denied. They may get discouraged, the people who would have received these grants, and they may go into other fields. We may lose them forever. They may go to other professions. They may go to other countries. But we know they are not doing the work they are trained to do and we know they had a proposal that went through the most difficult vetting process and was selected for funding and should have been funded but is not being funded because of these sequestration cuts. That we know. That much we know for sure.

We also know it is not just that researcher who has been hurt by the sequestration cuts. It is the businesses that depend upon the basic research—many of which are small companies—in order to build upon that research to create the products that go into the marketplace and create the jobs that are necessary for our economy. There is a direct loss to the economy of our country as a result of these sequestration cuts. It is time we move forward and resolve the problems of our country.

I agree with my friend from Virginia that we have to find a way on both sides of the aisle to come together, but I must point out it has been extremely difficult, particularly with the climate in the other body. In the current issue of *New York magazine*, Jonathan Chait writes:

The chaos and dysfunction have set in so deeply that Washington now lurches from crisis to crisis, and once-dull, keep-the-lights-on rituals of government procedures are transformed into white-knuckle dramas that threaten national or even global catastrophe.

The Republican party has spent 30 years careering ever more deeply into ideological extremism, but one of the novel developments of the Obama years is its embrace of procedural extremism. The Republican fringe has evolved from being politically shrewd proponents of radical policy changes to a gang of saboteurs who would rather stop government from functioning at all.

This brinkmanship is preventing the economic recovery from gaining steam, it is preventing us from addressing urgent problems, and it is punishing all Americans, not just Federal workers.

If we come together on behalf of the American people, we can replace sequestration with a measured and balanced approach to deficit reduction. We can agree on a path forward to fiscal solvency that spreads the burden equitably. We can begin to solve our problems instead of compounding them, but I will tell you what we cannot do. We cannot balance the budget on the backs of Federal workers. It isn't feasible, and it isn't fair.

Increasingly, Federal workers are asked to do more with less. According to the Office of Management and Budget, the size of the civilian workforce relative to the country's population has declined dramatically over the last several decades, notwithstanding occasional upticks due to military conflicts or the taking of the census.

In the 1950s and 1960s, there were, on average, 92 Americans for every Federal worker. In the 1980s and 1990s, there were 106 Americans for every Federal worker. By 2011, the ratio had increased to 145 Americans for every Federal worker. Since the 1950s and 1960s, the U.S. population has increased by 76 percent, and the private sector workforce has risen by 133 percent, but the size of the Federal workforce has risen by just 11 percent.

Relative to the private sector, the Federal workforce is less than half the size it was back in the 1950s and 1960s.

The picture that emerges is one of a Federal civilian workforce whose size has significantly shrunk compared to the size of the U.S. population it serves, the private sector workforce, and the magnitude of Federal expenditures.

I previously talked about the adverse effect of sequestration on many of our domestic agencies. I have talked a little bit today about the circumstances at NIH. I have talked about the Food and Drug Administration, the Social Security Administration, and other domestic Federal agencies.

I will focus, if I might, for the next few minutes on the impacts of sequestration on a particular group of Federal workers: the Department of Defense civilian employees who are part of a Total Force team providing invaluable support to our men and women in uniform serving in harm's way. These proud individuals have in the past few weeks suffered unnecessary hardships due to sequestration.

The primary priority of our government is the defense of our Nation and sequestration adversely affects the civilian men and women who help provide that defense. DOD civilians serve our Nation by advancing scientific research, providing logistical support to our servicemembers while forward deployed, and ensuring institutional stability within DOD offices as servicemembers rotate to different duty stations.

Recently, some in the media have promoted the idea that the \$85 billion sequestration cut triggered on March 1 isn't causing drastic effects. CNN called the cuts "not as bad as advertised," and the *Washington Post* reported that the cuts are less "scary" than predicted. Tell that to the 46,000 DOD employees in Maryland and another 103,000 in the Capital region who are being furloughed, losing up to 20 percent of their weekly pay through the rest of this fiscal year.

Earlier this month, the Defense Department began furloughing 652,000 civilian employees nationwide, forcing them to take up to 11 unpaid days off through September. This is in addition to the furloughs at the Department of Housing and Urban Development, the Environmental Protection Agency, and the Internal Revenue Service. These furloughs disrupt our national and economic security and put hundreds of thousands of Federal workers and their families in financial hardship. Our government cannot continue to provide for the defense of our Nation by maintaining such a harmful policy toward our civilian workers.

I have visited installations throughout Maryland. I have heard about and have seen the impact of furloughs of Defense Department employees and other Federal employees and the impact it will have on their ability to carry out their mission. These cuts and furloughs are affecting the ability of the agency to carry out its legal mission.

For instance, at Indian Head Naval Surface Warfare Center in Charles County, over 1,870 civilian employees—about 97 percent of the total government civilian workforce—are being forced to take leave without pay 1 day per week. It puts base police and fire protection, safety programs, air operations, air quality programs, and facilities at risk.

At Walter Reed National Military Medical Center, furloughs will hit 2,400 Defense Department civilians—94 percent of the civilian staff. Walter Reed is the country's top facility for wounded combat soldiers. Its Department of Orthopedics and Rehabilitation is the largest within the Department of Defense. Its seven specialty service clinics include one for traumatic brain injuries. Soldiers needing expert care might have to wait longer for appointments or be forced to nonmilitary facilities, both of which will drive up costs and compromise the quality of care.

I cannot say how many of us have taken the floor to talk about our commitment to make sure our service people—our wounded warriors—get the type of treatment they deserve. Many of us have visited the Walter Reed National Military Medical Center, and we are proud of the services that are being provided. Sequestration is hurting our ability to meet the mission we promised to the heroes who have served our Nation and have now come home and expect that health care to be available to them.

At Fort Detrick 4,900 Defense Department civilians will be furloughed. Those civilians support a multigovernment community that conducts biomedical research and development as well as medical material management that includes everything from advanced bandages to vaccines for soldiers on the battlefield and in military hospitals. That mission is at risk. There is no other place that can carry out the type of advanced lab work that is done at Fort Detrick.

Aberdeen Proving Ground, Harford County's largest employer, home to 11 major commands and more than 80 agencies, has approximately 11,500 DOD civilian employees subject to furlough, which is about half of APG's workforce. Before sequestration, APG reported contributing more than \$400 million in payroll and \$500 million in contracts annually. I can assure everyone that community will be affected and many businesses will be affected, as well as the mission at APG itself.

Just a few miles away at Fort Meade, Maryland's largest employer, sequestration is affecting the entire region. Most of its 27,000 DOD civilian employees face furloughs. These furloughs have all sorts of unintended consequences. A furloughed worker, for instance, may have trouble making his or her mortgage or car payments. Reduced credit worthiness may affect a worker's ability to maintain or obtain a security clearance. Is that how we

want to treat people who have helped defend us from terrorists?

Budgets cuts compounded by sequestration will lead to brain drain in the Defense Department, with some of the best and the brightest defense professionals in the Federal Government deciding to seek opportunities elsewhere.

The Federal workforce is better educated, older, and more experienced, on average, than its private sector counterparts. A significant number of Federal workers provide their services to the American people at a discount. They could command higher salaries in the private sector, but they choose to work for the Federal Government because they are patriots and they believe in public service.

The world is still a dangerous place. In such uncertain times, we cannot afford to let political dysfunction get in the way of ensuring our national security. Sequestration is harming our national security readiness.

Sequestration is not just about compromising the ability of Federal workers to carry out their critical missions on behalf of all Americans, and it isn't just hurting Federal workers and their families economically. Private sector businesses and communities across the country are being hurt by the reduced purchasing power of furloughed Federal workers.

Federal workers are similar to everyone else; they support the local businesses in their communities: auto dealers, restaurants, dry cleaners, you name it. They all suffer when Federal employees suffer. The local economy suffers and the recovery becomes that much harder and slower.

We need to stop demonizing and scapegoating and punishing Federal workers. We need to replace sequestration with a rational budget. One of the greatest attributes of the American character is pragmatism. Unlike what some other Federal employees are actually doing, in Congress, balancing a budget is not rocket science. We know the various options.

Former President Lyndon Johnson was fond of quoting the prophet Isaiah: "Come, let us reason together." That is what we need to do. We can acknowledge and respect our differences, but at the end of the day the American people have entrusted us with governing and with being pragmatic. Let us do our job so Federal workers can get back to doing their jobs.

I yield the floor.

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

Ms. COLLINS. Madam President, it is my understanding that the Senator from Arizona wishes to address the Chamber about an upcoming motion to recommit the bill.

I yield time to the Senator from Arizona.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. FLAKE. Madam President, this is the first appropriations bill we are considering for fiscal year 2014. Unfortunately,

in my view, it gets us off on the wrong foot because of the spending level. The bill spends more than \$54 billion, which is about \$5 billion above last year's spending level and more than \$10 billion over the House proposal for this coming fiscal year. Considering that our debt stands at over \$17 trillion, we ought to be spending less, not more this year.

This bill already takes a larger portion of the allowable spending compared to last year. People will point out that the budget agreement we agreed to in 2011 simply sets an aggregate number and that we can spend whatever we want in certain appropriations bills as long as the total doesn't go over \$967 billion. That is true, but it is impossible.

I can say that with experience in the House and now in the Senate; that if we overspend on the initial appropriations bills, we will somehow cut back in the bills that come later. Often the last bill to come up is the Defense bill. Nobody is going to undercut our troops or spend less on a defense bill, but that would be required if we were to stay under the budget control agreement number. When we overspend on the initial appropriations bills like this, it simply means one thing: that we are going to bust the budget.

I can tell my colleagues, to have any credibility with the taxpayers, we have to stick to the agreement that was agreed to in 2011. We passed so far. We even went through the sequester because we couldn't come up with an agreement to prioritize spending. But now, to go over the spending limit on the first appropriations bill would not set the right precedent moving ahead into the appropriations bills. We simply have to deal with this debt and deficit. This isn't the way to go.

That is why I support the upcoming motion to recommit that Senator TOOMEY will offer in a few minutes that will simply recommit the bill to the Appropriations Committee and say: Come back with something that fits within the Budget Control Act that is similar to what was spent last year, not overspending by \$5 billion. I hope we will pass this motion to recommit. I hope it will start off the appropriations bills in the Senate on the right foot.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. I yield 5 minutes to Senator HOEVEN.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. Madam President, I wish to thank the Senator from Maine, as well as Senator TOOMEY from Pennsylvania. I wish to express comments in regard to the motion to recommit we will be voting on around 3 o'clock.

THUD is an important bill. It includes funding for things we consider absolute priorities, including, certainly, transportation, roads, bridges, funds for housing and for other pur-

poses. So we very much want to fund the Transportation, Housing and Urban Development bill.

The problem we have is we haven't agreed, as far as the appropriations bills, as to an overall total of how much we will spend. That is really the problem we are confronting with this legislation.

Under the Budget Control Act, the total for all of the appropriations bills cannot exceed \$967 billion. That is the law. That is the law. But the majority party is appropriating to \$1.058 trillion. That is a problem. So as appropriators we want to go through prioritized spending, make sure we are funding the things that should be funded, and then for things that are lower priorities, not funding those so we can truly fund the priorities that are important to the American people.

The problem is we are not going to be able to do that unless we get an agreement on the total funding level, and that agreement is exactly what the BCA—the Budget Control Act—provides, and it says specifically \$967 billion. That is the law. That is the law.

We have a \$17 trillion debt. We have a deficit this year that CBO projects to be in the range of \$750 billion. That is a real problem for our country. That is a problem we have to address. We have to get the deficit and the debt under control. There are two ways to do that. One is to raise revenue that comes from economic growth, not higher taxes. It comes from economic growth and getting our economy going. Of course, the other way to reduce our deficit is to control spending, and that is what a budget is all about—and sticking to that budget. We ought to have a balanced budget amendment, which I very much support. But what we have right now is the Budget Control Act. It is the law.

So the question I ask is, Why is the majority party saying we are going to appropriate 12 appropriations bills that total \$1.058 trillion rather than \$967 billion? How are we going to get our deficit and our debt under control if we don't adhere to the budget guidelines that are set?

So the simple and very clear point I wish to make is this: As appropriators and as Senators, I believe we all want to prioritize funding. We want to make sure we fund the things that are important, such as infrastructure, such as housing, and other priorities. For things that shouldn't be funded, we should say we are not going to fund those items. That is the difference between prioritizing and the so-called sequester—the across-the-board cuts.

We are headed down a trail right now, if we approve this bill as is and bring other appropriations bills to the floor and approve them as they are, the sequester automatically kicks in again. Under the law, the sequester comes right back in and will bring these bills down to a total of \$967 billion. So what have we gained? We

haven't accomplished what we are trying to do, which is to prioritize the funding.

So let's find a way across the aisle to come to an agreement to make sure we prioritize funding and do so within the BCA limit of \$967 billion because that is what the law says. That is what the law says we have to do. We need to find a way to come to an agreement.

With that, I yield the floor.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Maine.

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

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

Ms. COLLINS. Madam President, later this afternoon, Senator TOOMEY will be offering a motion to recommit the Transportation-HUD appropriations bill back to the Appropriations Committee. While I commend Senator TOOMEY's goal of ensuring that the fiscal year 2014 spending levels comply with the Budget Control Act spending caps, I do not believe this is the right approach.

Let me be clear. I voted in the Appropriations Committee, as did every Republican member of that committee, for a top-line level of \$967 billion. That is the amount that is in the Budget Control Act. That is law. But this is the very first appropriations bill that has been brought to the Senate floor. We have no idea where we are going to be at the end of the process.

The two leaders of the Appropriations Committee have called for regular order, and I commend them for bringing appropriations bills to the floor starting with this one, one at a time, for debate, amendment, and full consideration. We have had many amendments filed to this bill. Several of them would reduce spending that is in this bill. One reduces spending by \$50 million for the HOME program that is being offered by the Senator from Arizona. There is another that reduces spending by over \$1 billion for the Community Development Block Grant Program. That is not a cut I happen to believe should be made, but that is a legitimate amendment that, if it passes, would reduce spending in this bill by \$1 billion. There are other amendments that have been proposed to reduce spending in this bill.

So this is turning the process upside down. It is recommitting to committee a bill before we have had the opportunity to determine what the final spending level in the bill is even going to be as a result of the many amendments that have been filed. Furthermore, we are not going to know if we have reached the cap until we finish all of the appropriations bills.

I realize my Democratic colleagues want a far higher spending cap than I

do and that the Budget Control Act provides, but I don't think we should short-circuit the process when there has been a good-faith effort to bring appropriations bills to the floor.

What I would propose in lieu of the approach offered by my friend and colleague Senator TOOMEY is an amendment which I am going to file this afternoon that says not later than October 1, the Committee on Appropriations shall revise the suballocations to the subcommittees for fiscal year 2014 such that the suballocations comply with the discretionary spending limits that are in the Balanced Budget and Emergency Deficit Control Act—what we refer to as the Budget Control Act, the BCA.

To me, this is the proper way to do it. If, at the end of the fiscal year, we find that the appropriations bills that have been passed exceed the statutory cap in the BCA, then we should reopen the process and reallocate the funds—the ceilings, the caps—across each of the subcommittees and produce bills that comply with the law.

Frankly, since current law applies this cap anyway, if we don't do that, sequestration will take effect on January 1 of next year. I do not think that is a good approach because it treats all programs as if they are the same and does not allow us to set priorities.

So I think the approach of the Senator from Pennsylvania is premature, a blunt instrument, and there is a reasonable alternative. I think it discourages a return to regular order where we bring the appropriations bills to the floor and where Members are free to eliminate whole programs, to cut billions if they wish to do so. Indeed, Members have worthwhile amendments that would reduce spending, but to send the bill back to committee before we have even had a chance to consider those amendments and before we have allowed the Senate to work its will is, to me, completely upside down of the way the process should work.

Furthermore, I will make the point once again that this is the first appropriations bill. How can we say the cap is breached when it is the very first bill to be brought before the Senate? Frankly, having gone through this process where we did have a free-standing Transportation-HUD bill and Senator MURRAY and I went to conference with our House counterparts, we came back with a consensus bill that became law that was in between the amounts in the Senate bill and the House bill. So we ended up at a lower level, which we knew we would, and which I will not feel I am going out on a limb in predicting we would in this case as well, since the Senate bill is higher than the House bill.

Why can't we let the process work? Why can't we consider the amendments that have been offered, some of which may well pass and reduce spending? Why can't we go to conference with the House where I believe additional cuts are probably likely? And why can't we

let the appropriations process unfold the way it should? Why should we short-circuit it now by saying, that is enough, let's return the bill to committee, we don't trust what is going to happen, when there are safeguards we can put in to ensure that at the end of the day we will be at the cap of \$967 billion?

As I said, I will file my amendment this afternoon to give us an actual mechanism to ensure that at the beginning of the fiscal year we are at those levels. That is one approach, and I think it is a far better approach.

Thank you, Madam President.

The PRESIDING OFFICER. The Senator from Washington.

AMENDMENTS NOS. 1756, 1803, 1785, AND 1789 EN BLOC

Mrs. MURRAY. Madam President, I ask unanimous consent that the pending amendment be set aside and the following amendments be called up en bloc: Coburn No. 1756, McCain No. 1803, Boozman No. 1785, and Udall of Colorado No. 1789; that the amendments be agreed to, en bloc, and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendments were agreed to en bloc, as follows:

AMENDMENT NO. 1756

(Purpose: To require public disclosure of certain reports)

At the appropriate place, insert the following:

SEC. _____. (a) Notwithstanding any other provision of this Act and except as provided in subsection (b), any report required to be submitted by a Federal agency to the Committee on Appropriations of the Senate or the Committee on Appropriations of the House of Representatives under this Act shall be posted on the public website of that agency upon receipt by the committee.

(b) Subsection (a) shall not apply to a report if—

- (1) the public posting of the report compromises national security; or
- (2) the report contains proprietary information.

AMENDMENT NO. 1803

(Purpose: To prohibit the obligation or expenditure of funds made available to the Department of Transportation for cyber security until the Secretary of Transportation submits to Congress a detailed plan describing how the funding will be allocated and for what purposes)

On page 12, between lines 12 and 13, insert the following:

SEC. 1 _____. None of the funds made available under this Act to the Department of Transportation for cyber security may be obligated or expended until the Secretary of Transportation submits to the appropriate committees of Congress a detailed plan describing how the funding will be allocated and for what purposes, including a detailed description of—

- (1) how the cyber security funding will be obligated or expended;
- (2) the programs and activities that will receive cyber security funding;
- (3) if and how the use of the funding complies with the Federal Information Security Management Act of 2002 (6 U.S.C. 101 et seq.) and any other applicable Federal law;

(4) the performance metrics that will be used to measure and determine the effectiveness of cyber security plans and programs; and

(5) the strategy that will be employed to procure goods and services associated with the cyber security objectives of the Department of Transportation.

AMENDMENT NO. 1785

(Purpose: To establish the Sense of the Congress that any vacancy in the position of Inspector General of the Federal Housing Finance Agency should be filled in compliance with the Federal Vacancies Reform Act of 1998)

At the appropriate place, insert the following:

SEC. _____. (a) Congress finds the following:

(1) The Housing and Economic Recovery Act of 2008 established an Office of Inspector General within the Federal Housing Finance Agency (in this section referred to as the "FHFA").

(2) The President has nominated Steve A. Linick, the current FHFA Inspector General, to be the next Inspector General of the Department of State.

(3) The nomination of Steve A. Linick to be Inspector General of the Department of State occurred on June 27, 2013, following a 1,989 day vacancy that began on January 16, 2008.

(4) The Federal Vacancies Reform Act of 1998 (5 U.S.C. 3345 et seq.) prescribes requirements for filling, both permanently and temporarily, vacancies that are required to be filled by Presidential appointment with Senate confirmation, and generally provides a limit of 210 days for persons serving in an "acting" capacity.

(b) It is the Sense of Congress that should a vacancy occur in the position of Inspector General of the Federal Housing Finance Agency, the President should act expeditiously to nominate a person to fill the position on a permanent basis and should wait no more than 210 days to nominate a person to serve in this position in the event of a vacancy.

AMENDMENT NO. 1789

(Purpose: To require the Federal Railroad Administration to evaluate regulations that govern the use of locomotive horns at highway-rail grade crossings)

On page 52, after line 24, add the following: SEC. 155. Not later than 180 days after the date of the enactment of this Act, the Administrator of the Federal Railroad Administration, in consultation with appropriate local government representatives, shall—

(1) evaluate existing regulations governing the use of locomotive horns at highway-rail grade crossings to determine whether such regulations should be revised; and

(2) submit a report to Congress that contains the results of the evaluation conducted pursuant to paragraph (1).

Mrs. MURRAY. Madam President, it is my understanding we have a Republican Senator who is coming to the floor shortly to make a motion to recommit. For the information of all Members, at some point to be agreed upon, we will dispense with that motion this afternoon. We are hoping to do that. I know a number of Members have asked the timing on that. I will work with the Senators and our staffs to try and do that as soon as possible. I know many Members are waiting.

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

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

TAX CODE REFORM

Mr. BAUCUS. Just outside this Chamber are the likenesses of Washington, Jefferson, Lincoln, and dozens of statesmen cast in bronze and marble. I often look to these individuals for inspiration and quotes when writing a speech.

On a recent walk across the Capitol to meet my colleague, Congressman DAVE CAMP, I passed a giant statue of Andrew Jackson, our Nation's seventh President.

It was Jackson who famously said—and I quote him

The wisdom of man never yet contrived a system of taxation that would operate with perfect equality.

Those words were spoken by Jackson in 1832. More than 180 years later, our Nation still struggles with a broken tax system.

Our Tax Code today is inequitable, inefficient, and incomprehensible to the overwhelming majority of Americans. It contains nearly 4 million words—4 million. If someone were to try to read the entire code out loud, it would take them more than 18 uninterrupted days.

Not only is the code long; it is mad-deningly complex. There are 42 different definitions of a small business in the code—42. There are 15 different tax incentives for higher education—so many that the IRS had to publish a booklet to explain and simplify the higher education tax incentives. And that book—I have it with me—is 90 pages long—just on the education tax incentives. Here it is. I defy anybody to read it, let alone somebody trying to go to college or a parent trying to help his or her child go to college.

The code is such a labyrinth that 90 percent of American taxpayers have to use an accountant or some kind of computer software to file their tax returns. Even with all this assistance, it still takes the average taxpayer 13 hours to gather and compile the receipts and forms to comply with the code.

The Tax Code today is also inefficient and unfair. It is riddled with loopholes and deductions that result in more than \$1 trillion in lost revenue each year.

This complexity in the code is eroding confidence in our economy and creating uncertainty for America's families and businesses. Many Americans think of the other guy, the fancy lawyer who can take advantage of the code and pay lower taxes, which means more tax burden on to me. It is not fair. Confidence is eroding.

It is also threatening to undermine the competitiveness of the United States in the global marketplace.

Harvard Business School did a survey last year asking 10,000 of its graduates

who live and conduct business around the world about the challenges of doing business in America. These individuals—these 10,000—are leaders on the frontlines of the global economy, and they are pessimistic about America's economic future.

The vast majority of those surveyed—71 percent—expected U.S. competitiveness to deteriorate over the next several years.

And what did they identify as the root of America's competitiveness problem? Respondents pointed to America's Tax Code—to the code—as one of the greatest weaknesses in the U.S. business environment.

Dig deeper and you learn respondents were deterred from investing in the United States not simply by a higher statutory corporate tax rate, but also by the sheer complexity and uncertain future of the Tax Code. I might say, when I mention that report to people, to businesses, to Americans, they nod their heads in agreement. That is what they have found themselves too.

The survey concludes with a dire warning—and I quote the survey:

For the first time in decades, the business environment in the United States is in danger of falling behind the rest of the world.

That's bad news for everyone. A fundamentally weakened U.S. economy is not only an American problem but also a global risk.

Chairman CAMP and I have been working together for more than 2 years on comprehensive tax reform. Here in the Senate I have been working on tax reform for the past 3 years with my good friend Senator HATCH, the ranking member of the Finance Committee. We have held more than 30 hearings and heard from hundreds of experts about how tax reform can simplify the system for families, help businesses innovate, and make the United States more competitive.

A lot of people talk about more jobs. There is a lot of talk about more jobs. This is one way to get more jobs. If we reform the Tax Code, it will unleash so much positive energy in this country. It would create a lot more jobs than any other plan I have recently heard of.

We held more than 30 hearings, heard from hundreds of experts on how reform can simplify the system, help businesses innovate, and make the United States more competitive. Last month Senator HATCH and I completed work with the Finance Committee on an extensive, 3-month, top-to-bottom review of the Tax Code. We met as a full committee every week to collect feedback on different topics in tax reform and issued a series of 10 discussion papers to kick off that conversation.

In an effort to include the entire Senate in our efforts, we recently called on all Senators to partner with us and provide their input and ideas for reforming the code. Starting with a blank slate, we called on every Senator to submit their proposals for what they want to see in a reformed code. This is

an important exercise. Everyone needs to be involved. We need every Senator to weigh in on tax reform. I might say, the deadline is this Friday, tomorrow. I encourage all of my colleagues to submit their ideas and make their voices heard.

I might say, your constituents are certainly making their voices heard. We have received more than 10,000 comments and ideas so far through the Web site that Chairman CAMP and I created called taxreform.gov—actually, 10,258 responses, to be exact.

Overwhelmingly, Americans, from every corner of our country, are calling for a simplified Tax Code. People think they should not have to spend hours upon hours and hundreds of dollars to prepare their taxes, and I for one agree. Let me share a couple of submissions we have received on our Web site.

Jennifer, from Hollywood, MD, writes:

I've been doing my family's taxes for 22 years. This year my husband suggested we use a tax service. Why? The tax code is too complicated and he was concerned we were missing deductions.

Mike, from Fort Collins, CO, provides an example of the complexity in the code, writing:

I have been a tax assistance volunteer for 19 years. It is difficult to tell someone who knows what a child is that there are actually four different definitions for "a child" in the tax law. Make the same definition apply across the entire tax code. The best way is the simplest way.

Wendy from Irving, CA, writes:

I do not mind paying taxes—we need education, infrastructure, and a defense. What I do mind is that it is a complete mystery and a complete game to find every allowable deduction and that it is a significant burden as well as a significant expense to pay a qualified preparer. How has this come to be? My returns are 20-50 pages long. Why is it more than two? There must be a way to simplify the process.

You know what. Wendy is right. There must be a way to simplify the process.

That is the same message Chairman CAMP and I heard earlier this month in St. Paul, MN. We were in the Twin Cities for the first in a series of trips we are taking across the country to speak with people about tax reform.

We want to get out of Washington. We are doing it this summer. We are going to Philadelphia next Monday to get input and feedback from people on dealing with America's tax system.

St. Paul was a great trip. We met with leaders of two distinctly different types of American businesses—one a U.S.-based multinational corporation with more than 85,000 employees, the other a family-run bakery with 85 employees. While dramatically different in size and in industry, they face similar challenges when it comes to dealing with America's Tax Code. In conversation after conversation we heard the same thing: We need a simpler Tax Code.

St. Paul was just the first stop. As I mentioned, the next trip is Philadelphia. Then we plan to go to the west coast. We have other trips planned over the next couple of months. We are

going to talk to groups about how we can make the tax system fairer and easier to deal with, and we want to learn how we can restore some confidence in the code.

Our efforts on reform have been ramping up. We are continuing to build momentum. Reform provides a historic opportunity to give families certainty, spark growth, create jobs, and make businesses more competitive to provide America a real shot in the arm.

I will conclude my remarks as I began them—with a quote. These words are from our Nation's sixth President, John Quincy Adams. President Adams:

Patience and perseverance have a magical effect before which difficulties disappear and obstacles vanish.

That is where we are. We are patient. We are persevering. We have a lot to do. The difficulties will disappear, obstacles will vanish, and the best result will be that the American people have a simpler, fairer code to provide more jobs.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

MOTION TO RECOMMIT

Mr. TOOMEY. Madam President, I rise to describe a motion to recommit that I am going to offer. Let me start by providing a little bit of context to why I am offering this motion to recommit. That has to start by reminding my colleagues about the Budget Control Act that was signed into law in 2011, about 2 years ago.

The Budget Control Act—which, again, is an act, not a bill—has been signed into law. It is the existing law of the land. It established spending caps—limits on discretionary spending—in a modest effort to try to bring out-of-control spending somewhat under control. So we have a statutory limit on how much the Federal Government is permitted to spend. It is a limit on both the defense side and the nondefense side, but it is a limit. It is an attempt to control that which has been so difficult to control in this town, which is Federal spending.

I should point out that even if we abide by the spending caps that are in the existing law, if we follow the law, we are still going to run a huge deficit. Next year the deficit will be about \$560 billion. That means that next year, if we have the spending discipline of living within the law, we will still increase our total outstanding debt by more than \$½ trillion and our debt as a percentage of our economy will rise to 76 percent—76 percent debt-to-GDP ratio. Our debt-to-GDP ratio is already higher than it should be. It is already costing us economic growth and jobs. It is going to rise further. That is assuming we stick to the spending cap.

I should point out that the way we got to this point is just spending on autopilot, just growing spending every year. I will give one example. Since 2000, total Federal spending has doubled. That is the scale of the increases in spending we have been experiencing. That is why we have been running huge deficits. We now have a massive debt.

The accumulated debt is causing this big drag on our economy and preventing us from having the kind of job growth we ought to have.

Here is my big concern. The bill we are considering right now, the Transportation-HUD bill, puts us on a direct path to bust the caps, to break the law, to spend even more than the statutory limits we put in place just 2 years ago. Let me walk through how we get there.

The fact is that under the Budget Control Act the cap that is set on discretionary spending for the fiscal year we are currently debating, 2014, is \$967 billion. That is the number. If you add up the spending sums for all of the appropriations bills my Democratic friends want to pass, it adds up to \$1.058 trillion. It is \$91 billion more spending than is permitted under current law.

It busts the caps by almost \$100 billion. We cannot afford this kind of spending. We cannot afford the spending we are currently contemplating, much less nearly another \$100 billion.

Now, I should be clear. Any single bill does not bust the caps all by itself. It is what they do in combination. But this bill is one of a series that in combination is designed to bust the caps. All you have to do is add up the total spending in each bill, and you get a number that is much greater than the cap. So it is very clear.

This particular bill, by the way, is a huge increase. The Transportation-HUD bill spends over \$54 billion in its current form, as currently contemplated. That is \$5 billion more than in 2013. That is a 10-percent increase in just 1 year. It is almost \$10 billion more than what the House proposed. It is even more money than what the President of the United States asked for in his own budget request. He did not ask for this much money. Yet here it is on the Senate floor, a bill that busts the cap, increases spending dramatically, and spends more money than the President even asked for, at a time when we are running huge deficits that are costing us economic growth.

I think this is a very bad idea, so I have a motion. I am grateful to have the support of many of my colleagues, including Senator SHELBY and Senator HOEVEN, both who are appropriators. I think Senator HOEVEN is intending to speak in support of this motion. Let me explain clearly what it will do. What my motion will do is send the bill back to committee with instructions to lower the spending in the bill to \$45.455 billion. That is the number that would be consistent with the spending caps. It would allocate an amount of money to this appropriations bill, the Transportation-HUD bill, in proportion to what the Transportation-HUD bill spends under the current fiscal year. It would do that for the next fiscal year.

I am not suggesting that I would go through and line by line make all of

the individual adjustments within the bill. I would leave that to the committee that has the most expertise, the Appropriations Committee. Let them do their work, but let them do it in a way that ends with a product that is consistent with the law, consistent with the spending caps.

One point I should make about the spending caps in the Budget Control Act—I think there are some folks in this town who mistakenly think that since deficits have gotten a little smaller in recent years than they were in the past few years, somehow we do not have a deficit problem anymore and we can just crank up spending. I have to say I think that is a profoundly mistaken view. We still have a huge problem with the spending path. A \$½ trillion deficit is a devastatingly large deficit. As bad as that is, several years in the future, under current projections—again, this assumes that we live within the law—within a few years these deficits start to explode again even beyond the current levels, which are already unacceptable.

So I think this is very important. This is the first appropriations bill the Senate is considering this year. This is the one that is going to determine whether we are going to go down a path of disregarding the bipartisan, Presidentially signed law of the land which is in existence right now. This bill is designed to be part of a process to bust that wide open so that we spend more money that we can't afford. That would be a huge mistake.

This is a motion to recommit back to the committee, report out a bill where they can establish the priorities and the allocation within the limit but set the limit at a level that is consistent with the caps.

I move to commit S. 1243 to the Committee on Appropriations with instructions to report back with such changes as may be necessary such that total budget authority for fiscal year 2014 is not greater than \$45.455 billion.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mrs. MURRAY. Madam President, I rise to strongly oppose this motion that is now before the Senate. I urge all of my colleagues to vote against it as well. Senator COLLINS and I have worked very closely together to write a bipartisan transportation and housing bill that works for our families and our communities. We have been working here together on the floor to have an open debate and accept amendments from both sides of the aisle. We just accepted a number of them a few minutes ago.

In addition to six Republicans who explicitly supported this bill in committee, along with all of the Democrats, a total of 73 Senators voted to start debate on this bill. But now this motion that is now before us would take all of that bipartisan work we did

on this bill in committee and it would take the strong bipartisan support coming out of committee and just throw it all away and ask us to simply now adopt the House Republican budget and start all over again. There is absolutely no reason for us to go back to the drawing board, especially not under the conditions that are laid out in this motion.

Back in March we had a very vigorous debate here in the Senate about our values and our priorities when it came to the Federal budget. We debated about the future of Medicare. We talked about how the wealthiest Americans should contribute their fair share. We debated what should be done with overall spending levels and the automatic cuts from sequestration that were put in place in the bipartisan Budget Control Act in order to bring both sides to the table to replace them with more responsible deficit reduction.

Everyone will remember that we spent dozens of hours debating the budget on the Senate floor. Then my colleagues had a choice. We ran an open process. Any Senator could bring an amendment to the floor. We considered over 100 of them from Democrats and Republicans. One of my Republican colleagues even offered the House budget as an amendment, which locks in that overall sequestration level but actually ignores the Budget Control Act by simply pushing the entire burden onto seniors and families in our communities. But, as we all know, the House budget was rejected by the Senate. It got only 40 votes here, and 5 Republicans actually voted against it. The Senate budget we ended up passing replaces sequestration with an equal mix of responsible spending cuts and new revenue by closing tax loopholes that benefit the wealthiest Americans.

The House passed their budget that locks in sequestration on steroids. The Senate passed our budget that replaces sequestration with more responsible deficit reduction. I absolutely agree with my colleagues that we cannot finish that budget process until we find a way to bridge that divide between the House and Senate. But I want to be clear here. A motion to recommit on an appropriations bill is not the place to have the debate on the overall spending levels. That is what a budget conference is for. That is where the two sides need to go to work out a deal. But, as my colleagues all know, despite the efforts of many Republicans and Democrats alike, a few Senators—very few Senators—continue blocking a bipartisan budget conference. So far we have been unable to even get in a room to talk about that.

We are going to keep trying to start a budget conference and work toward a bipartisan deal. Until we do, the bipartisan work that is being done in the Appropriations Committee now, led by the chairwoman Senator MIKULSKI has to continue.

Now that my colleague has brought this motion to the floor that attempts

to lock in sequestration and force the House budget onto our transportation and housing bill, let's talk about it for a few minutes.

The bill we are debating right now, the transportation and housing bill, could not exist at the worse-than-sequestration levels that are being pushed in this House. My partner on this bill, Senator COLLINS, has been clear, as I have, that the differences between the House and Senate transportation bills could not be more stark.

Our bipartisan bill here in the Senate continues to invest in our communities through the Community Development Block Grant Program, CDBG, while the partisan House bill cut that in half to the lowest level ever, which would mean 40,000 fewer jobs in this country. Communities across the country would have to halt projects they are planning to help get their communities moving again.

Our bipartisan bill in the Senate invests in Essential Air Service and makes sure there is enough in the program to cover all the communities that currently participate in it.

The House partisan bill that this motion would recommit and put us back into the position of considering would shortchange the entire program and cut it more than one-third. It includes additional language that would kick out communities in States such as Montana and New Mexico that absolutely depend on this.

The bipartisan bill the Senate has invests in our families to make sure they have a roof over their heads when they need it most, to help them if they are disabled or seniors who need to stay off the streets. The partisan House bill would serve 132,000 fewer people, many of whom would end up homeless without this support.

Those are only a few examples. I could name many that are in this bill. If sequestration numbers were to be blocked in the way this motion that is before us envisions, we will continue seeing the impact across our entire Federal Government.

As Secretary Hagel has made very clear, the defense worker furloughs would continue and get worse. In my home State of Washington—I talked about it on the Senate floor this morning—we have seen the consequences of those cuts. Do you know where we are seeing them? In places such as Madigan Hospital where a young woman came and told me about being furloughed on Fridays and what it translated into in terms of people having their brain surgeries delayed because of the shutdowns on Friday. This is what we are talking about, doctors and nurses being furloughed in our Army hospitals as we have injured soldiers who need care.

This sequestration is going to impact funding for our firefighters who are protecting our homes and lands, civilian employees, and it will hit the law enforcement officials who are protecting our cities from the threat of terrorism. It will strip funds from cancer research at NIH. Our roads, bridges,

and rails will continue to crumble, and small businesses will pay the price.

This would be happening while a lot of other countries that are our competitors in the global marketplace are doing the opposite. They are investing in themselves. They are setting themselves up to compete in the 21st century economy.

This is the reality of sequestration. It may not make the news every single day in every paper. We may not see all the impacts right away, but it is very real, and it will truly be devastating. It will be devastating for our families. It will be devastating for our national security and our long-term economic growth if we don't replace it. By the way, it is not just Democrats who are saying this. Economists such as Ben Bernanke have said it is hurting the economy. Many of my Republican colleagues have spent a lot of time going around the country talking about how devastating it is on the defense side.

I am happy to have this debate. I don't think this bill, the appropriations bill, the transportation and housing bill, is the place to do it.

If the Senator from Pennsylvania and others wish to start a debate and a negotiation between the Senate budget and the House budget, they should stop objecting to us going to conference. That is where this should occur.

Until then, I urge my colleagues to reject this motion and allow us to continue working on the bipartisan bill we have worked so hard to bring to the Senate. Let's work in creating jobs, investing in communities, and lay down a foundation for long-term and broad-based growth.

I move to table the motion, and I ask for the yeas and nays.

The PRESIDING OFFICER (Ms. WARREN). Is there a sufficient second?

There appears to be a sufficient second.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

Mr. SESSIONS. I ask that I be allowed to speak for 5 minutes.

Mr. MURPHY. I would ask the Senator if the Senator from Maryland could speak for 5 minutes. I would notify all of my colleagues that we intend to go to the motion to table once that debate occurs.

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

The Senator from Alabama.

Mr. SESSIONS. I wish to thank my colleague Senator TOOMEY for raising this matter and asking to recommit the legislation so the Senate committee, the appropriate committee, would produce a THUD plan for spending that complies with the Budget Control Act, which is a law of the land.

Senator TOOMEY is one of our most knowledgeable Members on finance in the Senate. He is a member of the Budget Committee. He fully understands the significance of this matter.

If this legislation passes at the level it is moving forward today, then we are eviscerating the promises we made to the American public in August of 2011. In August of 2011, everyone should remember quite well, that we said we would raise the debt ceiling by \$2.1 trillion. We will reach that by the end of this year. We will have used up and borrowed another \$2.1 trillion before the end of the year, but we said that we would reduce spending by \$2.1 trillion over 10 years to make it easy on ourselves and to spread out the spending cuts.

This was passed into law with bipartisan support and signed by President Obama. This is not some law that was made up out of thin air. It was a law that was debated and passed in both Houses of Congress. Republicans and Democrats agreed to it, and it improved our spending a little bit.

We were then spending at the rate of \$37 trillion over 10 years. We were projected to increase spending to \$47 trillion over 10 years. This bill reduced it to \$45 trillion.

Under the current spending limits we now have, as Senator TOOMEY has so ably pointed out, we are going to increase spending over next 10 years. We are going to increase it from \$37 trillion to \$45 trillion at a time when we have been running the largest deficits the Nation has ever seen, bar none. An absolutely irresponsible level of debt has been added to our country.

Even this modest proposal agreed to by the President, voted on by the majority party in the Senate, supported in a bipartisan way—is set to be demolished before 2 years is up: Oh, it is too tough. We can't reduce the growth of spending from \$47 trillion to \$45 trillion. Oh, this is going to destroy America.

Well, why don't we look for ways to spread out the cuts and distribute some to the departments and agencies that got zero reductions in spending, such as Medicaid and food stamps zero reduction. No, we can't touch those. They are sacrosanct, and other programs too.

We have some reductions in spending on the discretionary accounts that we can sustain, and it will be tough. That is what we are paid to do.

The bill should properly go back to the committee, and a vote in favor of the Toomey motion would instruct the committee to produce a bill that is consistent with the Budget Control Act.

May I inquire how much time remains?

The PRESIDING OFFICER. The Senator has 1½ minutes remaining.

Mr. SESSIONS. Essentially, the majority leader has already said that he intends to bring up the defense bill last, national security last. Why is he

going to do that? He is going to do that because he is going to let all these other bills go over the budget limit, and then he is going to produce the defense bill and say: Oh, colleagues, we have to add more money to the defense bill, putting us over the BCA limits that were agreed to and passed into law. We have to waive that and spend more.

This is how a Nation goes broke. This is how we lose credibility with the American people.

We looked them in the eye in August 2 years ago and we said we were going to reduce the growth of spending a little bit, \$2.1 trillion, in exchange for raising the debt ceiling \$2.1 trillion.

The majority party here is blithely walking in, pretending that never happened and saying: Oh, we didn't intend to pass a limit.

Why did you vote for it then, if you didn't intend to pass it? We did intend to pass it. We promised the American people \$2.1 trillion in reducing the growth of spending not a reduction in spending, just a reduction in the growth of spending.

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

Mr. SESSIONS. We need to honor that promise.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. I wish to thank Senator MURRAY and Senator COLLINS returning us to regular order and bringing an appropriations bill to the floor that is consistent with the budget resolution passed by this body. I also wish to compliment my colleague from Maryland, the chairman of the Senate Appropriations Committee Senator MIKULSKI.

We are returning to regular order in the Senate. I find it amazing. It was only a week ago my colleagues on the Republican side were saying we don't want to turn the Senate into the House. Now we have a motion to recommit that would take the House numbers. We didn't do that.

Should we only have a unicameral legislature? I thought we thought this body was important. Yet this motion to recommit will have the effect of saying that what we do in this body doesn't make any difference; let's just take the House's bill. I don't think that is what we want.

The House bill that has been reported I don't think it has yet been voted on was a partisan bill. What we did in this body is have Democrats and Republicans working together. That should be the model we use in this institution. The motion to recommit would destroy that, would take that away. That doesn't seem to make a lot of sense.

Let me talk on the merits, if I might, for one moment, and that is what this motion would mean as far as jobs in this country and responsible investments. Remember that we are operating under a budget resolution that will reduce the deficit. It gets us to actually stronger efforts to reduce the deficit.

I can't speak to every category of spending, but I do know something about transportation. I serve on the Environment and Public Works Committee. There is bipartisan support on our committee to do more than what is in this budget. We have trillions of dollars' worth of roads and bridges that are falling down. We have to invest, to create jobs. We understand transportation creates jobs. The motion to recommit would take us to numbers that are lower than the sequestration numbers.

I was just on the floor a few minutes ago talking about how the sequestration is hurting this country—it is hurting job growth, hurting our economy, hurting Federal workers, and hurting ordinary Americans. Well, this motion makes it worse. It goes below the sequestration numbers. We need to invest in job growth, we need to do it in a balanced, responsible way, and that is exactly what Senator MURRAY did in wearing her hat as chairman of the Senate Budget Committee. She has now brought out an appropriations bill totally consistent with the action there.

Here is the real hypocrisy. What we have said on our side of the aisle is we understand there is a difference. Let's go to conference and resolve the differences. And the same people who are supporting this motion will not let us go to conference to resolve the differences. We should return to regular order. Reject this motion to recommit.

Ms. MIKULSKI. Mr. President, I rise today in strong opposition to the Toomey motion to recommit. This motion to recommit would send the transportation-housing bill back to the committee with a new allocation of \$45.5 billion, a cut of \$8.5 billion from the Senate bill's current level of \$54 billion. The THUD subcommittee would then have to rewrite its bill to the new, lower allocation.

This motion is simply a backdoor approach to make sequester the new normal by slashing the THUD bill. This is a cut of the magnitude proposed in the Ryan budget. I remind my colleagues the Ryan budget puts a moat around defense spending, and cuts \$91 billion from domestic programs. I will not accept sequester, I will not accept the Ryan budget, as the new normal.

The allocation for the THUD bill is based on a topline of \$1.058 trillion. This is the presequester topline contained in the American Taxpayer Relief Act, a law that passed the Senate by a vote of 89 to 8 in January. The allocation for THUD proposed by the Toomey amendment is based on a topline of \$967 billion, the postsequester level.

Those who support \$967 billion want to make sequester the "new normal." They say: We must follow the law, and sequester is the law. First of all, the House is not following the law. The House ignores the law by taking all \$91 billion of cuts out of domestic discretionary programs.

This committee's spending allocations assert that sequester will be replaced with a balanced solution to the deficit problem that will be decided in a conference on the budget resolution. But guess what. Six Senators have objected to a conference on the budget resolution. And now this motion to recommit is further sand in the gears of the appropriations process. But I am determined that this committee will not be undermined by this obstructionism. While we wait for the Budget Committee to be able to do its job, we will continue to do our job.

Colleagues, this isn't a disagreement about whether we should have across-the-board cuts. Nobody thinks across-the-board cuts are smart. This is a disagreement about how much we will invest in America, in our infrastructure, our people, and our national security.

The Toomey motion to recommit would require huge cuts—in this case, \$8.5 billion in cuts—but it provides no specifics. The THUD bill keeps America moving on land, at sea, and in the air. This motion to recommit stops America in its tracks. If this motion passes, roads will not be resurfaced, bridges will not be replaced or repaired, air traffic controllers will not be hired, and airports will not be upgraded. And all these cuts mean one thing—fewer jobs—fewer good American jobs.

The FAA modernization program will be delayed—again. This delay will cause more congestion at our airports and leave America further behind in the global economy. And these cuts mean safety will be put at risk, with fewer resources for the agencies charged with keeping us safe on the roads and in the air. These cuts today have consequences for years to come. This is true for our physical infrastructure, and it is true for our human infrastructure.

This motion is irresponsible and should be rejected. It demands \$8.5 billion in unspecified cuts, which would have terrible impacts on America's infrastructure, and on our efforts to create good jobs right here at home.

I believe our government should meet compelling human needs. It should provide for the national defense. And our government should make smart investments today so our Nation will grow stronger tomorrow.

This motion to recommit puts all of these essential functions at risk and would have terrible near-term and long-term impacts. I strongly oppose the Toomey motion to recommit.

Mrs. MURRAY. Madam President, I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the motion to table the motion to recommit, offered by the Senator from Pennsylvania.

The yeas and nays have been ordered. The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Hawaii (Ms. HIRONO) is necessarily absent.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Kansas (Mr. MORAN).

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

The result was announced—yeas 56, nays 42, as follows:

[Rollcall Vote No. 187 Leg.]

YEAS—56

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

NAYS—42

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

NOT VOTING—2

Hirono	Moran
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The motion was agreed to.

Mrs. MURRAY. Mr. President, I move to reconsider the vote and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I want to let all Senators know that we have made tremendous progress on the transportation and housing bill. We intend to make more progress next week. We are going to stay in morning business this afternoon. We have a few issues we are working out through the weekend. We will be back at this next week.

I wish to thank all of the Members who have worked very hard with us this week, and I look forward to working with them again next week.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I too wish to comment on the progress we have made this week. We have been considering this appropriations bill under regular order. We have actually cleared several amendments today. We have had some votes. We have defeated a motion to recommit the bill to committee so that we can proceed to go forward.

Senator MURRAY and I will be here on Monday, ready and open for business. We will start sequencing amendments.

I hope Members on both sides of the aisle will approach this bill in a cooperative spirit with respect to further rights of Senators to offer their amendments and get votes, and that we will not see Members drawing lines in the sand or deciding that they are going to block action going forward because I think this bill could be a model of how we should operate.

Thank you, Mr. President.

AMENDMENT NO. 1744

Mr. LEAHY. Mr. President, on Tuesday, the Senate adopted an amendment offered by the junior Senator from Louisiana, which effectively imposes a lifetime ban on individuals who have been convicted of certain serious crimes from obtaining Federal housing assistance. Today is a new legislative day, and many of us in this body may have already moved on to the next meeting, the next issue, the next vote. But as I have reflected on that amendment, I am concerned the direction these types of amendments are taking us.

I had significant concerns with the lack of notice given to Senators about the amendment offered by Senator VITTER, and the speed with which a vote was scheduled. In the span of roughly 90 minutes, the amendment was filed, made pending, and set for a rollcall vote. This amendment was never considered by the relevant subcommittee in the markup of the bill, nor vetted for unintended consequences.

I am deeply concerned about what the sort of amendment offered by the junior Senator from Louisiana says about us as a Senate, and as a Nation. Following on the heels of a similar amendment offered by Senator VITTER on the farm bill, I expect that similar amendments will be filed and offered on virtually every future bill. This has to stop.

In our system of justice, when someone is convicted of a crime and serves a sentence, I believe that person deserves a second chance and an opportunity to reintegrate as a productive member of society. That is a principle of fairness and justice that I know not only from my days as a prosecutor, but through my time as chairman of the Judiciary Committee. It is a basic notion instilled in me from an early age, and reinforced by my faith. As I have long heard from the faith community, it is our moral obligation to rehabilitate and restore people who have committed crimes. We all have made mistakes, and I challenge any Member to come to the floor and say that they haven't themselves sought forgiveness or a second chance.

We have to get past the point where we are scoring political points on the backs of those who have committed crimes but have served their sentence. We must find a way to reintegrate them into society. That is how we make our communities safer.

No one in this body should want a convicted felon to become a repeat offender. And I assume no Senator wants

to punish the family members of an offender for crimes they did not commit. Yet that would be the effect of the Vitter amendments. Such measures have the effect of extending punishment beyond the original term; they would act as a lifetime ban and make it harder for ex-offenders and their families to get back on their feet. I reluctantly supported the amendment this week because Federal regulations already give housing officials the ability to keep dangerous criminals, sex offenders, and domestic abusers out of public housing. While this diminishes somewhat the overall impact of that amendment, the mandatory draconian nature of the Vitter amendment remains deeply troubling. As the senior Senator from Louisiana stated when Senator VITTER offered a similar amendment a few years ago, such an approach is simply "mean-spirited and counterproductive."

I am concerned that this is just the first of a series of similarly mean-spirited and counterproductive amendments. Now that the Senate has moved to impose a lifetime ban on food and housing assistance for some who have served their criminal sentences, what will be next? Will we next decide to take away education or employment assistance? Should we ban ex-offenders from libraries or public parks? The aggregate effect of such efforts will be to relegate an ex-offender and perhaps his or her family to a lifetime of poverty, homelessness, and isolation. That does not make us safer. It just makes us meaner and less compassionate. I hope we will stop using this political tactic and work together to help give people a second chance.

I know many Senators here share this goal. This is a complicated issue that demands thoughtful solutions, and we must work together if we have any hope of achieving real change. Public safety is about more than lengthy prison sentences. It also requires efforts to reintegrate into our communities those who have served their time. We know that reentry efforts reduce recidivism and we must be thoughtful when we take options off the table like we did this week.

I praise groups like the Conference of Catholic Bishops, Prison Fellowship, and the Sentencing Project who have worked tirelessly to help provide opportunities for individuals who have committed crimes, and to work toward the rehabilitation and restoration of their families. At the core of their work are fundamental notions of justice and compassion—the same principles that I hope will guide the work of the Senate as we go forward.

MORNING BUSINESS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Senate go to a period of morning business, with the time equally divided between the minority and majority, with Senators permitted to speak for up to 10 minutes each.

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

The Senator from Florida.

FUNDING LEVELS

Mr. NELSON. Mr. President, what we have seen is a recognition that these are tough times and we need some belt-tightening. But to go back to this level of sequestration is not the right thing to do because that is taking a meat cleaver approach, across-the-board, on cutting Federal programs. It is just not a responsible way of belt-tightening. Fortunately, this motion to recommit, to in essence go to the level of appropriations for Transportation and Housing and Urban Development that was to take it to the level of the House, which is considerably lower than what has come out of our Appropriations Committee in the Senate—fortunately, this motion to recommit was defeated.

Why do we want to cut funding, as the House bill does, to critical areas such as air traffic controllers?

It is dangerous, shortsighted, and we have been to this rodeo before. As a matter of fact, doesn't anyone remember that earlier in the year we had to fix the sequestration cuts that went into effect in the current fiscal year because it was cutting out all kinds of air traffic controllers and furloughed a number of them and closed the contract towers for the small airports? We had to reverse that. The public rose and said: This is not the right nor intelligent thing to do when it comes to the public safety.

In addition to compromising the safety of the traveling public, those air traffic cuts would have increased the flight delays by hours and hours and caused a lot of cancellations. Lo and behold, when the American traveling public saw that was exactly what was happening, they rose and they said: Enough. The body politic responded. Here was an attempt to repeat that. If we reduce the top line of funding for this next fiscal year on this bill, we are going to be right back in the same situation where we were last spring: scrambling to keep our aviation system functioning safely and again delaying the next generation of air traffic controllers which we are desperately trying to set up.

This House of Representatives sequestration budget—outside of aviation—is going to mean more crumbling roads and bridges, more families unable to put a roof over their heads, and our infrastructure will continue to be falling into further disrepair. So it is our responsibility to keep our country safe and the economy moving. Thank goodness we rejected this attempt to go back to the Dark Ages, but we are going to have more and more of this.

We have a bill that is coming up next Tuesday in a markup in the Commerce Committee of the NASA authorization bill. Here is a bill that has never been partisan. It is not only bipartisan, it has been nonpartisan. We have never

had a partisan vote on a NASA authorization bill. Three years ago on the NASA authorization bill that broke a lot of new ground, we passed it out of the committee and out of the whole Senate unanimously.

I am very saddened to report to the Senate that next Tuesday we are going to have a markup of the NASA authorization bill. There is not a disagreement as to the balance we have in the bill between the big rocket called the Space Launch System, its capsule, its spacecraft, Orion, or what we balance against commercial rockets trying to get cargo and crew to the International Space Station. There is not a disagreement on that.

There is not a disagreement on keeping up the programs on our weather satellites—all of the stuff we put up for NOAA so that, in fact, we can predict our weather, and in hurricane season that becomes especially important. There is not a disagreement about continuing the exploration program with the robotic spacecraft to Mars and to other planets as well as putting up a satellite, in part for the Department of Defense, to warn us against the solar nuclear explosions on the surface of the Sun so we can get ready to save our satellites by the time that nuclear radiation gets to Earth. There is no disagreement on that.

There is no disagreement on the future of the new space telescope called the James Webb Space Telescope that is going to replace the existing one when it goes on the blink. It has uncovered all of these secrets of the universe as we peer back into time on the universe.

There is no disagreement on the substance of this bill. The partisan vote that is going to occur on Tuesday in the Commerce Committee is going to be because of the funding level. The bill Senator ROCKEFELLER and I have offered that will be voted on will be, unfortunately, a partisan vote because it takes the level of funding of the budget resolution which is \$18.1 billion. The vote will be partisan because of those who want the sequester to apply, and as such they want \$16.8 billion instead of \$18.1 billion or even lower, as the House of Representatives has done, \$16.6 billion.

I can tell everyone that little agency, NASA, can't do all of these things I just mentioned that there is no disagreement we need to do. Getting humans back into space, preparing for the next major exploration with humans in the decade of the 2030s, going to the planet Mars—there is no disagreement with that. But we can't do it if we don't provide the funds now to develop the techniques, the technology, the procedures, and build our way like building blocks to ultimately where we can send humans multiples of millions of miles away from the home planet and bring them back safely.

Sadly, I am afraid we are going to have a partisan vote because of that disagreement on the level of funding. It

will be the first time ever we are going to have that kind of vote recorded on that little agency called the National Aeronautics and Space Administration. So, just like today, here we go.

Down the road, this is going to have to be decided, and it probably will come very late in the year. It will probably come when we come to another crisis point of having to raise the debt ceiling. It will probably come to the point where we have all kinds of good and new ideas on tax reform that will be coming out—a major tax reform—of the Finance Committee. We are limping along on appropriations bills just to keep us funded and to keep the government functioning after October 1 in the new fiscal year. At some point, all of this is coming to a head, including what level of funding is it going to be.

I hope we will start using some common sense and act accordingly.

I yield the floor.

The PRESIDING OFFICER (Mr. COONS). The Senator from Florida.

THE MIDDLE CLASS

Mr. RUBIO. Mr. President, even as I speak at this very moment—or maybe he has wrapped up—the President is in Jacksonville, FL, today. He is discussing the middle-class and how to get the middle class growing again in America, and it is a very worthy topic.

I wish the President would do less talking and more listening. If he listened to the middle class—and particularly those middle-class Americans who either work at a small business or own a small business—he would hear the No. 1 concern many of them now have is about ObamaCare.

Recently, I made the statement that I don't believe we should pass a short-term budget here that pays for ObamaCare. Since that time, I have heard the comments of some that that is an unreasonable request. I wish to outline one more reason why I think it is an unreasonable request to actually fund it. It is unreasonable because of the impact ObamaCare is having on real people—particularly those in the middle class in the United States.

I wish to focus on small businesses today because they truly are the backbone of the American economy. People here throw that term around all the time, “the backbone of the economy.” It truly is.

I live within a few blocks of 8th Street, the famed Calle Ocho, where literally every business is a small business, such as bakeries, sandwich shops, you name it. They are primarily run by immigrants who are here in search of a better life and the American dream. They own these small businesses. They will be impacted by the changes this law will have, and I wish to describe some of them.

Yesterday, we had a hearing in the Small Business Committee where the administration spoke first. Basically, their take on it is that ObamaCare will be good for small businesses for two

reasons: One, we will set up these health exchanges small businesses can go to and offer health insurance to their employees on these exchanges.

Basically, the exchange is a one-stop shop. A company owner can go online—and there are theoretically 8 or 10 private insurers—and the owner of the business gets to pick a plan from one of those choices and their employees get insured from it. In theory that is not a bad idea. However, in a moment I will outline why that is not working out.

The second thing they brag about is the tax credit that small businesses will be able to use. I want to use the testimony—not just of them but of small businesses—to outline why, in fact, these things are not only not going to work, but ObamaCare is going to be deeply hurtful to small businesses and the middle class.

Let's talk first about the exchanges. The exchanges are not unfolding as they were planned. I asked the administration yesterday: Is it going to be ready about October 1? Are businesses going to be able to go on this exchange and find an insurance plan for their employees? They said they are sure it is going to happen. But the truth is it is not working out that way.

There are 17 States that have decided to go on to their own exchanges. All 17 of those States are behind schedule in one form or another. Maryland was one of the first States to embrace it. They asked for a delay in April because they couldn't get it going on time.

A recent report from the Government Accountability Office reported that all 17 States were behind schedule and that they were missing deadlines on 44 percent of the key things they had to do.

Here is the second problem: These exchanges only work if you have a lot of companies competing against each other, but that is not happening either. Insurers are not flooding to offer insurances on these exchanges.

Let me give an example. There are three States: Washington State, New Hampshire, and North Carolina where only one company has responded. There is no competition, and that is what is supposed to drive down the rates. In another State, not a single company responded until very recently when Humana came in to save the day and actually decided to jump on board.

Here is what the vice president of a consulting firm that specializes in this—it is called Avalere Health. Caroline Pearson is the vice president and she said:

Humana may have a difficult time building competitive networks in [Mississippi], so we could see higher than average premiums in this region.

Again, another reason to doubt that these exchanges are going to work and the impact it is going to have is terrible.

What about the tax credits? That is a great idea, right? We are giving tax credits to small businesses that they can use to buy health insurance for

their employees. That is not working out either.

Let me give an example: Only 14 percent of companies that are eligible for the tax credit are using it, and I will explain why.

I have a quote from Pat Thompson, a tax partner at Piccerelli, Gilstein & Company, in Providence, and chair of the American Institute for Certified Public Accountants, who said:

The definition of an eligible business is challenging because it is not based on [the number of] employees, but on full-time equivalents. For companies with a lot of part-timers . . . that is not very transparent.

He went on to say that the way to decide whether you are qualified for this tax credit is so complicated that most small companies can't figure it out. In fact, the companies that benefit the most from the tax credit are the ones that are least likely to get it because they cannot afford to hire a professional accounting firm to figure it out for them.

Here is another one from the Birmingham Business Journal. The manager at a health care consulting group, Warren Averett, LLC, said that only 20 percent of the small businesses they deal with even qualify for the credit. He said many businesses he worked with offered less than 50 percent, and bumping their coverage to meet the requirement would have cost them more than the credit saved them.

These are serious problems with this tax credit, not to mention that the General Accounting Office has already said the credit is so small that it is just not enough to change the equation for these small businesses to use it.

What is the bottom line? The bottom line is that two of the things we are being told are going to help small businesses with ObamaCare are not going to. One is an exchange that is relying upon there being competition among insurers. They are not signing up, folks. The other is this tax credit that is being deeply underutilized and it is so complicated and so small that most small businesses will not benefit from it.

I say all that to my colleagues because yesterday we heard from a real small business owner—someone who is the epitome of what it means to own a small business in America. His name is Larry Katz. He owns some restaurants called Dots Diner. Here is what he said. His dream was to own his own company so he cashed in his whole life insurance policy, he calculated how much credit card availability he had, and emptied his life savings. With less than \$200,000, he opened his first diner. Within 12 months he had stopped sleeping. He was down to less than \$10,000 in savings. He considered two options: Either mortgage his home or declare bankruptcy. That is what he faced, but he made it through, as many small businesses make it through in America. Today he owns 6 diners, 85 employees, 65 of them are full-time.

Here is what he offers those employees today: paid holidays, vacation, den-

tal, vision, term life, and health insurance. He offers those to them right now, but because of how much ObamaCare is going to cost him, here is what he is going to have to do. He said:

I have unfortunately made the decision to quit offering coverage as soon as the employer mandate kicks in, as the penalty, while huge, is less than the costs of offering the required coverage to all of our employees.

What he is basically saying is that there are employees today in his business in Louisiana who have health insurance, who are happy with their health insurance, but because of ObamaCare they are going to lose that health insurance.

One of the promises made to the American people was, if you are happy with your health insurance, you get to keep it. I know of at least one business in Louisiana where that is not true, and I promise it is not limited to just this business. In fact, the evidence keeps coming in from all over the country the impact this is going to have.

Here is a quote from Texas: At Lion & Rose pubs and Golden Chick SA restaurants, 1,000-plus employees saw their work schedules reduced to part-time shifts.

From the Wall Street Journal: Ken Adams has been turning to more part-time workers at his 10 Subway sandwich shops in Michigan to avoid possibly incurring higher health care costs.

From the same article: Rod Carstensen, owner of 11 Del Taco restaurants around Denver in Colorado, began in April converting his mostly full-time workforce into one comprised of mostly part-time to help minimize the health care costs.

This is the real impact.

Interestingly, I asked an administration official yesterday: Can you tell us whether anyone who has health insurance now and is happy with it will lose it?

The answer: I can't answer that.

I don't know if she meant she doesn't know or if she meant she can't tell me. But I can tell my colleagues, and small businesses will tell us, if we talk to them, the impact this is going to have is not only that people are going to lose their health care coverage, they are going to lose their hours and get moved from full time to part time.

Here is something: The U.S. Chamber of Commerce did a poll: 74 percent of small businesses plan to deduct the costly law of ObamaCare by either firing workers, reducing hours of full-time staff and moving them to part time or not offering any coverage at all.

This is the real-world impact of ObamaCare on the middle class and working class. This is terrible for our country.

This is no longer a Republican or Democratic issue. It doesn't matter if a person voted for Mitt Romney or

Barack Obama. This is going to hurt everybody. There are working-class people in America who have existing insurance who are happy with their doctor, and they are going to lose all of that because of this experiment. There are people today who are struggling to make it just as it is, and they are going to lose their hours. They are going to get forced from full-time work to part-time work. That is the real-life impact of ObamaCare. That is the impact it is having on the working class and on the middle class.

How can we go forward with this? We have a chance to stop this. It may be our last best chance, and it comes in September when we have to pass a short-term budget in this Chamber. If we vote for a budget that funds this, this is going to move forward and hurt people terribly, and those who vote for it are going to have to answer for that.

To my Republican colleagues I would just say this: If we are not going to draw a line in the sand on ObamaCare, we have no lines in the sand. If this issue is not important enough for us to draw a line in the sand, what issue is? This is not a political issue. This is not a partisan issue.

Today I am giving this speech on behalf of the hard-working men and women of this country—working class, middle class, small business owners—who are going to be terribly impacted by this law. We cannot just stand by and allow it to go further. We have to do everything we can to keep this from happening to people, and in September we will have our last best chance to do that.

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

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

IMMIGRATION

Mr. DURBIN. Mr. President, America has a rich history of immigration. We are a nation of immigrants. There is hardly a person in America today who doesn't have an immigrant parent, grandparent, or at least someone in their lineage who came to this country from another place.

I have told this story many times on the floor: My mother was an immigrant. She was brought to America at the age of 2 from Lithuania. Her son now stands in the Senate. That is my story, that is my family's story, but it is America's story. It can be repeated over and over and over again.

We think about the Statue of Liberty and how it thrills so many people to

see it for the first time and then to understand the message of the Statue of Liberty: To “lift my lamp beside that golden door” so that people are welcomed to this country. We knew it from the beginning: It was the key to our future.

So many times this issue of immigration is overlooked. It is such a critical part of who we are in America. Think back in your own family history—one generation, two or three generations—to a person in a foreign land who said one day, “We are going to America,” who undoubtedly was questioned about that decision: You are going to a place you have never been, to a place where they don’t speak our language, to a place where they eat different kinds of food? That will be quite a challenge. Well, it was. Millions of people made that trip and came to this country facing that challenge, and they made us who we are today.

In the DNA of most of us who live in America is some little chromosome that said there is a courage to move and a courage to come, and I think it makes us better.

I think immigration is one of the most important parts of America. Thank goodness immigration continues because it brings to our shores amazing people, new generations of leaders who found companies and worked hard so their children and their children’s children will do better.

If that is a fact about America and our history of immigration, there is also another fact. There have always been haters—people who hate immigrants. I don’t know when it started. Maybe after the Mayflower landed, the folks got off and said: Please don’t send us any more. But it has been part of American history and part of American political history and part of the Congress.

I was reading a book as we started to debate the question of immigration reform entitled “Coming To America” by Roger Daniels, and it is a history of immigration in America. It speaks of a Member of the House of Representatives in 1924 named Albert Johnson. He was a Republican from Washington State.

When I read this book on the history of immigration, I came up with some interesting quotes. It is in 1924. Albert Johnson, a Republican from Washington State, is chairing the House Committee on Immigration. This is what he said:

Today, instead of a well-knit homogeneous citizenry, we have a body politic made up of all and every diverse element. Today, instead of a nation descended from generations of free men bred to a knowledge of the principles and practice of self-government, of liberty under law, we have a heterogeneous population no small proportion of which is sprung from races that, throughout the centuries, have known no liberty at all. . . .

Congressman Johnson said:

Our capacity to maintain our cherished institutions stands diluted by a stream of alien blood with all its inherited misconceptions respecting the relationships of the governing

power to the governed. It is no wonder, therefore, that the myth of the melting pot has been discredited.

He said:

The United States is our land. We intend to maintain it so. The day of unalloyed welcome to all peoples, the day of indiscriminate acceptance of all races, has definitely ended.

That was a statement made by a Member of Congress in 1924. You read it today and you think to yourself, how could anyone possibly be talking about racial purity in the United States of America, as he did? It draws so many terrifying parallels to a debate that happened not many years later in Europe over racial purity, but it happened. And it happened in the U.S. Congress. Sadly, that was not the end of hatred toward immigration in the U.S. Congress.

Twelve years ago I introduced a bill called the DREAM Act. The DREAM Act was a response to a constituent case in my office. A young woman, a Korean woman in Chicago, called our office. She had a story to tell. She said that she had brought her daughter at the age of 2 from Korea to the United States, to Chicago, on a visitor’s visa, along with her husband. They envisioned that her husband would open a church. They looked forward to that day, and it never happened. Her husband continued to pray for that miracle for their family, but the mother said: I have to go to work. The mother went to work in a drycleaning establishment in Chicago.

If you have been to that wonderful city, you know that the majority of drycleaning establishments are run by Korean families—hard-working people who work 12 hours a day and do not think twice about doing it.

Well, this woman went to work, but she was not making much money, and her little girl, as well as the girl’s brother and sister, grew up in deepest poverty. The little girl tells the story that when she went to middle school and high school, she would wait until the end of the lunch hour, when students were throwing away the part of their lunch they did not eat, and she would dig through the wastebasket to find food. That is how poor they were.

But something came along in her life that made all the difference in the world. In Chicago we have something called the MERIT Music Program. A woman decided 10 or 15 years ago to leave some money, and she said: Use this money to provide musical instruments to children, poor children in public schools, as well as the lessons they need so they can play the instruments. The MERIT Music Program is an amazing success. One hundred percent of the students who are enrolled in that MERIT Music Program go to college—100 percent.

Well, this little girl, this Korean immigrant girl, was brought into the program and introduced at the age of 12 to a piano for the first time. She fell in love with the piano, and she started

working and practicing on it. She would stay at MERIT Music Program headquarters late into the night. They finally gave her a key because it was warm and she wanted to practice her piano.

She became such an accomplished pianist that by the time she was in high school she was accepted into the Juilliard School of Music and the Manhattan Conservatory of Music—amazing for this poor Korean girl. When she applied and went through filling out the application, she came to the line that said “nationally and citizenship,” and she turned to her mother and said: What do I put here?

Her mom said: I don’t know. We brought you here at the age of 2, and we never filed any papers.

The girl said: What are we going to do?

The mom said: Let’s call Senator DURBIN.

So they called our office, and we checked on the law. The law in the United States is very clear and very cruel. The law in the United States said that little girl had to leave this country for 10 years and apply to come back—10 years. She had been brought here at the age of 2. She was only 17 or 18 at the time.

Well, that is when I decided to introduce the DREAM Act. The DREAM Act said that if you were brought here as a child to the United States, if you complete high school, if you have no criminal record of any concern and you are prepared to either enlist in our military or finish at least 2 years of college, we will put you on a path to becoming a citizen of the United States of America. That was the DREAM Act, introduced 12 years ago, called on the floor many different times for passage. It finally passed just a few weeks ago as part of comprehensive immigration reform.

I might tell you the end of the story about this young girl. She did not qualify for any financial assistance because she was undocumented. Two families in Chicago and one woman who is an amazing friend of mine named Joan Harris said they would pay for her education. She went to the Manhattan Conservatory of Music. She excelled in the piano. She played at Carnegie Hall. She married an American jazz musician and became a citizen of the United States, and now she is working on her Ph.D. in music. She just sent me her tape for her Ph.D., and she is amazing.

Tereza Lee is her name. She is the first DREAMer, and it is because of her that I come to the floor today. You see, just yesterday it was disclosed that a Member of the House of Representatives, Congressman STEVEN KING of Iowa, spoke to the issue of the DREAMers. I do not know how many DREAMers—students who would qualify for the DREAM Act—Congressman KING has met. I have met hundreds of them. They are amazing, incredible, living their entire lives in the United States undocumented, fearing deportation any minute of any day, wondering

what tomorrow will bring, standing up in the classrooms of America and pledging allegiance to the only flag they have ever known, singing the only national anthem they know, and being told by so many people: You don't belong here. You are not part of this country.

They are completely conflicted and worried and uncertain about their future, and they are nothing short of amazing. These young people have done things with their lives that are just incredible. They are the valedictorians of their classes in many cases. They have gone on to college and paid for it out of their pocket in many cases.

I have come to the floor on 54 different occasions with colored photos of these DREAMers from all over the United States, when they gave us the permission to disclose their identities, and told their stories. And every time I have told that story about that DREAMer, someone has stopped me in the hall and said: That is an amazing story about this young person who just wants to be part of the United States and its future.

So it was troubling yesterday to pick up and read the quote from STEVEN KING, who is a Congressman from Iowa. Mr. KING is no newcomer when it comes to criticizing immigration. He introduced a bill 3 or 4 weeks ago in the House of Representatives that would have removed all of the Federal funds that are being used now to spare these DREAMers in the United States from deportation. In other words, the President has issued an Executive order so the young people who are eligible for the DREAM Act can stay. He wanted to remove all the funds so they would have to be deported immediately. He called that for a vote. It passed in the U.S. House of Representatives just a few weeks ago, overwhelmingly supported by his Republican side of the aisle. So STEVEN KING has a record of opposing immigration and doing it in a very forceful way.

But they found a quote he had made, a statement he had made on the issue of DREAMers, and that is why I come to the floor today.

In an interview with Radio Iowa, Mr. KING said yesterday, as reported in the Washington Post:

"It seems as though I have a few critics out there, but those who have been advocating for the DREAM Act have been trying to make it about valedictorians," King said in an interview with Radio Iowa. "I don't disagree that there are DREAMers that are valedictorians, but it also would legalize those that are smuggling drugs into the United States."

In his original comments, Congressman KING of Iowa said, "For everyone who's a valedictorian, there's another 100 out there who weigh 130 pounds—and they've got calves the size of cantaloupes because they're hauling 75 pounds of marijuana across the desert."

In his interview Tuesday evening, [Congressman King] doubled down on those comments—

According to the Washington Post—saying, "We have people that are mules, that are drug mules, that are hauling drugs across the border and you can tell by their physical characteristics what they've been doing it for months."

Mr. President, if you are going to be part of this political business, you better have a pretty tough spine and a pretty hard shell because people throw criticism around all the time, and if you cannot take it, this ain't beanbag, do something else.

But I deeply resent what was said by Congressman KING about these DREAMers. It is totally unfair. It is mean, and it is hateful. Do not take my word for it; take the words of the Republican leaders who responded to Mr. KING.

House Speaker JOHN BOEHNER, commenting on Congressman KING's comments, called them "wrong" and "hateful." That is from Speaker BOEHNER.

House majority leader ERIC CANTOR, Republican of Virginia, said they were "inexcusable."

During a House Judiciary Committee subcommittee hearing Tuesday, Representative JOSEPH GARCIA, Democrat of Florida, described KING's words as "beneath the dignity of this body."

Representative RAUL LABRADOR, Republican of Idaho, who has been heavily involved in immigration reform, expressed hope Wednesday that KING regretted his remarks. "There's nobody in the conference who would say such a thing and I hope that he, if he thought about it, he wouldn't say such a thing again," LABRADOR said.

It is heartening to know that Members of Congressman KING's own political party—Republicans—have stated unequivocally how awful his statement was. It troubles me and it is heart-breaking to think that these DREAMers—these young people who are simply asking for a chance to be part of the United States—would be characterized as dope smugglers and drug smugglers.

Obviously, Congressman KING has never read the DREAM Act because if you have ever been convicted of a crime, you cannot be approved through the DREAM Act for citizenship—not a serious crime. That is part of the law. He should know better, but I am not sure that he cares.

I am glad Members of his own party have stepped up and branded these comments for what they are. What I have to say to him is, take a moment away from the media, meet some of these DREAMers, and hear their stories. Hear what they have been through, and hear about what they want to do with their lives for the future of the United States of America.

To the DREAMers themselves, this is not the first criticism they have run into. They have taken a lot. They are courageous young men and women.

When I started this trek, this 12-year trek on the DREAM Act, I used to give speeches in Chicago about the bill, and there would be audiences full of Hispanics usually. Nothing much would be

said. I would go out to my car afterward, and in the darkness there would be a couple students waiting by the car. They would call me to the side, after they looked both ways to make sure no one was around, and they would say: Senator, we are DREAMers. We are counting on you to give us a chance. Over the years, these young people who waited to greet me in the darkness when no one was around have now stepped up. They are identifying who they are so America knows what is at stake.

When you meet the DREAMers, you will realize how awful and wrong these statements by Congressman KING are. There will always be critics of immigration in America. It is part of our national tradition. But I do believe the vast majority of Americans are fair people. They are people who believe in justice. They do not believe that a child—that a child—should be held responsible for any wrongdoing by their parent. If their parent brought them to the United States as a baby, they had no voice in that decision. Why should they be penalized for that decision? They should be given their own chance to become part of this Nation's future.

I will close by saying that maybe Tereza Lee was not the first DREAMer in my life. My mother was brought here at the age of 2 and certainly did not have much of a voice in the decision to come to America. But thank goodness her mother and father decided to make that trip and that my grandparents located in Illinois and gave me a chance to grow up in a great place with a great family. That is my story, and that is America's story.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, Senator DURBIN is such an eloquent champion for righting injustice, and I am always impressed with him, and I do agree that the American people are good and decent people. They want the right thing. They want the right thing on immigration. Part of that is a lawful system of immigration that serves the national interests of our country. We disagree on how to get there sometimes, but you cannot dispute the passion of Senator DURBIN.

THE ECONOMY

Mr. SESSIONS. Mr. President, I want to share some thoughts about the President's tour today and the last couple of days talking about jobs.

Well, I have to say, first and foremost, this country is not doing well economically. It is just not.

You hear the stock market is up, and people try to translate that into substantial progress in the economy. But it is just not there, particularly with jobs. The fourth quarter of last year, our GDP growth was .4 percent. By the time the first half of this year concludes, we are not going to have 2 percent growth over that period.

You are not going to create jobs unless you have economic growth. We are not seeing it. Wages are down. Wages have declined since 1999 for working Americans by virtually any calculation. Wages have been declining. Unemployment is up. The number of people working today is 2.1 million fewer than in 2007. We have 2.1 million fewer people working today than in 2007.

This is the slowest economic recovery since the Great Depression, there is no doubt about that. But we have done all kinds of extraordinary things. We had the biggest stimulus—all borrowed—spent. They are going to stimulate the economy and create growth. Has it produced real growth or is it just a sugar high, as one of the Wall Street gurus referred to it? It appears quite clear that it is a sugar-type high.

We have more and more plans from our leadership here in the Senate. It is basically tax and spend. The American people are hurting. Their wages are falling and so forth. They have unemployment problems. So we promise to tax more and we are going to spread more money around and borrow more. And this is somehow going to put us on a sound path to prosperity, job growth, and wage increases, which is what we need. Please note these facts.

I do not mind the President talking about the issue. I know he is using the words “middle class.” Well, he should. Middle-class working Americans, struggling Americans—someone needs to be thinking about them. But you also have to have policies. A speech is not a policy. A speech is not tangible, something that creates growth, jobs, prosperity, and increased wages. GDP growth last quarter was only 1.8 percent and has averaged at or under 2 percent since the end of the recession in 2009.

There is a major corporation, a CEO—which is common throughout the business—he just said quite frankly: We are not hiring anybody if the GDP growth in America is not over 3 percent.

Well, we haven't had 3 percent growth—hardly had it—since 2009. He actually is not filling vacancies still even though we are having modest growth and people possibly are trying to oversell that.

I am just saying that the economy is struggling. It is not growing rapidly enough to create jobs. We have record unemployment.

The Wall Street Journal panel of economic experts expects slow growth for the rest of this year at 2 percent or less. They have revised their forecast down. The President and Congressional Budget Office a year or so ago were predicting higher numbers than this. They are not coming in. Now they are revising downward what they expect the economy to do in the second half of the year.

We need more than a speech, in my opinion. After 6 years since the beginning of the recession, we still have not created as many jobs as existed in De-

cember of 2007. Americans are working 5 billion less hours than in 2007. Think about that—5 billion less hours than in 2007.

Some say: Well, our immigration plan—my colleague recalled my attention to it—is somehow going to fix that. We will bring in more workers, and everyone is going to get pay raises, and unemployment is going to be reduced.

But that is not what the Congressional Budget Office told us.

At a time when we are struggling to find jobs for American workers, many of the unemployed are immigrants to the country, African Americans, poor people struggling to get by, and you continue to bring in a larger flow of labor than the country can absorb. As Mr. Peter Kirsanow from the U.S. Commission on Civil Rights said, we do not have a shortage of workers in America, we have an excess of workers in America. We have more workers than we have jobs.

The fastest growing type of work today is part-time employment. Over 320,000 part-time jobs were created last month compared to 95,000 full-time jobs. They are counting these part-time employment jobs as employment. Well it is better than nothing, I suppose. We are having a surge of part-time employment, driven in large measure by the President's health care policies. It just is. Everybody knows that.

New unemployment claims, which came out this week, are up. In other words, the number of people who are filing for unemployment insurance has gone up, I hate to say. There were 7,000 more in July, to 343,000.

The average net worth of American households is down. Someone said recently that net worth was back to nearly what it was prior to the recession. That was something we heard based on, I guess, the stock market primarily. But another analysis looked at it and said: Well, what about the share of the debt of Americans? That has increased dramatically since 2007. Once you calculate the debt all of us owe as American citizens to the total debt of America, household net worth is 60 percent lower than it was in 2007.

It is time for this Nation to begin a serious discussion about what it is that is causing our economy to slide and what we can do realistically to create jobs, increase growth, get higher wages, and so forth. One of the things we should not do is bring in more labor than we have jobs for. That is pretty simple to me. One of the things we should do is try to bring down the cost of energy, not increase the cost of energy. One of the things we should do is eliminate the unnecessary regulations that drive up costs and produce nothing but a burden in exchange. We need a tax system that favors growth. We need to defend on the world stage the legitimate interests of America and our working people. We have not effectively fought back against unfair

trade. We can do a better job of that. There are a lot of things we can do that do not revolve around taxing more, borrowing more, and spending more. That is what the policies are here.

We have a bill on the floor right now that busts the budget wide open. We agreed to these limits 2 years ago. Senator SHELBY, the ranking Republican on the Budget Committee, stood firm for the agreement levels we agreed to. It was not easy, but we agreed to it. Oh, no, the majority has to spend more than the amount that currently is limited by law.

So I guess what I would say is that President Obama is correct to at least talk about this issue, but we need to do more than talk. About all we are hearing when the President talks is plans to invest more, to spend more, to tax more, and to borrow more. That will not change the debt course of America. We need real policies to put us on a path to prosperity that protects the American worker from unfair foreign competition, from excessive labor brought into the country, and from too high energy costs. There are a lot of other things we can do that would promote prosperity in the country.

I yield the floor.

THE PRESIDING OFFICER (Mr. MARKEY). The Senator from Alabama.

THE ECONOMY

Mr. SHELBY. Mr. President, as we all know, we have a jobs crisis in America. High unemployment and weak economic growth have festered for nearly 5 years. American families are increasingly dependent upon government, and businesses are being suffocated by it all over this country.

I believe our ability to emerge from this jobs crisis stronger than before depends upon government performing its proper role in the economy. In my view, that role is to establish the conditions for job creation and economic growth in the private sector. Through stable fiscal policy, a simplified tax code, and streamlined regulation, the government can create an economic environment conducive to risk-taking and innovation that leads to real job creation in this country. Unfortunately, the same toxic combination of government overreach and inaction which has failed to produce a jobs recovery in this country thus far also threatens to prolong the jobs crisis, I believe, for years to come.

We learned in the last few days that President Obama is planning a PR blitz to gloss over his failed economic agenda. Over a series of speeches he will give around the country, he said he will discuss his vision for the future. But he will offer nothing new. According to the New York Times, his jobs plan is “largely repackaging economic proposals that the President has offered for years.” We need a fresh free market approach to job creation. Stale Obama policy leftovers will not cut it. They are not new ideas. It is not a new beginning.

I will preface my remarks here on the fiscal, tax, regulatory, and monetary policy challenges we face in this country with a more detailed description of the current macro-economic conditions, starting with job numbers.

The official unemployment rate in the United States is 7.6 percent. That makes 54 straight months of unemployment above 7½ percent. However, as grim as those figures are, they do not tell the full story. The Bureau of Labor Statistics reports that the real unemployment rate in this country—known as U6—is 14.3 percent unemployment. U6 includes those who are unemployed, those who want to work but have stopped searching for a job, and those working part time because they cannot find full-time work. Some 22.6 million Americans fall under this category I have just described. That is the real unemployment. That is sad.

The real unemployment rate was 14.2 percent when President Obama took office in January of 2009. It peaked at 17.1 percent in late 2009 and early 2010 but has not fallen below 13.8 percent during his time in office. By all measures this has been a jobless Presidency thus far.

Digging further into the numbers reveals more troubling trends. The number of people working part time because their hours were cut back or because they cannot find full-time work increased by 322,000 people last month to 8.2 million people in this country. The percentage of the unemployed who have been without work for 27 weeks or more also remains dangerously high at 36.7 percent.

An analysis by the Hamilton Project in February of this year found that we will not get back to full employment for another 10 years based on recent job-creation numbers. Meanwhile, economic growth remains sluggish.

The most recent figures from the Bureau of Economic Analysis indicate that the U.S. real gross domestic product, GDP, grew at a tepid 1.8-percent annual rate in the first quarter of 2013—this year.

Average annual real GDP growth was just 0.8 percent over President Obama's first term in office, the full 4 years.

We are experiencing the weakest economic recovery since the Great Depression. As a consequence, government dependency in this country is on the rise. Under President Obama, the number of Americans on food stamps has increased by 47 percent to 47 million people; 8.9 million Americans collect disability pay, and that number is increasing by 70,000 people a month, unheard of in the past.

These are alarming figures. How did we get there? I will explain.

Overspending. The current job crisis, I believe, is a product of the 2008 financial meltdown we all went through. No one denies that President Obama was dealt a tough hand coming into office. He was. But the question is, What did he do about it?

President Obama's first act in office, if you will recall, was to ram a \$787 bil-

lion stimulus package through Congress. He promised the American people it would keep the unemployment rate from rising above 8 percent. Instead, the unemployment rate hit 10 percent in October of 2009 and remained above 8 percent for the next 43 consecutive months, according to the Bureau of Labor Statistics.

But President Obama's spending binge was just getting started. According to the Congressional Budget Office, the congressional budget deficit in 2009 was \$1.413 trillion. In 2010, an additional \$1.294 trillion. In 2011 it was another \$1.3 trillion, and in 2012 \$1.087 trillion—not billion, trillion. Although the 2013 deficit we are in now is projected to get below \$1 trillion, it will still be \$183 billion higher than any pre-Obama deficit.

Looking at the big picture, the national public debt now stands at just under \$17 trillion, an increase of nearly 60 percent under President Obama.

What has been the result of this spending spree? Taxpayers got more debt, but job seekers didn't get more work.

Compounding our fiscal difficulties, Social Security and Medicare remain on an unstable long-term footing. These programs alone already account for 38 percent of Federal spending. But over the next 25 years, the Congressional Budget Office projects their share—that is Social Security and Medicare—of GDP to increase by 40 percent.

According to the trustees of the Social Security and Medicare trust funds, Medicare is expected to run out of money in 13 years, and Social Security will go broke by 2033. Saving these essential programs requires Presidential leadership. Unfortunately, there has been none to speak of. President Obama's spending binges have precipitated multiple budget showdowns and, as a result, they have also presented many opportunities for spending and entitlement reform.

But President Obama has not risen to the occasion yet, despite broad consensus that we must take action to save Social Security and Medicare. President Obama used the power of his office to campaign pre- and post-election for one thing, tax increases.

Tax increases are not the solution to a spending problem. Tax hikes do not create jobs. Tax hikes will not generate growth. Tax hikes kill jobs and allow President Obama to spend more and for Congress and the President to borrow more. I believe what we need in this country is structural tax reform, not tax increases.

According to the most recent data from the Internal Revenue Service, the top 1 percent of taxpayers, those making \$369,000 or more, pay 37.38 percent of all income taxes. I wish to say it again. According to the IRS, 1 percent of the taxpayers paid 37 percent of all income taxes.

The top 5 percent of taxpayers, those making \$161,000 or more, paid 59 per-

cent of all income taxes. Think about it. The top 10 percent of all taxpayers, those making \$116,000 or more, paid 70 percent of all income taxes.

The top 25 percent of taxpayers, those making \$69,000 or more, pay 87 percent of all income taxes.

The top 50 percent of taxpayers, those making \$34,000 or more, pay 97 percent of all income taxes.

Meanwhile, the other 50 percent, those making \$34,000 or less, pay 2.36 percent, a little over, not quite 2.5 percent of all income taxes. In addition, approximately half of U.S. households pay no income tax.

Despite these imbalances, President Obama increased taxes on the wealthiest Americans by \$617 billion in January of this year. Still, a Heritage Foundation analysis of Treasury Department data finds that President Obama's fiscal year 2014 budget contains an additional \$1.1 trillion in proposed tax increases. This is a tax-and-spend administration.

The size and complexity of the Tax Code adds to the tax burden on the economy. The code contains 55,600 pages, I am told. Taking into account all explanatory materials and IRS rulings, the CCH-Standard Federal Tax Reporter comprises 70,000 pages. Even the instructions for the easiest tax form, the 1040EZ, run 46 pages.

The total cost of complying with the individual and corporate tax requirement in this country was \$168 billion last year. According to the IRS Taxpayer Advocate Service, there has been approximately 4,680 changes to the Tax Code since 2001.

The Tax Code is filled with various credits, deductions, and corporate welfare. Analysis by the Joint Committee on Taxation finds that these so-called tax expenditures total \$1.3 trillion. We could drastically simplify the Tax Code and lower individuals' rates by eliminating these provisions alone.

Unfortunately, President Obama's approach to taxes is the same as his approach to spending: more, more, more—but no structural reforms that would help us establish the conditions for job creation and economic growth in this country, which we desperately need.

Overregulation of the economy further deteriorates the conditions necessary for job creation and economic growth. The aggregate regulatory burden on American families and businesses is staggering.

A study by the Competitive Enterprise Institute estimates that total costs for Americans to comply with Federal regulations reached \$1.806 trillion in 2012. This translates to nearly \$15,000 annually per family or 23 percent of average household income.

According to the American Action Forum, the Federal Government so far this year alone has published regulations that will result in \$61 billion in compliance costs and 80 million hours of paperwork.

Despite the failure of the stimulus package, President Obama put the unemployed on hold for more than a year

while he forced government-run health care through Congress. He promised his plan would reduce health insurance premiums by \$2,500. Instead, premiums have already increased by that amount, according to the Kaiser Family Foundation employee health benefits survey. A recent Wall Street Journal analysis finds that premiums could double or even triple for healthy consumers, even under ObamaCare.

All together, ObamaCare is 2,400 pages long and creates 159 new boards, commissions, and government offices. According to the Congressional Budget Office, the 10-year spending estimate for ObamaCare is \$1.88 trillion. Analysis by the Joint Committee on Taxation shows that the law creates or raises 21 taxes totaling \$1.1 trillion over the next 10 years.

The impact of ObamaCare on hiring is not surprising. According to the U.S. Chamber of Commerce Q2 2013 Small Business Survey, 71 percent of small businesses say the health care law makes it harder to hire people.

The same survey finds that one-half of small businesses say they will either cut hours, reduce full-time employees, or replace full-time employees with part-time workers to avoid the mandate. In addition, Gallup finds that 41 percent of small business owners say they have held off on hiring new employees in response to ObamaCare.

I welcome recent news that the Obama administration will temporarily delay the employer mandate. But in light of the evidence that ObamaCare is increasing health insurance costs and making it harder for the unemployed to find jobs, we should delay the whole law permanently for everyone. We should repeal it.

Congress should start over and craft legislation that will actually lower health care costs and preserve high-quality care without crushing businesses with unnecessary regulations.

President Obama's expansion of government did not end with ObamaCare. In 2010, he forced through Congress his purported response to the financial meltdown, the Dodd-Frank legislation.

We were told that the financial regulatory system needed to be streamlined to prevent future bailouts, and that is true. Instead, Dodd-Frank created more government agencies than it eliminated. Moreover, the law totals 2,300 pages and calls for 400 new rules.

A study by scholars at the Mercatus Center at George Mason University estimates that Dodd-Frank had already generated 2,109 restrictions in the Code of Federal Regulations by the end of 2011, and there is more to come.

At this rate, they project a 26-percent increase in restrictions in relevant sections of the code once all Dodd-Frank rulemakings are finalized in the future. Dodd-Frank will create jobs only for regulatory compliance officers, not for people working every day in the United States.

Earlier this year I introduced legislation that would require regulators to

perform a rigorous cost-benefit analysis of new Dodd-Frank regulations. Under the legislation, a regulation dies if its costs exceed its benefits to the economy.

Unfortunately, the Democratic majority in the Senate has not brought up this legislation for consideration. Some observers have subscribed to the cynical view that the legislation is nothing more than an effort to undercut financial reform.

I am the only current Member of the Senate who voted against both financial deregulation in 1999 and the Wall Street bailout in 2008. I subscribe to the view that regulations should protect taxpayers without harming job creators.

President Obama's regulatory zeal finds an outlet now in a war on coal in this country. Aware that it does not have the votes to jam his carbon tax agenda through Congress, he now will direct the Environmental Protection Agency to implement it by way of regulation. We all know his environmentalist crusade will kill jobs.

An analysis by the Heritage Foundation estimates that drastically reducing the percentage of coal in our Nation's energy portfolio would, by 2030, kill more than 500,000 jobs and increase electricity prices by 20 percent.

In contrast, a Wood Mackenzie study estimates 1.4 million American jobs could be created if the government adopted policies encouraging U.S. energy exploration and production.

I believe the Obama environmental agenda will do more to put family budgets in the red than it will to make the world green.

Instead of waging a war on coal jobs, I believe President Obama should approve and expedite the Keystone Pipeline. This would create tens of thousands of jobs and decrease energy bills for families and businesses. This is the type of clear-headed energy policy we should be pursuing in this country.

In light of the existing and increasing regulatory burden, it is not surprising the Federal Reserve estimates that manufacturers, domestic producers, and other nonfinancial American companies are sitting on a record \$1.78 trillion stockpile of cash. Why? If we are to create the conditions for real job creation in this country, we must start by streamlining the regulatory burden on the economy. The rules, restrictions, and mandates facing those who wish to undertake an entrepreneurial endeavor or expand their business through investment and innovation is mind-numbing.

MONETARY POLICY

I would also like to talk a few minutes on monetary policy—very dry, complicated, but very important to all of us.

On July 17, Federal Reserve Chairman Ben Bernanke told members of the House Financial Services Committee “if we were to tighten policy, the economy would tank.”

What does he mean? He was referring to the Federal Reserve's aggressive use

of nontraditional monetary policy to prop up markets since the financial meltdown of 2008. The implied message is striking: The Fed is taking big risks through monetary policy because administration policy is not helping the economy.

The Federal Reserve's balance sheet quantifies just how big a risk Chairman Bernanke feels he must take with so-called monetary stimulus. It currently stands—the Fed balance sheet—at \$3.5 trillion, and continues to grow at \$85 billion a month under the Fed's so-called quantitative easing program. Among the assets included in the Fed's balance sheet are \$2 trillion in U.S. Treasury securities and \$1.2 trillion in Federal agency mortgage-backed securities.

To put the acceleration of the Fed's balance sheet into perspective, it took 95 years from the Fed's creation 100 years ago—1913—to reach \$1 trillion. The Fed then added the second trillion in just 6 weeks, followed by the third trillion this past January. Under the current quantitative easing program, the Fed's balance sheet will reach \$4 trillion in less than 6 months. Where does it end—\$5 trillion, \$6 trillion, \$10 trillion?

As with fiscal policy, we are in uncharted monetary policy waters. The Fed's unprecedented measures carry substantial risk and uncertainty to every man, woman, and child in this country. Should inflation increase, and it will, the Fed would have to tighten monetary policy to contain it. However, should the Fed tighten monetary policy, it risks stalling an already weak economy here. As deep as our fundamental economic challenges already are, the thought that one wrong monetary policy move by the Fed could cripple our entire economy is deeply troubling.

In conclusion, I think we face a serious confluence of economic challenges in this country. It is obvious to me that President Obama's policies have not worked and they will not create work or jobs. Real job creation is a result of entrepreneurship and innovation and risk in the free market. I believe the government's role is to establish conditions for that to occur. We can do this by stabilizing our Nation's finances, simplifying our Tax Code, and streamlining our regulatory framework.

The more President Obama and this administration cling to the tired liberal ideology that more government is always the answer, the longer this job crisis will persist. America deserves better.

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

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

AMERICANS WITH DISABILITIES ACT

Mr. HARKIN. Mr. President, tomorrow we celebrate the 23rd anniversary of the signing of the Americans With Disabilities Act, the ADA. This landmark civil rights legislation will always be the highlight of my almost 40 years here in the Congress.

The Americans With Disabilities Act is one of the landmark civil rights laws of the 20th century; as someone once said, a long overdue emancipation proclamation for people with disabilities. The ADA has played a huge role in making our country more accessible, in raising expectations of people with disabilities about what they can achieve at work and in life, and inspiring the world to view disability issues through the lenses of equality and opportunity.

In these times, it is valuable to remember passage of the original Americans With Disabilities Act was a robustly bipartisan effort. As the chief sponsor of the ADA here in the Senate, and as the chair of the Disability Policy Subcommittee at that time, I worked very closely with both Republicans and Democrats. At that time Senator Robert Dole was the minority leader of the Senate, and we received invaluable support from President George Herbert Walker Bush. Key members of his administration, such as White House Counsel Boyden Gray, worked so hard on this, as did Attorney General Dick Thornburgh, who was magnificent in his support for the Americans With Disabilities Act. Transportation Secretary Sam Skinner and other Members of Congress also played critical roles in passing the ADA.

First and foremost among those, I would have to say, was Senator Ted Kennedy, who was chair of the full committee at the time and who allowed me to take the bill through as the chair of the Disability Policy Subcommittee. Senator ORRIN HATCH played a key role at times, making sure we got the conservatives on the same page. Representatives Tony Coelho, STENY HOYER, Major Owens, Steve Bartlett, and I might also mention someone who is not mentioned a lot, because he was not here in the Senate at the time we passed it, but who put in a lot of his life's work and who was chairman of that subcommittee before I took it over, Senator Lowell Weicker from Connecticut. As a matter of fact, he was the first sponsor of a comprehensive disability policy bill here in the Senate. So he became a great supporter, a great personal friend of mine through all these years, and Lowell Weicker deserves a lot of credit for actually getting us focused on the issue of a comprehensive civil rights bill addressing the issue of disability.

Before the ADA, life was very different for folks with disabilities in Iowa and across the country. Being an American with a disability meant you couldn't ride on a bus because there

was no lift, not being able to attend a concert or a ballgame or a movie with your family or your friends or loved ones because there was no accessible seating, not even being able to cross the street in a wheelchair because there were no curb cuts. In short, being disabled in America before the ADA meant not being able to work or participate in community life. Discrimination was both commonplace and accepted.

Since then, we have seen amazing progress. The ADA literally transformed the American landscape by requiring architectural and communications barriers be removed and replaced with accessible features such as ramps, lifts, curb cuts, widened doorways, and—for anyone who is watching this on C-SPAN and put on the mute button—you get closed captioning for the deaf and hard of hearing.

More importantly, the ADA gave millions of Americans the opportunity to participate in their communities. We have made substantial progress in advancing the four goals of the ADA: equality of opportunity, full participation, independent living, and economic self-sufficiency—the four pillars of the ADA.

But I stand here today to remind my colleagues that we have not yet kept the promise we made 23 years ago with strong bipartisan support. We still have too many Americans with disabilities living in poverty, oftentimes in isolation and without control over the supports and services in their lives.

For example, last week in my role as the chair of the Senate Committee on Health, Education, Labor, and Pensions, we concluded an investigation and issued a final report on the state of the implementation of the part of the ADA that provides for people to be able to live and receive services in integrated settings, and prohibits people from being unnecessarily separated and isolated from their family and friends and put in institutions or other segregated settings. What we found is disturbing. Twenty-three years after the 1999 Olmstead case decision by the Supreme Court, we found that more than 200,000 working-age Americans with disabilities—many in their late teens and early twenties—remain trapped in nursing homes and institutions, separated from their families and communities against their wishes—despite the 1999 Supreme Court decision in *Olmstead v. LC* that people with disabilities have the right to be integrated in the community.

Our committee investigators found that only 12 States devote more than half of their Medicaid long-term care dollars to home and community-based services. The number of working-age adults in nursing homes has actually increased by more than 30,000 over the last 5 years. It is shameful.

Unfortunately, many States continue to approach community living for people with disabilities as a social welfare issue and not as a civil rights issue.

This is a failure of vision on the part of many State leaders.

So how can we correct this injustice? Well, we need to clarify that under the ADA, every individual who is eligible for long-term services and supports has a federally protected right to a real choice—their choice—in where they receive these services and supports, whether in an institution or in a community.

What that also means is, at long last, Congress needs to end the institutional bias in the Medicaid system. Right now, under Medicaid, States are required to pay for long-term services and supports if you are in a nursing home. But if you want to receive those supports and services in an integrated community-based setting, Medicaid has the option of covering you. That is the institutional bias that exists in Medicaid: They have to pay for you if you are in a nursing home, and they don't have to pay for supports and services if you are in a community or integrated setting. As long as it remains that way, the deck will continue to be stacked in favor of costly institutional settings. We know from our investigations that home-based, community-based integrated settings with support services for people with disabilities is more cost effective than putting people in an institution or a nursing home—not to mention the quality of life, and the fact that so many people with disabilities want to be in an integrated community setting and do not want to be housed in a nursing home.

In my remaining 17 months that I have as a Senator here in the Senate, I plan to hold hearings and introduce legislation that will accelerate the rate at which States move their long-term services and supports in the direction of home and community-based settings.

Another area where our work is incomplete is making sure people with disabilities take their rightful place in the American workforce. Twenty-three years after the passage of the ADA, it is shameful that two out of every three adults with a disability are not even in the workforce, not working. That is shameful. We may say, Well, the unemployment rate in America is now 8 or 9 percent. Think about if you are a disabled adult; it is 60 percent or more who are unemployed.

Next week in the HELP Committee, we will mark up the Workforce Investment Act, a critical law that has not been reauthorized since 1998. The workforce has changed a lot since 1998, and a lot of the ADA generation have come of age during that period of time. So in the bipartisan draft Senators Alexander, Murray, Isakson, and I filed with the committee yesterday, we include provisions that will improve how the vocational rehabilitation system partners with schools to deliver services that will result in more young people doing internships, part-time jobs, in competitive settings. The aim is to maximize the likelihood that young

people with disabilities will leave school college and career ready—people such as Lily Siegel, who was my intern this summer from the American Association of People with Disabilities. They provide summer internships. Lily, and so many like her, have high expectations for themselves. They want to be challenged. They want to work in competitive, integrated employment. They don't want to be shunted into subminimum wage jobs with no future, no chance for advancement, no chance for challenging themselves to do better and to do more and to take more responsibility. We owe it to them to do everything in our power to help them transition to the kinds of jobs and higher education experiences that will help them build a career and maximize their economic self-sufficiency.

I can tell you from my work in this area that this generation of young people who have come of age under the umbrella of the ADA, who were born in 1990 through 1995, has been integrated into their schools. They weren't segregated as my brother was and sent halfway across the State to a State institution. They have higher expectations. They have had accessibility. They see what society has done to make sure that they can travel, they can go out with their friends and their family, they can go to school in integrated settings, they can get jobs and, under the ADA, employers have to provide reasonable accommodations for that job. They don't deserve now to be frustrated by not having the opportunity to get that competitive integrated employment.

That is what we are doing in the Workforce Investment Act, to provide for young people in high school who have disabilities, to let them know they expect more of themselves, and we do too. No longer will it be acceptable for them to leave school and go into some minimum wage covered employment where they are warehoused for the rest of their lives. They want to get out there and show what they can do. That is why we are changing the Workforce Investment Act, changing vocational rehab to focus on getting these young people internships, job shadowing, mentoring, so they know what their abilities are and what they can expect to do once they leave school.

When we passed the ADA, so many people came here from other countries—legislators, parliamentarians—how can we now do this? How can we get our laws changed?

About 11 years ago, the United Nations set up a committee to look at this. Out of this came the U.N. Convention on the Rights of People With Disabilities, the CRPD. That treaty was sent to our President, and under our system the President sends it out to all his Departments in the executive branch to report back, what things do they need to do to change to conform to the treaty? In other words, if the treaty is the supreme law of the land,

what laws do we have to change in order to comply with that treaty?

Guess what. After about a whole year of circulating through all of our Departments of Justice, Labor, HHS, Agriculture, and everything else, it came back: We don't have to change one law because we are the best in the world when it comes to the civil rights protection of people with disabilities.

So last year, under the guidance of then-Senator John Kerry, who is now our Secretary of State, it went to the Foreign Relations Committee. They had hearings. Senator MCCAIN and I were the two leadoff witnesses. We brought that treaty to the floor of the Senate in December, fully expecting it would pass. Under the Constitution of the United States, it requires a two-thirds vote to approve the treaty and we thought we had the votes. We brought it on the floor. We fell 6 votes short of the 67 votes we need. We had a number of Republicans and Democrats on the bill.

Why did it fail? Right before we brought it up, former Senator Rick Santorum and others began to talk about how this was going to prevent people from homeschooling their kids. I thought I knew the treaty. I had read it. I had looked at it. I thought, Did I miss something? Is there something in there I didn't find?

I went back to my staff and said, Comb through this. I got ahold of people at the U.N. and said, What is in there that would prevent people from homeschooling their kids? Nothing. Absolutely nothing. That charge was made out of whole cloth somehow, but at that time in my office calls ran 50-1 against adopting the treaty on that issue. So people were misinformed because of a few people like Mr. Santorum and others who decided to whip this up—for whatever reason, I don't know.

There were also a lot of comments made on the Senate floor by my Republican colleagues at that time that we shouldn't be adopting a treaty in a lameduck session, even though we pointed out that many treaties in the past had been adopted in lameduck sessions. I review that history to tell my colleagues that under now the leadership of Senator BOB MENENDEZ, who is the chair of the Senate Foreign Relations Committee—and I might add that the person who succeeded Senator Kerry in his position in the Senate, the present occupant of the chair, is also on the Senate Foreign Relations Committee—there are going to be some more hearings. Under the leadership of Senator MENENDEZ, we intend to bring that back to the floor this fall. We need to get the 67 votes.

People ask: Why is that so important? It is important for the United States to take leadership on this issue around the globe. Over 100 nations have already signed the treaty. They are looking to us for leadership.

I have talked to some of my colleagues and they say: Why do we need

to join that? We are OK. We are doing just fine. We are doing just fine with disability law in our country. We do not need to join this convention, sign this treaty.

It seems to me that is an inherently selfish way of looking at who we are and what we are about as a nation. We have provided, I think to the world, guidance and direction on disability issues. If we are a part of the Convention, we get a seat at the table. When countries come and say we want to conform our laws, we want to make sure we meet the guidelines of the Convention on the Rights of Persons with Disabilities, this commission that is set up will be there to both guide and direct countries but also to see whether they are fulfilling their obligations. If we are not a signatory to the treaty, we are not at the table.

There is another reason we should sign this Convention. I just spoke to a group of people yesterday, people with disabilities, and I said: There are a lot of people in this country who use a wheelchair. Guess what. They would like to travel overseas. They would like to go with their friends and their family. But in many of these countries they do not have curb cuts. They do not have lifts. They do not have accessibility for people with disabilities. Shouldn't people with disabilities in this country have the same right to travel and enjoy foreign travel as anybody else? If we are a signatory to the treaty, then we can work with those countries to help change their laws, change their structures.

I cannot tell you how many veterans I have talked to, people who have come back from Iraq and Afghanistan disabled, and do you know what they say. They want us to join the treaty too because they want to travel overseas, and they feel constricted because they will not have accessibility in other countries.

For the life of me I cannot understand why people are not supporting this treaty. I do not get it. I just don't get it. It is supported by the U.S. Chamber of Commerce. It is supported by every veterans group in this country. It is supported by, I think, every faith-based group in this country. It is supported by everyone in the disability community. It is supported by every former living President, from the two Bushes to Clinton, to Carter. It has broad-based support. You would think with that kind of support it would be a no-brainer to pass it in the Senate.

We are going to bring it up again this fall. I am hopeful we can do it. No one worked harder on a lot of these issues than Senator Bob Dole. We just had his 90th birthday party Tuesday in Statuary Hall. It was quite an event. So we fell just six votes short. I look forward to working with Senators MENENDEZ, MCCAIN, AYOTTE, BARRASSO, DURBIN, UDALL, and COONS to bring the treaty back to the floor and get the additional votes needed for it to pass.

I tell you, people with disabilities, their family members, supporters, the

business community, the veterans community, faith-based and civil rights groups are mobilizing for this. They do not want to take another chance that this will not pass.

I urge my colleagues to take the time to look at the facts related to the disability treaty. It requires no changes in U.S. law. It has no budget impact. As I said, when we become a party to the Convention, we have a seat at the table with the rest of the world. We will be well positioned to accelerate progress for the 1 billion people with disabilities around the world. It is our chance to be that shining city on the hill for the rest of the world.

I might also add this is supported by the high-tech business community in America because their global leadership position on accessible products and services can be used by the rest of the world.

For all those reasons, we need to pass it. Let me just close with this one last thought. Again, I am struck by the fact that these days we are surrounded, as I said earlier, with a new generation of young adults with disabilities who grew up since passage of the ADA, including a number of wounded warriors back from Iraq and Afghanistan. I call these younger people the ADA generation. They see disability as a natural part of human diversity. They reject the prejudices and stereotypes of earlier generations. I can tell you this, they have high expectations for themselves. They want to be challenged and they want to challenge us to make sure our society is open and they have the opportunity to go as far as their talents can take them.

We cannot let these people down. If we passed the ADA, now we have to take steps to make sure it is not just a promise, but it is a promise we are keeping and that we will keep.

We in the Senate have a responsibility to keep fighting to ensure that they have an equal opportunity to be independent, fully integrated, fully self-sufficient. That, at the heart, is what the Americans with Disabilities Act is all about. Twenty-three years later, we can look at it and say, without doubt, it truly is America at its very best.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah is recognized.

COMPREHENSIVE TAX REFORM

Mr. HATCH. Mr. President, over the last few years, I have come to the floor many times to advocate for comprehensive tax reform. I share the belief of many in Congress that tax reform is a necessary step to ensuring economic growth and prosperity in the future. This is why, as the ranking member of the Senate Finance Committee, I have made tax reform my top priority.

We are now at a crossroads when it comes to tax reform. Before us there are two alternative paths. The first

path is the one we took back in 1986. It is the path that former House Democratic Leader Dick Gephardt and former Treasury Secretary James Baker advised members of the House Ways and Means Committee and the Senate Finance Committee to take.

As you will recall, they were two critical players in the last successful tax reform effort. In 2011, at one of our hearings, they advised us to not mix deficit reduction and tax reform. This was a joint Senate Finance and Ways and Means Committee hearing. To paraphrase these two former leaders: Each is a hard enough task by itself, but doing them together is nearly impossible. That is one path we can take. The path that separates our tax reform efforts from our deficit reduction efforts.

In 2011, they both advised us not to mix deficit reduction and tax reform. They just basically said that each is a hard enough task by itself, but doing them together is nearly impossible. That is one path we can take, the path that separates our tax reform efforts from our deficit reduction efforts.

The other path we can take is to condition tax reform on the raising of additional revenues. Sadly, that seems to be the preferred path of many of my friends on the other side of the aisle. I will never fully understand why, except their propensity to spend. According to many Democrats in the Senate, there can be no deal on tax reform unless they get a second significant tax increase this year. We heard just today from the Senate Democratic leadership that they want the Senate Finance Committee to use the Senate budget, which included nearly \$1 trillion in tax hikes, as the model for tax reform. Essentially, what they are saying is that unless they get a big tax hike, we have to keep the tax system as it is, with all of its complexity, inequities, and distortions. Right now this position is held by many on the other side of the aisle, and it is the biggest barrier to fundamental tax reform.

Today, I would like to take a few minutes to examine this position and to discuss the merits of conditioning tax reform on yet another significant tax increase. Last October, one of my friends on the other side put it this way:

Tax reform 25 years ago was revenue neutral. It did not strive to cut the debt. Today we cannot afford for it not to. Our national debt today is approximately 73 percent of GDP. That is nearly double what it was in 1986.

At first glance, this argument may appear to be reasonable. However, it falls apart under further examination. If my friends on the other side of the aisle were serious about deficit reduction, they would not focus their efforts on tax hikes. If they wanted to get a handle on our Nation's debt problems, they would work with Republicans to address the main drivers of our debt and deficits, our unsustainable entitlement programs.

No one who has spent more than 5 minutes examining our Nation's finances seriously disputes that the main drivers of our current debt and deficits, and the source of the coming fiscal calamity, are Federal entitlement programs, especially our health care entitlements, Medicare and Medicaid.

I have a chart from the Bipartisan Policy Center that tracks the trend lines on Federal spending. As the chart shows, in the coming years, health care entitlement spending will overwhelm our Federal fiscal picture and consume an outsized share of our economy. That is represented by the top blue line on the chart.

All other categories of major Federal spending either increase at significantly lesser rates or decline and stabilize. As we can see, Social Security kind of levels off, discretionary spending—both defense and nondefense—we have seen that go down. This is other mandatory programs. As we can see, when it comes to deficit reduction, getting our debt under control, entitlement reform, that upper line, that is going off the charts. That is where the bodies are buried. Yet if you listen to my friends on the other side of the aisle, the problem is not our entitlement programs. The problem, they say, is that the American people simply are not being taxed enough.

Of course, the actual numbers tell a different story. Over the last 40 years, Federal revenues as a percentage of the gross domestic product have averaged roughly 17.9 percent. While in recent years that number has decreased due to the struggling economy, tax revenues are at a pace to rise over the historic average and settle around 19 percent of GDP.

Let me repeat that. Absent any changes in tax law, revenues are set to rise above historic levels relative to GDP, the gross domestic product. So despite my friends' claims to the contrary, the root of our current fiscal crisis is not the lack of revenues, it is unsustainable spending. More specifically, it is entitlement spending. That is just health care. That doesn't include some of the others. That is why all serious bipartisan deficit reduction discussions over the last few years have included structural reforms to our entitlement programs.

Without significant changes, programs such as Medicaid and Medicare and Social Security will remain unsustainable. In order to strengthen and preserve these programs for future generations, we need to reform them. If we do not reform them, we face a fiscal disaster, and it would be a terrible disaster for all of our young people living today who are going to have to foot this bill.

All of the major discussions seeking to reach a so-called "grand bargain" on deficit reduction have come down to a mix of different policies, but while they have all had different approaches, all of them have included structural entitlement reforms.

When I talk about deficit reduction discussions, I am referring to the Bowles-Simpson plan, the Domenici-Rivlin plan, the negotiations led by Vice President BIDEN, the G8 Senate talks, the negotiations between Speaker BOEHNER and President Obama, and the so-called supercommittee. Each of those grand bargain discussions divided deficit reduction policy issues into four categories. These categories are: No. 1, discretionary spending; No. 2, non-health mandatory spending; No. 3, health care entitlement programs; and, No. 4, revenue. Those have been the agreed-upon areas of focus in our deficit reduction efforts. Yet, if you listen to what my friends on the other side of the aisle have been saying recently, you will see that their focus is entirely one-dimensional. We don't hear much talk anymore about addressing discretionary spending. We certainly don't hear much in terms of reining in entitlement spending. No, their only focus is on raising taxes.

More precisely, their most recent argument has been that we have cut so much spending over the last few years that we are now at a point where tax hikes are the only viable deficit reduction option. Now, of course, with the exception of the sequester cuts that took effect this year, we have not really seen any real spending reductions as of yet, just promises, which future Congresses could easily undo.

Even though only a small portion of the promised spending cuts has actually taken place, my friends on the other side of the aisle like to claim they have all already happened. Still, let's take a look at the record. Let's assume for a few minutes that all of the recently enacted deficit reduction is real and take a closer look at what has been done with respect to deficit reduction categories I referred to earlier.

In the last 2 years two bills have been enacted with the purpose of major deficit reduction. The first was the Budget Control Act of 2011. The second was the fiscal cliff deal or the American Tax Relief Act of 2012.

According to the Congressional Budget Office data and consultation with the Senate Budget Committee, here is what has been done so far: The category that has been tapped the most is discretionary spending, to the tune of \$1.36 trillion of promised spending reductions over 10 years. Remember, that is over 10 years. Once again, these are almost entirely promised spending cuts that have yet to be realized. If history has told us anything, it is that future promises to reduce spending aren't likely to be kept. They are very unlikely to be kept.

If you don't believe me, look at the efforts by my friends on the other side of the aisle to undo even the small amount of spending cuts that are actually in place this year. Indeed, Democrats in Congress have been actively looking for ways to eliminate the cuts for discretionary spending. If history is

any indication, they may very well be successful in spite of the promises they made.

Those who argue against these cuts do not want to merely provide flexibility over how the cuts will occur. They don't want any cuts to occur even though they are spending cuts relative to a bloated baseline that was supposed to be only temporarily elevated. Still, if we assume that against all odds these spending cuts remain in place, we will have reduced discretionary spending by \$1.36 trillion relative to a baseline of bloated spending.

The next highest deficit reduction category is revenues. Revenues have been increased by roughly \$600 billion over 10 years—part of the fiscal cliff deal. This includes only the revenues generated by the fiscal cliff deal. It does not include the \$1 trillion of new taxes enacted as part of ObamaCare.

Unlike the promised discretionary spending cuts I cited earlier, this revenue number is very real and not just promises. While it may be a 10-year number that can theoretically be changed, history tells us that once tax hikes are in place, they always tend to stay there.

So of the four deficit reduction categories, we have already taken significant steps with regard to promised discretionary spending reductions and actual revenue hikes. Where are we with the other categories?

As I said, health care entitlement spending is the driver of future deficit and debt. No one who looks at this seriously disputes this. The trust funds in Social Security, which are to finance retirement and disability payments, are on clear paths to exhaustion, with the disability insurance trust fund scheduled to dry up in 2016. Yet, to date, very little of our deficit reduction attention has been focused on entitlement spending. So far we have done absolutely nothing to deal with unsustainable Social Security promises, and we have done nothing to address the insolvency of the retirement and disability trust funds. So far we have reduced health care entitlements by a mere \$81 billion over the next 10 years. That amounts to roughly 4 percent of overall promised deficit reduction we have enacted. That amount is minuscule relative to the amount of scheduled spending entitlements over the next 10 years.

Take a look at this chart. We can barely see the red line on the right side of the chart. That red line stands for \$81 billion in entitlement cuts. If we look at the 10-year spending—as the chart behind me shows—over the next decade, we will spend roughly \$22 trillion on the three major entitlement programs. That is trillion with a “t.”

Despite cutting spending and reducing deficits over the last couple of years, we have only been able to reduce entitlement spending by a mere \$81 billion. Look at that little red line compared to the 10-year spending on Medicare, Medicaid, and Social Security,

which is unsustainable, and yet nothing is being done by the majority.

By the way, all of those spending reductions have come in the form of cuts to health care providers. They are cutting out doctors, hospitals, and health care providers, as if that is going to keep them on the job. There is a high percentage of doctors who are now ready to retire or quit and find other ways of living. All of those spending reductions have come in the form of cuts to health care providers, not structural entitlement reforms, and they know that is not sustainable. Just that little bit is not sustainable.

Once again, this approach is at odds with the grand-bargain efforts we have seen over the last few years. All of those efforts—every single one of them—put structural entitlement reform on the table. Yet, to date, my colleagues on the other side of the aisle have been unwilling to do the same.

As I said, my friends like to brag about all of the promised deficit reduction they have enacted thus far—even the deficit reduction they are actively trying to repeal—but they refuse to even entertain a serious conversation about the main sources of our future debt and deficit.

So where are we? The Senate Finance Committee is engaged in a bipartisan effort to reform our Nation's Tax Code and bring some sense of sanity to our Nation's tax system. Chairman BAUCUS and I have asked our colleagues to assist us in this effort by sharing their views on what elements of the current Tax Code should be preserved. I would like to thank my Republican colleagues on the Finance Committee for their input thus far. I have met with every one of them individually on this issue except for one, and he is meeting with my staff. I really appreciated their thoughtful comments and advice.

While I remain hopeful that we will be able to move on tax reform this year, I am disheartened by comments I heard from my friends on the other side of the aisle. Indeed, many of my Democratic colleagues have stated that they are unwilling to engage in tax reform without assurances that it will have to include another massive tax increase.

Once again, their message to the American people is that we have to keep the current system—which virtually everyone in the country agrees is a problem—unless the Republicans agree to higher taxes. They want to hold simplicity in the Tax Code hostage to demands for even more taxes. They want to hold efficiency in the economy—which stimulates growth and creates jobs—hostage to demands for the second tax hike of the year in order to pay for more of their spending and more of their expansion of government even further. They want to hold competitiveness of our businesses at home and around the globe hostage to demands that flowthrough businesses face yet another tax hike—even after having been hit already at the start of this year.

My colleagues insist that their demands for higher taxes are all about deficit reduction. But let's face it. If deficit reduction was the real goal, entitlement reform would also be on the table. It would have to be on the table. After all, that is where the money is. That is where we have a chance to really reduce the deficit. That is where the future of our young people is going to be killed if we don't attack that problem now and do it in an intelligent way.

According to my friends on the other side of the aisle, entitlement reform is not on the table. Despite the stated desire of President Obama and a number of congressional Democrats for a grand bargain on deficit reduction, when the rubber meets the road they simply are not willing to engage in a real discussion about entitlement reform. Sure, they will talk about cuts to providers and other cosmetic changes to these programs, and they will talk about modifying cost-of-living adjustments in Social Security if they get hundreds of billions of dollars of new tax revenue in return. But at the end of the day structural entitlement reforms simply are not part of their deficit reduction equation.

Despite many claims to the contrary, Republicans are willing to engage, as they have in the past, in a bipartisan grand bargain for deficit reduction. Ask Senators CRAPO, COBURN, and former Senator Gregg. They voted for Bowles-Simpson. Oddly enough, the remaining sitting Democratic Senator who voted for Bowles-Simpson has walked away from the entitlement reform concessions he made and instead has focused on calls for more revenues and as a result tax reform is being held hostage.

Republicans and Democrats agree on the importance of tax reform. Our tax system is in dire need of reform. It is, quite frankly, one of the major obstacles standing between us and sustained economic growth. Most Democrats claim they agree with this sentiment, but their desire for more revenues apparently trumps this belief in the need for tax reform.

Something has to change. As I have said before, we have been counseled by some of our former leaders not to mix tax reform and deficit reduction. I think that is pretty good advice, and these are two of the leaders who helped to put through the 1986 bill. They are both highly regarded by people on both sides of the aisle here in the Senate.

Sadly, if Democrats in the Congress continue on their current course, neither tax reform nor deficit reduction will be possible. Indeed, if they continue to condition tax reform on additional tax hikes and if they continue to refuse to engage in a real discussion about entitlement reform, very little is going to be accomplished on either front.

This spending game has got to be over. We have to start living within our means. We on this side of the

aisle—and I in particular—have seen every tax increase amount to more spending, not deficit reduction, so it is a phony argument. And that is what is going to happen if we are so dumb as to increase taxes in accordance with the comments of our leadership on the other side of the aisle that were made just today. It is unbelievable that they get away with it. It is unbelievable that after all of these years we have to put up with that type of argument when we know they are not going to use that money for the appropriate reasons, and they never have.

One Senator said to me the other day: I just live for the day where we reform the Tax Code and it is not changed 4 years later by our friends on the other side of the aisle for the worse. The 1986 bill was a good bill by any standard. It did a lot of good, but in about 4 years our friends started to change it. As a result, today we have the monstrosity we call the U.S. Tax Code that nobody really believes in and everybody knows is a detriment to our country.

I am very concerned. I think we are going to have to have some folks stand up on the other side of the aisle. We are willing to stand with them, and we are willing to solve these problems in ways that will preserve the entitlement programs. They are not going to be preserved in their current form if we keep going the way we are. And tax increases aren't the answer either. We are spending so much, and it will not be long until we will be in a category with Greece if we don't watch it.

We have to overcome this because no other entity in the world is going to bail us out; we have to bail ourselves out. We have to do it by doing what is right, now, and not by increasing taxes. It means resolving these problems on a structural reform basis. It will take good people on both sides of the aisle to do it. I call on my friends on the other side to get with it. Get real. Quit the tax charade.

We know that is not going anywhere. We also know it is phony to begin with. Mr. President, I suggest the absence of a quorum.

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

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Michigan.

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

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

UNSEEN DETROIT

Ms. STABENOW. Mr. President, when people across the country flip on the news tonight, they are probably going to see pictures of Detroit. They aren't going to be flattering pictures, and they are not going to tell the whole story.

There is no question that the Detroit city government is going through an

extremely difficult financial crisis, and there are many causes for that.

There are more than 20,000 people—retired police officers and firefighters and teachers and city workers—who have been loyal and hard-working employees their entire lives, who are now worried about how they are going to pay the mortgage or put food on their tables.

The TV cameras are rolling when it comes time to show us bad news about Detroit, but what aren't we seeing?

On TV, they aren't showing us the city that is the No. 1 market in the country for tech jobs—No. 1. They aren't showing a city that is one of the fastest growing in the country for new manufacturing jobs. On TV, they aren't showing us the city that is undergoing a massive revitalization, with businesses and religious leaders and community leaders and neighborhoods working together every day. They aren't showing us the Quicken Loans headquarters with 7,000 jobs in downtown Detroit; a CEO so committed to the city that he closed a beautiful building in the suburbs to bring people downtown; a CEO who is purchasing properties and investing in so many ways in Detroit, along with a wonderful coalition of business leaders committed to the revitalization of this great city. They aren't showing us the beautiful renovation of Campus Martius and the amazing things happening downtown on Woodward Avenue, where people can go on any day now and see people who are there—younger people, older people—enjoying the beautiful surroundings.

They aren't showing us the surge of innovative companies that are breaking new ground in creating opportunity in Detroit.

On TV, they aren't showing us the new Elijah McCoy Patent and Trademark Office—the very first and, so far, only satellite patent office in the country that was put in Detroit. Why? Because Michigan happens to be No. 1 in new, clean energy patents—new ideas on clean energy, coming from Detroit and the surrounding communities. They are not showing us TechTown and the venture capitalists and the 17 tech startups that are investing in technologies that are being developed in Detroit right now and that are going to change our lives in the years to come. On TV, they aren't showing us Michigan's world-class research universities and the incredible collaboration that is going on with Detroit businesses.

They are not showing us the rich depth of culture we are known for in Detroit. The city that gave the world Motown once again has an exploding arts and music scene. In fact, last weekend, in beautiful Traverse City, MI, I was speaking to someone who lives there who said his sister is coming back from Colorado who is an artist; she is moving to Detroit. When he asked her why, she said Detroit is where everybody is going because there are so many opportunities there in arts

and culture. There are exciting things happening. We have the beautiful Detroit Institute of Arts, one of the largest and most important collections of artwork in the country.

Jack White, the founder of the band, the White Stripes, stepped up and paid off with his own money the back taxes owed on the Masonic Temple in Detroit, one of the most stunning theater and music venues in the world.

Story after story such as that can be told of people coming forward and saying: We are going to make sure that Detroit is coming back.

On TV, they are not showing us Eastern Market, the Nation's longest continuously operated farmers market, and all the great things that are happening there, with new test kitchens and local agriculture. In fact, as chair of the Agriculture Committee, I was so proud to learn that we in Detroit have the national leaders in urban agriculture who are now creating jobs working with small business to create food entrepreneurs and healthy foods for families and neighborhoods.

I am so proud of the work we have been able to do with the Detroit Public Schools. Not long ago I stood at a school garden in a neighborhood that was put together by the children of the school. We now have 46—46—gardens at schools in Detroit, and in the summer the neighborhood makes sure they can help get the work done for the gardens so the children can have fresh fruits and vegetables when they come back to school.

Last month Whole Foods opened their first grocery store in Detroit, where they are featuring local foods such as Avalon baked goods and McClure's pickles and Good People Popcorn and Garden Fresh salsa and so many other things that are made right in the metro Detroit area.

We might just see a shot of the bridge to Canada on TV, but what we will not see is the more than \$1 billion in trade that crosses that border every single day. Metro Detroit, in fact, is the fourth largest city in America for exports, and we have the largest, busiest northern border crossing in the country.

While the cameras are obsessed with showing us decay, we are seeing an auto industry that is roaring back. We are seeing the Chrysler plant that the New York Times called one of the most modern and successful auto plants in the world, in Detroit. That plant employs more than 4,000 people and added a third shift at the end of last year to build the Jeep Grand Cherokee.

Ford Motor Company reported record North American profits in the second quarter and growth in every sales region.

GM's global sales are up, and they too are making record profits again, hiring workers and investing in new plants and technologies.

So while it is true that the city government is going through a terrible time and a bankruptcy, and that proc-

ess will be very painful and very difficult for many people in the city—many people who work very hard—it would be a mistake to count Detroit out. It would be a mistake to think there isn't opportunity in our great city of Detroit. It would be a mistake to think Detroit isn't coming back, because if a person is going to say anything about Detroit, a person has to say: Times may be tough, but so are the people of Detroit. Times may be tough, but the leaders, the businesses, the educators are tough. Our people, our businesses, are smart and talented and care deeply and are committed to making sure this great city called Detroit comes roaring back better than ever.

Thank you, Mr. President.

PRISON RAPE ELIMINATION ACT ANNIVERSARY

Mr. LEAHY. Mr. President, 10 years ago this week, Congress passed a watershed piece of legislation. The Prison Rape Elimination Act was the first comprehensive legislative effort to prevent something we had long been reluctant to even acknowledge existed—the incidence of rape in our Federal, State, and local corrections facilities.

Violence and victimization have no place in our society, including in our prisons, and we have an obligation to ensure these facilities are safe. The punishment of incarceration does not, and cannot, include a sentence of rape. And yet we know that all too often it does. A recent report by the Bureau of Justice Statistics estimated that nearly 1 in 10 inmates in America had been sexually assaulted in custody.

Too often the victims of such violence end up being the most vulnerable members of our population. Women, racial minorities, and those suffering from mental illness face increased rates of sexual violence while incarcerated.

Children in adult jails are at the greatest risk of being victimized. Juveniles housed with adults are 35% more likely than other inmates to be targeted for sexual assault, and that abuse is taking a terrible toll on this already vulnerable population. Youth under the age of 18 are 36 times more likely to commit suicide than if they were housed in a juvenile detention facility. With 100,000 youth held in adult jails and prisons every year, this is a problem we must address head on.

The Prison Rape Elimination Act gives us the tools to do that. Because of this law the Department of Justice now collects data about the incidence of sexual violence in our prisons so we can better understand the scope of the problem. We have adopted national standards and best practices to create safer environments, especially when it comes to juvenile detention and the dangers inherent in incarcerating our youth with adult prisoners. The law provides for increased training for prison staff, makes it easier for inmates to

report violence, and requires prompt medical and mental health treatment for victims.

These protections make sense, and that is why we made sure that the Violence Against Women Reauthorization Act that was signed into law earlier this year made clear that these protections also apply to every immigration detention facility operated by the Department of Homeland Security. We are making good progress, but more work lies ahead.

Sexual violence in our detention facilities compromises the health and safety of the inmates, staff, and the communities to which these prisoners will someday return. Although improvements have been made in the past 10 years, let us pause on this anniversary to reflect on the importance of ensuring that every American is safe from violence, and treated with the dignity and respect they deserve.

REMEMBERING VIVIAN MALONE JONES

Mr. LEAHY. Mr. President, last night, the National Museum of Women in the Arts hosted a screening of the documentary entitled, *Crisis: Behind a Presidential Commitment*. As we prepare to observe the 50th Anniversary of the March on Washington, this important film focuses on four individuals who will forever be connected with the battle for racial equality and the pursuit of Dr. Martin Luther King's dream. I want to recognize one of those individuals, Vivian Malone Jones.

Ms. Malone was one of two brave African-American students to enroll at the University of Alabama in 1963, despite the threat of Alabama Governor George C. Wallace to stop integration at "the schoolhouse door." The picture of Ms. Malone walking into the University of Alabama, flanked by National Guard troops, is an iconic image that is forever etched in our Nation's memory.

Ms. Malone grew up in the racially segregated city of Mobile, AL. She was just 12 years old when the Supreme Court ruled segregation unconstitutional in *Brown v. Board of Education*. The historic decision inspired Ms. Malone, who as a National Honor Society student in high school committed herself to efforts ending segregation. She went on to become one of the most important civil rights figures in our country's history.

In her lifetime, Ms. Malone personified dignity and strength. She also lived history. The day after she and classmate James Hood were escorted into the University's Foster Auditorium by the National Guard and Deputy Attorney General Nicholas Katzenbach, seeking to enroll in classes, civil rights leader Medgar Evers was shot and killed in Mississippi. This only made Ms. Malone more determined. She once said that she "decided not to show any fear and went to class that day." While an undergraduate student, she found a community of support and

friendship among fellow members of Delta Sigma Theta Sorority—the Nation's largest predominately African-American women's organization. And in 1965, she became the first African American to graduate from the University of Alabama, earning a degree in Business Management.

Ms. Malone was not just a symbol of courage; she also set an example of forgiveness. In 1996 Governor Wallace, who 3 decades earlier stood in the entryway to the university's auditorium, flanked by State troopers, to prevent Ms. Malone from enrolling, awarded her with the first Lurleen B. Wallace Award for Courage. Later recalling their conversation, Ms. Malone said that she simply spoke with Governor Wallace about forgiveness.

Throughout her life, Ms. Malone was dedicated to the preservation and enforcement of our civil rights laws. After graduation, she worked for the U.S. Department of Justice in the Civil Rights Division. In 1977, she took over as Executive Director for the Voter Education Project following the resignation of another civil rights legend, Congressman JOHN LEWIS. Eventually, Ms. Malone rose to become a Director of Civil Rights and Urban Affairs for the Environmental Protection Agency in Atlanta, GA, before retiring there in 1996.

In 2000, she gave the commencement address at the University of Alabama and advised the new graduates: "If there is any lesson for the graduates to take from my experience, it is that you must always be ready to seize the moment." Ms. Malone passed away on October 15, 2005, but her legacy continues. It lives on through her children, grandchildren, and siblings. It also lives on through the important work of her brother-in-law, Attorney General Eric Holder. He has done so much in the past 5 years to return the Civil Rights Division to its core mission. I have no doubt that his sense of purpose is informed by the proud history of the Malone family including his sister-in-law, Vivian, and his wife, Dr. Sharon Malone.

As we honor our Nation's civil rights heroes in preparation for next month's momentous anniversary of Dr. King's "I Have a Dream" speech and the historic March on Washington, let us honor another courageous icon who told those University of Alabama graduates in 2000, "You may not live in a time of great social change as I did, but you will just as certainly face moral choices." I hope Ms. Malone's courage, determination, and forgiveness will serve as a guiding light for generations to come, and to make the right moral choices in our own lives.

CRIME GUN TRACING ACT

Mr. DURBIN. Mr. President, I rise to speak about a new bill I have introduced called the Crime Gun Tracing Act. This bill will create a strong incentive for police departments and

sheriff's offices across the nation to trace every crime gun they recover. I am pleased that my colleagues Senators FEINSTEIN, WHITEHOUSE, BLUMENTHAL, LEVIN, BOXER, JACK REED and MURPHY have joined me as cosponsors of this legislation. I thank them for their support.

The issue of gun regulation is complicated, and people may not always agree on all aspects of it. But one thing we can all agree on is the need to reduce criminal gun violence. Far too many violent shootings are taking place across America. We need to catch the criminals who commit violent gun crimes, and we need to identify and stop the people who are putting guns in criminals' hands.

Crime gun tracing is a powerful tool that helps law enforcement solve gun crimes and identify gun traffickers. Law enforcement agencies should be tracing 100 percent of guns they recover in criminal investigations, and the legislation I am introducing will help get us closer to that goal.

Here is how crime gun tracing works. When a gun is recovered in a criminal investigation, a police department or sheriff's office can send the Bureau of Alcohol, Tobacco, Firearms and Explosives—ATF—information about the gun's make, model and serial number. ATF can then trace the gun from its manufacturer to its first retail purchaser. This information can help generate leads in identifying the person who used the gun to commit a crime. Also, when all crime guns in an area are traced, it can help law enforcement identify broader crime gun trends and trafficking patterns.

ATF has described crime gun tracing as a "cornerstone" of its efforts to combat gun crime and illegal gun trafficking. And ATF has made it free and easy for local police departments and sheriff's offices to trace guns. ATF has created an online tracing program, called E-Trace, that it makes available for free to any law enforcement agency that signs up for it. E-Trace allows gun trace requests to be sent to ATF quickly over the internet. And it provides a searchable computer database that police departments and sheriffs can use to analyze all gun traces and gun crimes in their jurisdiction.

Let us be clear: This is only a database for crime guns. This is not a registry of law-abiding gun owners. ATF only traces guns that are part of criminal investigations by law enforcement.

E-Trace is a great law enforcement tool. I have been working for years to get every police department and sheriff's office in Illinois to sign up for E-Trace and to use it for every crime gun they recover.

We are about halfway there in Illinois—around 400 out of 800 law enforcement agencies in my state are using E-Trace, and I am reaching out to the rest to urge them to sign up. But we can do better, both in Illinois and nationally.

I am introducing my bill, the Crime Gun Tracing Act, to help move us to-

ward 100 percent tracing of crime guns nationwide. There are about 18,000 law enforcement agencies in America, and right now about 4,700 have signed up to use E-Trace. All of these agencies should sign up to use E-Trace and should use it every time they recover a crime gun.

My bill will require law enforcement agencies that apply for Federal COPS grants to report how many crime guns they recovered in the last year and how many they submitted for tracing. The bill will then give a preference in COPS grant awards to agencies that traced all the crime guns they recovered.

To be clear, police chiefs and sheriffs should not just wait for this legislation to pass before they start tracing. They should start tracing today, and I hope many will. But for those local agencies that need a push to start tracing their crime guns, my bill will give them a significant incentive.

Gun violence is a complicated problem, and there is no one solution that will stop all the tragic shootings in our nation. But comprehensive crime gun tracing will make a big difference when it comes to solving gun crimes and identifying gun traffickers. Crime gun tracing is free, it is easy, and law enforcement leaders will tell you that it is a powerful tool that helps them fight crime.

I urge my colleagues to join me in supporting this legislation. And I also urge my colleagues to call on law enforcement in their States to start tracing all their crime guns, as I have done in Illinois. Many police departments and sheriff's offices simply do not know about this free law enforcement resource called E-Trace, and once they learn how easy it is to sign up and use E-Trace, they are thrilled with it.

We can make important progress on the issue of crime gun tracing right now if we alert all our State and local agencies about this powerful investigative tool. Every additional crime gun that gets traced makes it harder for illegal gun traffickers to hide. If we can identify and root out these trafficking networks, it will help reduce gun violence in our communities. That is a goal we should pursue, and I urge my colleagues to join me in this effort.

SMARTER SOLUTIONS FOR STUDENTS ACT

Mr. LEVIN. Mr. President, the choice before the Senate yesterday was very difficult. If we had failed to pass the student loan bill, students and their families would be stuck with interest rates for student loans that are double what they were just last year. American students and parents who worry every single day about whether they can afford college cannot be burdened with such an enormous rate hike.

The cost of tuition at public 4-year colleges is up more than 15 percent since 2009. Student loan debt has reached historic proportions. Yet we allowed the rate on new federally subsidized student loans to double, to 6.8

percent, as of July 1. If we had allowed this rate increase to continue, we would have subtracted thousands of dollars from the wallets of American students and their families or, worse, be responsible for pushing college beyond the financial means of some families who already wonder whether they can afford to give their kids the education they need and deserve.

The bipartisan legislation we passed yesterday will temporarily resolve this crisis for American families, but it is far from perfect. It switches these interest rates for these critical student loans from fixed rates to floating rates, with caps that are far too high. This opens the door to rising interest rates 4 years from now that students and their families simply cannot afford.

The student debt problem which for many families is a student debt crisis requires a carefully considered long term solution. I am hopeful that such a solution will eventually emerge, but this legislation is not it.

That is why I supported an amendment offered by my colleagues, Senators REED and WARREN, and another amendment offered by Senator SANDERS, which would have mitigated some of the long-term damage of this legislation. Even though we did not adopt those amendments, I supported this bill for the simple reason that it removes the burdens facing America's students and their families in the next few years.

The chairman of the HELP Committee, my friend TOM HARKIN has pledged to try to fix the likely spiking interest rates facing students when the higher education reauthorization bill comes up next year. I will strongly support that effort.

Yesterday we in the Senate had a choice, but America's college students do not they have no choice but to pay the ever-rising cost of a college education, not if they want the skills and knowledge that hold the promise of a better life. They have no choice but to live with the decisions we make here in this Chamber.

REMEMBERING MICHAEL WINTER

Mr. HARKIN. Mr. President, this week Americans are celebrating the 23rd anniversary of the landmark Americans with Disabilities Act. As chief Senate sponsor of that legislation, I know that we could not have prevailed without the tireless, passionate, never-give-up advocacy of disability rights advocates and leaders across America. One of those outstanding leaders, Michael Winter, cannot be with us to celebrate this year's anniversary. He passed away earlier this month. But I would like to take a few minutes today to celebrate the life of this wonderful person.

Michael was born with a disability, and grew up in Chicago at a far less enlightened time, when students and other young people with disabilities were excluded from the mainstream.

Michael used a wheelchair, but he was not the kind of person to take discrimination sitting down. At an early age, he began to speak up. He discovered the power of advocacy. He was determined to change the world for people with disabilities.

In 1969, Michael was enrolled in Southern Illinois University. Because the school president's wife used a wheelchair, the SIU had made a commitment 15 years earlier to become one of the first accessible colleges in the United States. But Michael was not satisfied. He believed that the university needed to be more inclusive for students with disabilities. So Michael and other students with disabilities took over the university president's office and chained a wheelchair to his desk. They did so to drive home the point that the campus needed to have accessible transportation for people with disabilities. The university, to its great credit, made improvements, and Michael had found a special focus for his advocacy. His passionate and highly effective advocacy for accessible transportation became a constant throughout his life.

In addition, Michael was one of the early leaders in the Independent Living movement. In 1977, after college and attending graduate school, he went to the fledgling Berkeley Center for Independent Living, where he completed an internship with Judy Heumann. He ended up staying on as a staff member for another 4 years. He then directed a Center for Independent Living in Hawaii before returning to the Berkeley as director of the Center for Independent Living for 12 years. During that period, Michael also served as president of the National Council on Independent Living.

As I said, Michael's special passion was to advocate for more accessible transportation. Later in his career, he held various positions at the U.S. Department of Transportation, and was responsible for helping enforce civil rights with respect to transportation under the ADA, the Rehabilitation Act, the Civil Rights Act, and other laws.

He also advocated for more accessible transportation internationally. Marca Bristo, CEO of Access Living in Chicago, recently shared a memory of Michael Winter, whom she considered a mentor on independent living. She wrote:

I'll never forget being in Seoul riding the most accessible subway I've ever been on with my son. Later I asked my host from Rehabilitation International, Dr. Il Yung Lee, how did it happen? He said: "The Convention on the Rights of Persons with Disabilities and Michael Winter."

Many Americans got to know Michael in Eric Neudel's award-winning documentary, "Lives Worth Living," which chronicled the rise of the disability rights movement in the United States. The documentary recounts the historic day in 1990 when hundreds of disability rights advocates crawled and climbed up the steps of the Capitol

Building in Washington to protest the slow progress in passing the Americans with Disabilities Act. One person who was there recalled the scene as follows:

A young girl with cerebral palsy, fiercely determined to reach the top ("I'll take all NIGHT if I have to!"), inspired the admittedly out-of-shape Michael Winter to follow close behind. When the activists gathered en masse in the Capitol rotunda, Winter was approached by a young, able-bodied woman who was excited by the crowd. Turns out she was a tour guide, expecting to host a group of "handicapped" people on a tour through the capitol. "I have to tell you something," Winter wryly informed her. "I don't think these people are here for a tour."

Hundreds of disability rights activists are in Washington this week to celebrate the 23rd anniversary of the Americans with Disabilities Act. We also celebrate the contributions of leaders like Michael Winter, who are responsible for America's remarkable progress toward fulfilling the four great goals of the ADA—equal opportunity, full participation, independent living, and economic self-sufficiency. Despite this progress, we know that our journey is far from finished. We have not yet achieved the full promise of the ADA. But we go forward inspired by the memory and example of Michael Winter and other outstanding leaders in this movement.

Thank you, Michael Winter, for a job well done. Thank you for helping us to create a better, fairer, more inclusive and accessible world for people with disabilities.

OBSERVING TED STEVENS DAY

Ms. MURKOWSKI. Mr. President, this upcoming Saturday marks the third time Alaskans from across my home State will join together to "get out and play" in memory of the life and legacy of Senator Ted Stevens.

Since Ted's passing nearly three years ago, we have followed his example by getting out and embracing Alaska's great outdoors on this fourth Saturday of July. On this day, as envisioned by Senator Stevens' family, we embody his passion for Alaska's unique wilderness, his love for fishing, and his immense affection for nature. We celebrate his life, one dedicated to public service—from his days as a pilot in World War II to his four decades in the United States Senate fighting for roads, buildings, and other infrastructure needs in a State as young as ours.

This year, Alaskans in communities across the State—from Anchorage, Fairbanks, Juneau, and the Kenai Peninsula—are coming together for BBQ's, Potlucks, and fishing, while countless others take part in their own unique and special way.

We remember Ted Stevens, among many things, as one of Alaska's great leaders, the Alaskan of the 20th Century, and a tireless advocate for the 49th State. He was committed to our people, our economy, and the role we played in the success of America—from

national security to energy independence to our bountiful fisheries. As political as things get in our State and in Washington, DC, Uncle Ted had perspective: "The hell with politics, just do what's right for Alaska."

This weekend, however, is about Senator Stevens' deep love for the outdoors and adventure. It is as if this summer, one of the most gorgeous we have had back home in ages, Uncle Ted is looking down upon Alaskans and encouraging us to take up activities that require a little sweat, a little more effort than usual, maybe one that leaves us catching our breath afterwards. Whether one decides to walk or run, hike or climb, reel in a nice rainbow or salmon, take a spin on a bike or just play outside, I encourage Alaskans to spend some time this weekend getting out and enjoying our beautiful Alaskan Summer.

Mr. President, for Senator Stevens and the entire Stevens family: Let's get out and play.

Thank you Mr. President, I yield the floor.

TRIBUTE TO KEVIN COVERT

Mr. CARDIN. Mr. President, I wish to recognize Kevin Covert, our human rights officer at the U.S. Embassy in Moscow. Very shortly, he will move on to another assignment as is the usual practice at the Department of State. During his recent tour, Mr. Covert brought a remarkable level of initiative and leadership to his job. A diplomatic first responder to raids, attacks, and show trials, his was the face of American diplomacy there to listen to the stories of civil society leaders who found themselves branded foreign agents for simply working to better their own country. His handshake was there to remind those Russians who dared meet with him that the United States is committed to telling their story for the record and will not forget them—and Mr. Covert did just that as a lead drafter of the Russia section of the annual Country Reports on Human Rights Practices as well as through objective and incisive reporting chronicling an assault on rights unprecedented in modern Russia. All the while, his composure, and likely a good sense of humor, enabled him to listen patiently to host government interlocutors as American concerns were disingenuously construed as so much meddling while he politely, and with good judgment and integrity, reminded his counterparts of their own freely undertaken commitments to the rule of law and democracy.

As chairman of the U.S. Helsinki Commission and a senior member of the Senate Foreign Relations Committee, I have the regular opportunity, and distinct honor, to interact with the hard-working men and women of the Foreign Service. They do not wear uniforms, but they make numerous sacrifices, take significant risks, and serve our country honorably.

Our relations with Russia are at the heart of a truly comprehensive security and cooperation in Europe and I have paid close attention to this country in recent years. In that context, I am acutely aware of the challenges that our diplomats, serving in Russia under the leadership of Ambassador Mike McFaul, face. Over the past year, as a crackdown on fundamental freedoms gained scope and speed, professionals at our embassy in Russia never wavered in their support for the universal values that we as Americans hold especially dear. Our personnel, particularly those covering sensitive issues such as human rights, met adversity with poise and served our Nation with great dedication. They represent this country well and do us all proud.

Mr. Covert will be missed in Moscow by his colleagues at Post, as well as by countless Russians who got to know him in recent years. I salute Kevin Covert and all his State Department colleagues working the Russia beat during this difficult, but exciting, period of change.

TRIBUTE TO CAPTAIN JAMES T. LOEBLEIN

Mr. BARRASSO. Mr. President, I rise today to pay tribute to a close friend of the Senate, CAPT James Loeblein. Over the past three years Captain Loeblein has served as the director of the Navy Senate liaison office.

Since Captain Loeblein arrived on the Senate deck he has escorted 37 codels to 42 countries. In addition to his travels, Captain Loeblein led his team of sailors with the highest degree of professionalism in support of every Member of the U.S. Senate.

Throughout his time serving in the Senate liaison office, I got to know Jim. Captain Loeblein is a native of Salisbury, NC. Jim received his commission as an ensign after he graduated from the U.S. Naval Academy, Annapolis, MD, in May 1985. He went on to graduate from the Naval War College, Newport, RI, in 1997.

He has served as the executive officer aboard the USS *John S. McCain*, DDG 56. Captain Loeblein has also led sailors on multiple deployments commanding two strike group deployments and served as the sea combat commander for the Abraham Lincoln Carrier Strike Group all in support of Operation Iraqi Freedom and Operation Enduring Freedom.

Under Captain Loeblein's leadership and sharp instincts, his team has been instrumental in supporting the Senate's legislative responsibility to provide our sailors with the resources they need to carry out their mission. The Senate and our Nation are indebted for his service.

Next week, Captain Loeblein will officially be promoted to rear admiral, lower half. We wish him well as he prepares to take over as deputy commander, U.S. Naval Forces Central

Command in Manama, Bahrain. I want to thank Captain Loeblein for his service and congratulate him on this hard earned promotion.

TRIBUTE TO EDWARD J. LODGE

Mr. RISCH. Mr. President, I rise today on behalf of myself and Senator CRAPO to give recognition to U.S. District Judge Edward J. Lodge, the longest serving jurist in the great State of Idaho. This month, Judge Lodge marked 50 years on the bench in combined State and Federal service.

His long and notable career on the bench began in 1963 when he was selected probate judge in Canyon County. Judge Lodge was then appointed by Governor Robert Smylie just 2 years later to serve on the Idaho State District Court. He was the youngest person to be appointed a district judge.

After 23 years there, his name was put forth by U.S. Senator James McClure for a seat on the U.S. District Court for the District of Idaho. President George H.W. Bush appointed him in 1989 and shortly thereafter, his nomination was confirmed in the U.S. Senate by unanimous consent.

Judge Lodge has earned the respect of his colleagues as a jurist who, no matter the pressure or how big the case, works to ensure a trial is fair. Throughout the years, he has consistently received high ratings from the Idaho State Bar.

Though it may say more about my State than I would like, Judge Lodge is believed to have presided over more murder cases than any other judge in Idaho. And, in fact, he may just be the only judge who presided over two such cases simultaneously. These cases and the many others upon which he has presided distinguish Judge Lodge as a lifelong student of the law and as someone wholly dedicated to serving the people in judicial matters.

A native of Caldwell, ID, Judge Lodge earned a bachelor's degree from the College of Idaho in nearby Nampa, where he graduated cum laude. He then went north to the University of Idaho in Moscow to earn his juris doctorate.

Many may not know that throughout his education—from high school through university—he was an outstanding athlete. He was named three times an All-American in football at Caldwell High School, Boise Junior College and the College of Idaho. In addition, he was a Golden Gloves champion and successfully participated in track-and-field. These accomplishments landed him a place in the Boise State Athletic Hall of Fame and the College of Idaho Hall of Fame.

Judge Lodge is married to long serving Idaho State Senator Patti Anne Lodge. They have three grown children: Mary-Jeanne, Edward and Anne-Marie.

Idaho is proud to call Judge Lodge a native son.

ADDITIONAL STATEMENTS

THE UNIVERSITY OF SCRANTON

• Mr. CASEY. Mr. President, today I wish to honor the University of Scranton on the occasion of the 125th anniversary of its founding. For more than a century, this esteemed institution of higher education has made invaluable contributions to the City of Scranton, the Commonwealth of Pennsylvania and, most importantly, the lives of its many alumni.

Founded in 1888 as Saint Thomas College by Most Reverend William G. O'Hara, the first Bishop of Scranton, the college was staffed by diocesan priests and seminarians until 1896, and then briefly by the Xaverian Brothers. From 1897 until the arrival of the school's first Jesuit administration in 1942, the college was administered for the Diocese by the Christian Brothers. Renamed the University of Scranton in 1938, it is today "a community dedicated to the freedom of inquiry and personal development fundamental to the growth in wisdom and integrity of all who share its life."

I am proud that my hometown is host to an academic institution of the caliber of the University of Scranton. An anchor of the city's Hill Section, the university has grown well beyond its roots as a commuter school into a nationally recognized and respected university with a total enrollment of over 6,000 students in undergraduate, graduate and nontraditional programs.

As a Senator representing the Commonwealth of Pennsylvania, and a member of the Senate Committee on Health, Education, Labor and Pensions, ensuring that our Nation's children and young adults have access to high quality educational opportunities is one of my highest priorities. I firmly believe that anyone with the drive, fortitude and desire to pursue the opportunities afforded by higher education should be able to realize that dream. Throughout its history, the University of Scranton has enabled countless students to further their education and become productive members of society.

It is with great pride, as both a Senator from Pennsylvania and as a native of Scranton, that I honor the University of Scranton today. The contributions that this institution has made to both our Commonwealth and to our Nation are commendable, and I wish them all the best.●

2013 STENNIS CONGRESSIONAL INTERNS

• Ms. BALDWIN. Mr. President, 2013 is the 11th year in which summer interns working in Congressional offices have benefitted from a program run by the John C. Stennis Center for Public Service Leadership. This 6-week program is designed to enhance their internship experience by giving them an inside look at how Congress works and a deeper appreciation for the role that

Congress plays in our democracy. Each week, the interns meet with senior congressional staff and other experts to discuss issues such as the legislative process, power of the purse, balancing governing and campaigning, political polarization, foreign affairs, and more.

Interns are selected for this program based on their college record, community service experience, and interest in a career in public service. This year, 29 outstanding interns, most of them juniors and seniors in college who are working in Republican and Democratic offices in both the House and Senate have taken part.

I congratulate the interns for their participation in this valuable program and I thank the Stennis Center and the Senior Stennis Fellows for providing such a meaningful experience for these interns and for encouraging them to consider a future career in public service.

I ask unanimous consent that a list of 2013 Stennis Congressional Interns and the offices in which they work be printed in the RECORD.

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

Peter Aldrich, attending Grinnell College, interning in the office of U.S. Representative KEITH ELLISON; Jared Bierbach, attending University of Wisconsin—Milwaukee, interning in the office of U.S. Senator TAMMY BALDWIN; Becca Brukman, attending University of Arizona, interning in the office of U.S. Representative ALAN LOWENTHAL; Anthony Carli, attending University of Arizona, interning in the office of U.S. Representative KYRSTEN SINEMA; Jack Cartwright, attending Hamilton College, interning in the office of U.S. Representative KYRSTEN SINEMA; Julie Chen, attending Wellesley College, interning in the office of U.S. Representative CHARLES RANGEL; Steve Ciranna, attending Michigan State University, interning in the office of U.S. Representative BILL HUIZENGA; Rob Contreras, attending University of California at Los Angeles, interning in the office of U.S. Representative ANN KIRKPATRICK; Seth Coppe, attending American University, interning in the office of U.S. Senator JOE MANCHIN.

Florie Crump, attending Mississippi State University, interning in the office of U.S. Senator THAD COCHRAN; Nick Fickler, attending University of Southern California, interning in the office of U.S. Representative ED ROYCE; Jon Fox, attending Miami University, interning in the office of U.S. Representative JOYCE BEATTY; Caitlin Garn, attending University of Utah, interning in the office of U.S. Senator ORRIN HATCH; Jake Goodman, attending Temple University, interning in the Special Committee on Aging; Haley Gray, attending University of Texas at Austin, interning in the Office of the Speaker of the House of Representatives; Shannon Grimes, attending Bowdoin College, interning in the office of U.S. Representative CHELLIE PINGREE; Molly Harris, attending University of Mississippi, interning in the office of U.S. Representative AARON SCHOCK; Austin Harrison, attending University of Mississippi, interning in the office of U.S. Senator THAD COCHRAN.

Brenna James, attending University of Delaware, interning in the Senate Committee on Homeland Security & Governmental Affairs; Bobby Kogan, attending College of William and Mary, interning in the House Committee on the Budget; Ben

Lassiter, attending Clemson University, interning in the office of U.S. Representative TOM RICE; Will McIlwain, attending Pepperdine University, interning in the office of U.S. Representative CHARLES RANGEL; Viviana Molina, attending George Mason University, interning in the office of U.S. Representative AARON SCHOCK; Mary Moody, attending Samford University, interning in the office of U.S. Representative STEVE STOCKMAN; Eleanor Gray Mullen, attending University of Virginia, interning in the office of U.S. Representative DON YOUNG; Alicia Oken, attending Georgetown University, interning in the office of U.S. Representative CHERI BUSTOS; Melissa Shohet, attending McGill University, interning in the office of U.S. Senator MAZIE HIRONO; Austin Stannius, attending University of Utah, interning in the House Committee on Veterans Affairs; Sara Vance, attending Mississippi State University, interning in the Office of the Speaker of the House of Representatives.●

REMEMBERING DAVID VANBUSKIRK

• Mr. HELLER. Mr. President, the State of Nevada mourns the loss of Las Vegas Metropolitan Police Department Search and Rescue Officer David Vanbuskirk. Officer Vanbuskirk was a true hero who lost his life during a search and rescue operation at Mt. Charleston. His inspiring legacy of public service will be long remembered.

Officer Vanbuskirk began his service with the Las Vegas Metropolitan Police Department 13 years ago, and was one of only seven commissioned officers charged with conducting rescues for the department. On Monday, July 22, 2013, he responded to a call for help from a stranded hiker who needed emergency assistance. It was during this dangerous rescue mission that Officer Vanbuskirk nobly gave his life in the line of duty.

Officer Vanbuskirk represented the very best of Nevada, and his sacrifice is exemplary of the highest standards of public service. His commitment to service above self is the definition of heroic, as is his willingness to place the safety and welfare of others before his own. His actions remind us that there are brave and fearless Americans who put their lives on the line every day to keep us safe, and we owe them all a profound debt for their service.

While the State of Nevada will dearly miss this dedicated officer, his memory and legacy of courage will continue to live on in our hearts. I urge my colleagues to join me in honoring this fallen Nevadan, and I offer my deepest condolences to Officer Vanbuskirk's family and loved ones during this difficult time.●

KRAFT FOODS 50TH ANNIVERSARY

• Mr. KIRK. Mr. President, I stand today to honor the Kraft Foods Group, Inc. plant and its dedicated employees in Champaign, IL, as they celebrate its 50th anniversary.

This Champaign plant has the unique distinction of being Kraft's flagship facility, employing more than 1,100 of my

fellow citizens of Illinois, and proudly producing more than any other Kraft plant in the country. From the time it opened in 1963, this facility has grown in both size and production. For generations, millions of Americans have enjoyed the products made in Champaign, from Miracle Whip and Velveeta, to Kraft Singles and Cheese Whiz. The plant continues to expand its output, with new varieties of pasta, dressing and cheese being added to their production line in 2012, and earlier this year, Kraft chose to dedicate their entire Velveeta production to this single facility.

The Kraft Foods Group has called Illinois home since its founding in 1903, and Champaign has been a critical part of this company for more than half of that time. Kraft has so greatly contributed to Champaign's economic climate, helping to make the city this plant calls home a great place to live and work. Likewise, the people of Champaign helped make Kraft great. Our State is proud of all that Kraft produces, but we are especially proud of the ingenuity, industry, and drive that this plant's workers have embodied for 50 years. It is clear that because Kraft's Champaign employees have been dedicated to achieving success, this plant has continued to thrive after half a century.

In closing, I ask all my colleagues to join me in congratulating the Kraft Foods Group on reaching this incredible milestone and honoring the employees at their acclaimed flagship plant.●

REMEMBERING "AUNTY" MARY BOURDUKOFSKY

● Ms. MURKOWSKI. Mr. President, I would like to take a moment to pay my respects to an Aleut elder and spiritual leader, "Auntie" Mary. It is with a heavy heart I say that Mary-Nicolai Bourdukofsky, age 90, passed away on June 2, 2013 in Anchorage, AK.

"Auntie" Mary was a dedicated leader and fought to preserve the Aleut culture, language and traditions by the formation of the Aleut Dancers, sharing her knowledge of Aleut songs and stories, and native food preparation. She participated in educating youth and leaders in various venues including the Pribilof, Unalaska and Sand Point Aleut Culture Camp and the Anchorage Aleut culture camp. She worked with the Alaska Federation of Natives, AFN, Youth and Elders and served as an AFN delegate for many years. "Auntie" Mary also assisted with developing the Aleut culture exhibits at the Alaska Native Heritage Center and the Smithsonian Institution's Alaska Native Collections. Additionally she was honored as 2004 Aleut Corporation Elder of the Year. As a lifelong educator of traditional knowledge, she understood the importance of western education; she was one of the first women on the school board in St. Paul Island and later taught at the Univer-

sity of Alaska (both Fairbanks and Anchorage) and at Alaska Pacific University. "Auntie" Mary was a positive role model for all. She was the heart and soul of the family and the Aleut Community of St. Paul Island. She was also a proud shareholder of TDX, the St. Paul Village Corporation.

Mary Bourdukofsky was born January 9, 1923 on St. Paul Island to Nicolai and Olga Kozloff. Her role as natural leader began at an early age when she lost her own mother during childbirth and stepped up to help raise her three siblings. In 1939 she married George Bourdukofsky, and they had seven beautiful children. Despite being stricken by TB at birth and losing one of her sons to polio, she pressed on and grew into a well-respected community leader, advocating for equal rights and fair treatment of her fellow Aleut people.

During World War II, her family and the rest of the Aleut Community of St. Paul Island were forced from their homes and placed in internment at Funter Bay, AK. While all the Aleut men left as they volunteered to join the war effort, she led female advocates in filing a petition with the U.S. Government about the inhumane and unlivable conditions they were being forced to live in, knowing all the while that the Island managers had threatened them all with expulsion from their homes back on St. Paul forever if they complained. Some 50 years later she testified before the U.S. Congress, seeking an apology and retribution for how she and her fellow Aleut U.S. citizens were mistreated during WWII.

On behalf of the Senate I extend condolences to Mary's family, the Aleut community and every life she touched through her tireless advocacy. "Auntie" Mary was a truly remarkable individual, and I am proud to honor her as the outstanding leader that she was.●

HOME HELPERS OF EASTERN IDAHO

● Mr. RISCH. Mr. President, independence and self-sufficiency are two characteristics of adulthood that many of us simply take for granted. However, as we age, oftentimes we need a helping hand to accomplish daily tasks or deal with medical ailments. Teresa Nelson, owner of Home Helpers of Eastern Idaho and a certified senior adviser, recognizes the value of independent living and, through her hard work, has greatly contributed to the rich and full life of many Idahoans. I rise today to honor Home Helpers of Eastern Idaho located in Pocatello, ID.

Home Helpers of Eastern Idaho specializes in the at-home nonmedical care of our senior citizens and facilitates independent living. However, Home Helpers doesn't stop there. The over 50 employees and caregivers at Home Helpers also are available to assist new and expectant mothers, working parents, and individuals who are in

need of recuperative home care with flexible schedules and cheerful attendants. The personal touch that accompanies each care plan makes each experience unique and maximizes the level of comfort and care available to those in need.

Conscious of the individual needs and distinct situation of each and every client, Teresa Nelson and her team at Home Helpers strive to deliver a custom-tailored plan for each circumstance. From treatment needs to payment plans, the caregivers at Home Helpers use their flexibility and expertise to increase the quality of life of all that they work with.

For over 3½ years, Home Helpers has assisted many families and individuals through challenging times. Therefore, it is only fitting that we celebrate this firm's growth and successes, as they have simultaneously helped support our loved ones and create health care jobs in Idaho. I am proud to extend my congratulations to Teresa Nelson and everyone at Home Helpers of Eastern Idaho for their tremendous efforts and offer my best wishes for their continued success.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

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-2424. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report on the Department's activities during Calendar Year 2012 relative to the Equal Credit Opportunity Act; to the Committee on the Judiciary.

EC-2425. A communication from the Assistant Secretary for Legislative Affairs, Department of the Treasury, transmitting, pursuant to law, a report relative to two determinations made by the Financial Stability Oversight Council on July 8, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-2426. A communication from the Director, Administrative Office of the United States Courts, transmitting, pursuant to law, a report entitled "2012 Report of Statistics Required by the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005"; to the Committee on the Judiciary.

EC-2427. A communication from the Director of the Regulatory Management Division,

Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Mancozeb; Pesticide Tolerances” (FRL No. 9393-2) received in the Office of the President of the Senate on July 24, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2428. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Imazosulfuron; Pesticide Tolerances” (FRL No. 9390-2) received in the Office of the President of the Senate on July 24, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2429. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Final Flood Hazard Determinations” ((44 CFR Part 67) (Docket No. FEMA-2012-0003)) received in the Office of the President of the Senate on July 24, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-2430. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Final Flood Elevation Determinations” ((44 CFR Part 67) (Docket No. FEMA-2012-0002)) received in the Office of the President of the Senate on July 24, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-2431. 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; Tennessee: New Source Review-Prevention of Significant Deterioration” (FRL No. 9837-1) received in the Office of the President of the Senate on July 24, 2013; to the Committee on Environment and Public Works.

EC-2432. 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; West Virginia; Update to Materials Incorporated by Reference” (FRL No. 9828-8) received in the Office of the President of the Senate on July 24, 2013; to the Committee on Environment and Public Works.

EC-2433. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promulgation of Air Quality Implementation Plans; Wisconsin; Disapproval of PM2.5 Permitting Requirements” (FRL No. 9838-1) received in the Office of the President of the Senate on July 24, 2013; to the Committee on Environment and Public Works.

EC-2434. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promulgation of State Implementation Plans; State of North Dakota; Interstate Transport of Pollution for the 2006 PM2.5 NAAQS” (FRL No. 9839-8) received in the Office of the President of the Senate on July 24, 2013; to the Committee on Environment and Public Works.

EC-2435. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Administrative Revisions to EPAAR” (FRL No. 9837-4) received in the Office of the President of the Senate on July 24, 2013; to the Committee on Environment and Public Works.

EC-2436. 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 Disapproval of Air Quality State Implementation Plans; Arizona; Regional Haze and Interstate Transport Requirements” (FRL No. 9838-4) received in the Office of the President of the Senate on July 24, 2013; to the Committee on Environment and Public Works.

EC-2437. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promulgation of State Implementation Plan Revisions; Infrastructure Requirements for the 1997 and 2006 PM2.5 National Ambient Air Quality Standards; Prevention of Significant Deterioration Requirements for PM2.5 Increments and Major and Minor Source Baseline Dates; State Board Requirements; North Dakota” (FRL No. 9839-9) received in the Office of the President of the Senate on July 24, 2013; to the Committee on Environment and Public Works.

EC-2438. 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; North Carolina; Control Techniques Guidelines and Reasonably Available Control Technology” (FRL No. 9835-7) received in the Office of the President of the Senate on July 24, 2013; to the Committee on Environment and Public Works.

EC-2439. 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; Atlanta, Georgia 1997 8-Hour Ozone Nonattainment Area; Reasonable Further Progress Plan” (FRL No. 9837-2) received in the Office of the President of the Senate on July 24, 2013; to the Committee on Environment and Public Works.

EC-2440. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled “Inflation Adjustments to the Price-Anderson Act Financial Protection Regulations” (RIN3150-AJ25) received during adjournment of the Senate in the Office of the President of the Senate on July 22, 2013; to the Committee on Environment and Public Works.

EC-2441. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled “Interim Enforcement Policy for Permanent Implant Brachytherapy Medical Event Reporting” (NRC-2013-0114) received during adjournment of the Senate in the Office of the President of the Senate on July 22, 2013; to the Committee on Environment and Public Works.

EC-2442. A communication from the Director, Office of Regulations and Reports Clearance, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled “Extension of Effective Date for Temporary Pilot Program Setting the Time and Place for a Hearing Before an Administrative Law Judge” (RIN0960-AH58) received in the Office of the President of the Senate on July 24, 2013; to the Committee on Finance.

EC-2443. A communication from the Director, Office of Regulations and Reports Clearance, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled “Extension of Sunset Date for Attorney Advisor Program” (RIN0960-AH56) received in the Office of the President of the Senate on July 24, 2013; to the Committee on Finance.

EC-2444. A communication from the Director, Office of Regulations and Reports Clearance, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled “Mailing of Tickets Under the Ticket to Work Program” (RIN0960-AH34) received in the Office of the President of the Senate on July 24, 2013; to the Committee on Finance.

EC-2445. A communication from the Assistant Secretary for Import Administration, International Trade Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Certification of Factual Information to Import Administration during Antidumping and Countervailing Duty Proceedings: Final Rule” (RIN0625-AA66) received in the Office of the President of the Senate on July 24, 2013; to the Committee on Finance.

EC-2446. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the waiver of restrictions on U.S. assistance for several governments that were triggered by either the transfer of, or facilitation of the transfer of, lethal military equipment to state sponsor of terrorism (OSS-2013-1091); to the Committee on Foreign Relations.

EC-2447. A communication from the Acting Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 13-079, of the proposed sale or export of defense articles and/or defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel’s Qualitative Military Edge over military threats to Israel; to the Committee on Foreign Relations.

EC-2448. A communication from the Acting Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 13-089, of the proposed sale or export of defense articles and/or defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel’s Qualitative Military Edge over military threats to Israel; to the Committee on Foreign Relations.

EC-2449. A communication from the Acting 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 13-097); to the Committee on Foreign Relations.

EC-2450. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to sections 36(c) and 36(d) of the Arms Export Control Act (DDTC 13-093); to the Committee on Foreign Relations.

EC-2451. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to sections 36(c) and 36(d) of the Arms Export Control Act (DDTC 13-048); to the Committee on Foreign Relations.

EC-2452. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2013-0127–2013-0135); to the Committee on Foreign Relations.

EC-2453. A communication from the Program Manager, Health Resources and Services Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Exclusion of Orphan Drugs for Certain Covered Entities Under 340B Program” (RIN0906-AA94)

received during adjournment of the Senate in the Office of the President of the Senate on July 22, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-2454. A communication from the Program Manager, Center for Disease Control and Prevention, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Distribution of Reference Biological Standards and Biological Preparations" (RIN0920-AA53) received in the Office of the President of the Senate on July 23, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-2455. A communication from the Assistant General Counsel for Regulatory Services, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled "National Institute on Disability and Rehabilitation Research (NIDRR)—Rehabilitation Research and Training Center (RRTC) on Disability in Rural Areas" (CFDA No. 84.133B-8) received in the Office of the President of the Senate on July 23, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-2456. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Community Services Block Grant (CCSBG) Program Report for Fiscal Year 2009"; to the Committee on Health, Education, Labor, and Pensions.

EC-2457. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled, "Letter Report: Sufficiency Certification for the Washington Convention and Sports Authority's (Trading As Events DC) Projected Revenues and Excess Reserve to Meet Projected Operating and Debt Service Expenditures and Reserve Requirements for Fiscal Year 2014"; to the Committee on Homeland Security and Governmental Affairs.

EC-2458. A communication from the Acting Director, Office of Personnel Management, transmitting, pursuant to law, the Office's annual report on Federal agencies' use of the physicians' comparability allowance (PCA) program; to the Committee on Homeland Security and Governmental Affairs.

EC-2459. A communication from the Associate General Counsel for General Law, Office of the General Counsel, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the position of General Counsel, Department of Homeland Security, received in the Office of the President of the Senate on July 24, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-2460. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20-107, "Extension of Time to Dispose of Justice Park Property Temporary Approval Act of 2013"; to the Committee on Homeland Security and Governmental Affairs.

EC-2461. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20-108, "Foster Youth Transit Subsidy Temporary Amendment Act of 2013"; to the Committee on Homeland Security and Governmental Affairs.

EC-2462. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20-110, "Better Prices, Better Quality, Better Choices for Health Coverage Temporary Amendment Act of 2013"; to the Committee on Homeland Security and Governmental Affairs.

EC-2463. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report

on D.C. Act 20-109, "Heat Wave Safety Temporary Amendment Act of 2013"; to the Committee on Homeland Security and Governmental Affairs.

EC-2464. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20-111, "YMCA Community Investment Initiative Real Property Tax Exemption Temporary Act of 2013"; to the Committee on Homeland Security and Governmental Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. UDALL of New Mexico, from the Committee on Appropriations, without amendment:

S. 1371. An original bill making appropriations for financial services and general government for the fiscal year ending September 30, 2014, and for other purposes (Rept. No. 113-80).

By Mr. LEAHY, from the Committee on Appropriations, without amendment:

S. 1372. An original bill making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2014, and for other purposes (Rept. No. 113-81).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Ms. STABENOW from the Committee on Agriculture, Nutrition, and Forestry.

*Robert Bonnie, of Virginia, to be Under Secretary of Agriculture for Natural Resources and Environment.

*Krysta L. Harden, of Georgia, to be Deputy Secretary of Agriculture.

By Mr. BAUCUS from the Committee on Finance.

*F. Scott Kieff, of Illinois, to be a Member of the United States International Trade Commission for the term expiring June 16, 2020.

*Joseph W. Nega, of Illinois, to be a Judge of the United States Tax Court for a term of fifteen years.

*Michael B. Thornton, of Virginia, to be a Judge of the United States Tax Court for a term of fifteen years.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. SCHUMER (for himself, Mr. HATCH, Ms. KLOBUCHAR, Mr. FRANKEN, and Mr. COONS):

S. 1362. A bill to amend the National Child Protection Act of 1993 to establish a permanent background check system; to the Committee on the Judiciary.

By Mr. HELLER:

S. 1363. A bill to protect consumers by prohibiting the Administrator of the Environmental Protection Agency from promulgating as final certain energy-related rules

that are estimated to cost more than \$1,000,000,000 and will cause significant adverse effects to the economy; to the Committee on Environment and Public Works.

By Mr. WYDEN (for himself and Mr. THUNE):

S. 1364. A bill to promote neutrality, impartiality, and fairness in the taxation of digital goods and digital services; to the Committee on Finance.

By Mr. NELSON (for himself and Ms. COLLINS):

S. 1365. A bill to amend title XVIII of the Social Security Act to allow for fair application of the exceptions process for drugs in tiers in formularies in prescription drug plans under Medicare part D; to the Committee on Finance.

By Mr. BOOZMAN (for himself, Ms. AYOTTE, and Mrs. SHAHEEN):

S. 1366. A bill to modify the appointment of Inspectors General, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. PRYOR (for himself and Ms. AYOTTE):

S. 1367. A bill to amend title 49, United States Code, to direct the Assistant Secretary of Homeland Security (Transportation Security Administration) to provide expedited air passenger screening to severely injured or disabled members of the Armed Forces and severely injured or disabled veterans, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BROWN (for himself, Mr. UDALL of New Mexico, Mr. ROCKEFELLER, and Mr. MENENDEZ):

S. 1368. A bill to facilitate nationwide availability of volunteer income tax assistance for low-income and underserved populations, and for other purposes; to the Committee on Finance.

By Mr. BROWN (for himself, Mr. JOHANNES, Mr. KIRK, Mr. TESTER, and Mr. TOOMEY):

S. 1369. A bill to provide additional flexibility to the Board of Governors of the Federal Reserve System to establish capital standards that are properly tailored to the unique characteristics of the business of insurance, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mrs. MURRAY:

S. 1370. A bill to establish partnerships to create or enhance educational and skills development pathways to 21st century careers, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. UDALL of New Mexico:

S. 1371. An original bill making appropriations for financial services and general government for the fiscal year ending September 30, 2014, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mr. LEAHY:

S. 1372. An original bill making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2014, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mr. MERKLEY:

S. 1373. A bill to increase access to refinancing for homeowners, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BEGICH:

S. 1374. A bill to allow traditional foods to be served at public facilities; to the Committee on Indian Affairs.

By Mr. MERKLEY:

S. 1375. A bill to require a portion of closing costs to be paid by the enterprises with respect to certain refinanced mortgage

loans, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. JOHNSON of South Dakota (for himself and Mr. CRAPO):

S. 1376. A bill to improve the Federal Housing Administration and to ensure the solvency of the Mutual Mortgage Insurance Fund, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BLUNT (for himself, Mr. RISCH, Mr. ROBERTS, Mr. CORNYN, and Mrs. FISCHER):

S. 1377. A bill to amend title 5, United States Code, to establish certain procedures for conducting in-person or telephonic interactions by executive branch employees with individuals, and for other purposes; to the Committee on the Judiciary.

By Mr. BLUNT (for himself, Mr. RISCH, Mr. ROBERTS, Ms. AYOTTE, Mr. GRASSLEY, Mr. CORNYN, Mr. COATS, Mrs. FISCHER, and Mr. JOHANNIS):

S. 1378. A bill to amend title 5, United States Code, to provide for investigative leave requirements with respect to Senior Executive Service employees, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. COONS:

S. Res. 199. A resolution celebrating the 200th August Quarterly Festival taking place from August 18, 2013, through August 25, 2013, in Wilmington, Delaware; to the Committee on the Judiciary.

By Mr. WARNER (for himself, Ms. MIKULSKI, Mr. BURR, Mr. BLUNT, Mrs. FEINSTEIN, Mr. CHAMBLISS, Mr. ROCKEFELLER, Mr. ROBERTS, Mr. KAINE, Mr. RUBIO, Mr. DURBIN, Mr. HATCH, Mr. MANCHIN, Mr. SCHATZ, Mr. UDALL of Colorado, Mr. RISCH, Mr. KING, Mr. WHITEHOUSE, Mr. WYDEN, Mr. HEINRICH, Mr. COATS, Ms. COLLINS, Mr. COBURN, and Ms. HIRONO):

S. Res. 200. A resolution designating July 26, 2013, as "United States Intelligence Professionals Day"; considered and agreed to.

By Mr. BLUNT (for himself, Mr. SCHUMER, Mr. CARDIN, Ms. MIKULSKI, and Mr. RUBIO):

S. Res. 201. A resolution designating the first Wednesday in September 2013 as "National Polycystic Kidney Disease Awareness Day" and raising awareness and understanding of polycystic kidney disease; considered and agreed to.

By Mr. KAINE (for himself, Mr. MENENDEZ, Mr. BLUMENTHAL, Mr. BAUCUS, Mr. WYDEN, Mrs. GILLIBRAND, Mr. ROCKEFELLER, Mr. TESTER, Ms. KLOBUCHAR, Mr. DONNELLY, and Ms. WARREN):

S. Con. Res. 20. A concurrent resolution encouraging peace and reunification on the Korean Peninsula; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 337

At the request of Ms. STABENOW, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 337, a bill to provide an incentive for businesses to bring jobs back to America.

S. 367

At the request of Mr. CARDIN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 367, a bill to amend title XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps.

S. 370

At the request of Mr. COCHRAN, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 370, a bill to improve and expand geographic literacy among kindergarten through grade 12 students in the United States by improving professional development programs for kindergarten through grade 12 teachers offered through institutions of higher education.

S. 381

At the request of Ms. AYOTTE, her name was added as a cosponsor of S. 381, a bill to award a Congressional Gold Medal to the World War II members of the "Doolittle Tokyo Raiders", for outstanding heroism, valor, skill, and service to the United States in conducting the bombings of Tokyo.

S. 403

At the request of Mr. CASEY, the name of the Senator from Colorado (Mr. UDALL) was added as a cosponsor of S. 403, a bill to amend the Elementary and Secondary Education Act of 1965 to address and take action to prevent bullying and harassment of students.

S. 462

At the request of Mrs. BOXER, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 462, a bill to enhance the strategic partnership between the United States and Israel.

S. 554

At the request of Mr. ISAKSON, the names of the Senator from New Hampshire (Ms. AYOTTE) and the Senator from Iowa (Mr. HARKIN) were added as cosponsors of S. 554, a bill to provide for a biennial budget process and a biennial appropriations process and to enhance oversight and the performance of the Federal Government.

S. 573

At the request of Ms. COLLINS, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 573, a bill to amend title 40, United States Code, to improve veterans service organizations access to Federal surplus personal property.

S. 653

At the request of Mr. BLUNT, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 653, a bill to provide for the establishment of the Special Envoy to Promote Religious Freedom of Religious Minorities in the Near East and South Central Asia.

S. 769

At the request of Mr. DURBIN, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor

of S. 769, a bill to designate as wilderness certain Federal portions of the red rock canyons of the Colorado Plateau and the Great Basin Deserts in the State of Utah for the benefit of present and future generations of people in the United States.

S. 780

At the request of Mr. WHITEHOUSE, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 780, a bill to amend title 35, United States Code, to provide for an exception from infringement for certain component parts of motor vehicles.

S. 813

At the request of Mrs. SHAHEEN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 813, a bill to require that Peace Corps volunteers be subject to the same limitations regarding coverage of abortion services as employees of the Peace Corps with respect to coverage of such services, and for other purposes.

S. 892

At the request of Ms. AYOTTE, her name was added as a cosponsor of S. 892, a bill to amend the Iran Threat Reduction and Syria Human Rights Act of 2012 to impose sanctions with respect to certain transactions in foreign currencies, and for other purposes.

S. 896

At the request of Mr. BEGICH, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 896, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

S. 966

At the request of Mr. CARDIN, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 966, a bill to amend the Internal Revenue Code of 1986 to increase participation in medical flexible spending arrangements.

S. 971

At the request of Mr. WYDEN, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 971, a bill to amend the Federal Water Pollution Control Act to exempt the conduct of silvicultural activities from national pollutant discharge elimination system permitting requirements.

S. 987

At the request of Mr. SCHUMER, the names of the Senator from Delaware (Mr. COONS) and the Senator from Hawaii (Ms. HIRONO) were added as cosponsors of S. 987, a bill to maintain the free flow of information to the public by providing conditions for the federally compelled disclosure of information by certain persons connected with the news media.

S. 1039

At the request of Mr. MERKLEY, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor

of S. 1039, a bill to amend title 38, United States Code, to expand the Marine Gunnery Sergeant John David Fry scholarship to include spouses of members of the Armed Forces who die in the line of duty, and for other purposes.

S. 1140

At the request of Mrs. GILLIBRAND, the names of the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of S. 1140, a bill to extend the authorization of the Highlands Conservation Act through fiscal year 2024.

S. 1254

At the request of Mr. NELSON, the names of the Senator from Hawaii (Mr. SCHATZ) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of S. 1254, a bill to amend the Harmful Algal Blooms and Hypoxia Research and Control Act of 1998, and for other purposes.

S. 1313

At the request of Mr. RUBIO, the name of the Senator from Arizona (Mr. FLAKE) was added as a cosponsor of S. 1313, a bill to promote transparency, accountability, and reform within the United Nations system, and for other purposes.

S. 1324

At the request of Mr. BARRASSO, the names of the Senator from Arkansas (Mr. BOOZMAN) and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of S. 1324, a bill to prohibit any regulations promulgated pursuant to a presidential memorandum relating to power sector carbon pollution standards from taking effect.

S. 1340

At the request of Mr. ROCKEFELLER, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 1340, a bill to improve passenger vessel security and safety, and for other purposes.

S. 1343

At the request of Mrs. FISCHER, her name was added as a cosponsor of S. 1343, a bill to protect the information of livestock producers, and for other purposes.

S. 1361

At the request of Mr. MURPHY, the names of the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Maine (Ms. COLLINS) were added as cosponsors 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. RES. 153

At the request of Mr. PORTMAN, his name was added as a cosponsor of S. Res. 153, a resolution recognizing the 200th anniversary of the Battle of Lake Erie.

AMENDMENT NO. 1751

At the request of Mr. COBURN, the name of the Senator from Wyoming

(Mr. BARRASSO) was added as a cosponsor of amendment No. 1751 proposed to S. 1243, an original bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes.

AMENDMENT NO. 1783

At the request of Mr. MURPHY, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of amendment No. 1783 proposed to S. 1243, an original bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes.

AMENDMENT NO. 1792

At the request of Mr. MURPHY, the names of the Senator from North Carolina (Mrs. HAGAN) and the Senator from Michigan (Mr. LEVIN) were added as cosponsors of amendment No. 1792 intended to be proposed to S. 1243, an original bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 199—CELEBRATING THE 200TH AUGUST QUARTERLY FESTIVAL TAKING PLACE FROM AUGUST 18, 2013, THROUGH AUGUST 25, 2013, IN WILMINGTON, DELAWARE

Mr. COONS submitted the following resolution; which was referred to the Committee on the Judiciary:—

S. RES. 199

Whereas, 200 years before the date of agreement to this resolution, in 1813, Peter Spencer founded the African Union Church, 1 of the first African-American institutions legally incorporated within the United States;

Whereas, 1 year later, in 1814, Spencer and the African Union Church convened the first August Quarterly meeting and festival in Wilmington, Delaware, bringing thousands of African Americans together to celebrate their faith;

Whereas the August Quarterly (or “Big Quarterly”) Festival became a meeting place for African Americans celebrating freedom, sharing in solidarity, and looking for relatives lost or sold in the institution of slavery, and a means through which Harriett Tubman and other conductors and station masters of the Underground Railroad met with those looking to escape the bonds of slavery;

Whereas the August Quarterly Festival is well recognized as the longest continuously celebrated African-American festival in the United States; and

Whereas, from August 18, 2013, through August 25, 2013, thousands of people will come together in Wilmington, Delaware to celebrate the 200th August Quarterly Festival: Now, therefore, be it

Resolved, That the Senate—

(1) celebrates the 200th August Quarterly Festival taking place from August 18, 2013, through August 25, 2013;

(2) recognizes the historical significance of the August Quarterly Festival and the role the festival has played since 1814 in celebrating faith, community, culture, and freedom;

(3) honors the life of leadership, faith, and service of Peter Spencer, founder of the African Union Church and of the August Quarterly Festival; and

(4) recognizes the service volunteers and religious leaders who ensure that the legacy of Peter Spencer lives on through the continuation of the August Quarterly Festival.

SENATE RESOLUTION 200—DESIGNATING JULY 26, 2013, AS “UNITED STATES INTELLIGENCE PROFESSIONALS DAY”

Mr. WARNER (for himself, Ms. MIKULSKI, Mr. BURR, Mr. BLUNT, Mrs. FEINSTEIN, Mr. CHAMBLISS, Mr. ROCKEFELLER, Mr. ROBERTS, Mr. KAINE, Mr. RUBIO, Mr. DURBIN, Mr. HATCH, Mr. MANCHIN, Mr. SCHATZ, Mr. UDALL of Colorado, Mr. RISC, Mr. KING, Mr. WHITEHOUSE, Mr. WYDEN, Mr. HEINRICH, Mr. COATS, Ms. COLLINS, Mr. COBURN, and Ms. HIRONO) submitted the following resolution; which was considered and agreed to:—

S. RES. 200

Whereas on July 26, 1908, Attorney General Charles Bonaparte ordered newly-hired Federal investigators to report to the Office of the Chief Examiner of the Department of Justice, which subsequently was renamed the Federal Bureau of Investigation;

Whereas on July 26, 1947, President Truman signed the National Security Act of 1947 (50 U.S.C. 3001 et seq.), creating the Department of Defense, the National Security Council, the Central Intelligence Agency, and the Joint Chiefs of Staff, thereby laying the foundation for today’s intelligence community;

Whereas the National Security Act of 1947, which appears in title 50 of the United States Code, governs the definition, composition, responsibilities, authorities, and oversight of the intelligence community of the United States;

Whereas the intelligence community is defined by section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)) to include the Office of the Director of National Intelligence, the Central Intelligence Agency, the National Security Agency, the Defense Intelligence Agency, the National Geospatial-Intelligence Agency, the National Reconnaissance Office, other offices within the Department of Defense for the collection of specialized national intelligence through reconnaissance programs, the intelligence elements of the Army, the Navy, the Air Force, the Marine Corps, the Coast Guard, the Federal Bureau of Investigation, the Drug Enforcement Administration, and the Department of Energy, the Bureau of Intelligence and Research of the Department of State, the Office of Intelligence and Analysis of the Department of the Treasury, the elements of the Department of Homeland Security concerned with the analysis of intelligence information, and other elements as may be designated;

Whereas July 26, 2012, was the 65th anniversary of the signing of the National Security Act of 1947 (50 U.S.C. 3001 et seq.);

Whereas the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108-458; 118 Stat. 3638) created the position of the Director of National Intelligence to serve as the head of the intelligence community and to ensure that national intelligence be

timely, objective, independent of political considerations, and based upon all sources available;

Whereas Congress has previously passed joint resolutions, signed by the President, to designate Peace Officers Memorial Day on May 15, Patriot Day on September 11, and other commemorative occasions, to honor the sacrifices of law enforcement officers and of those who lost their lives on September 11, 2001;

Whereas the United States has increasingly relied upon the men and women of the intelligence community to protect and defend the security of the United States in the decade since the attacks of September 11, 2001;

Whereas the men and women of the intelligence community, both civilian and military, have been increasingly called upon to deploy to theaters of war in Iraq, Afghanistan, and elsewhere since September 11, 2001;

Whereas numerous intelligence officers of the elements of the intelligence community have been injured or killed in the line of duty;

Whereas intelligence officers of the United States are routinely called upon to accept personal hardship and sacrifice in the furtherance of their mission to protect the United States, to undertake dangerous assignments in the defense of the interests of the United States, to collect reliable information within prescribed legal authorities upon which the leaders of the United States rely in life-and-death situations, and to “speak truth to power,” by providing their best assessments to decision makers, regardless of political and policy considerations;

Whereas the men and women of the intelligence community have on numerous occasions succeeded in preventing attacks upon the United States and allies of the United States, saving numerous innocent lives; and

Whereas intelligence officers of the United States must of necessity often remain unknown and unrecognized for their substantial achievements and successes: Now, therefore, be it

Resolved, That the Senate—

(1) designates July 26, 2013, as “United States Intelligence Professionals Day”;

(2) acknowledges the courage, fidelity, sacrifice, and professionalism of the men and women of the intelligence community of the United States; and

(3) encourages the people of the United States to observe this day with appropriate ceremonies and activities.

SENATE RESOLUTION 201—DESIGNATING THE FIRST WEDNESDAY IN SEPTEMBER 2013 AS “NATIONAL POLYCYSTIC KIDNEY DISEASE AWARENESS DAY” AND RAISING AWARENESS AND UNDERSTANDING OF POLYCYSTIC KIDNEY DISEASE

Mr. BLUNT (for himself, Mr. SCHUMER, Mr. CARDIN, Ms. MIKULSKI, and Mr. RUBIO) submitted the following resolution; which was considered and agreed to.:

S. RES. 201

Whereas National Polycystic Kidney Disease Awareness Day will raise public awareness and understanding of polycystic kidney disease, one of the most prevalent, life-threatening genetic kidney diseases;

Whereas National Polycystic Kidney Disease Awareness Day will also foster understanding of the impact polycystic kidney disease has on patients and their families;

Whereas polycystic kidney disease is a progressive, genetic disorder of the kidneys that

causes damage to the kidneys and the cardiovascular, endocrine, hepatic, and gastrointestinal organ systems;

Whereas polycystic kidney disease has a devastating impact on the health and finances of people of all ages, and equally affects people of all races, genders, nationalities, geographic locations, and income levels;

Whereas, of the people diagnosed with polycystic kidney disease, approximately 10 percent have no family history of the disease, with the disease developing as a spontaneous (or new) mutation;

Whereas there is no treatment or cure for polycystic kidney disease, which is one of the 4 leading causes of kidney failure in the United States;

Whereas the vast majority of patients with polycystic kidney disease reach kidney failure at an average age of 53, causing a severe strain on dialysis and kidney transplantation resources and on the delivery of health care in the United States as the largest segment of the population of the United States, the “baby boomers”, continues to age;

Whereas polycystic kidney disease instills in patients fear of an unknown future with a life-threatening genetic disease and apprehension over possible discrimination, including the risk of losing their health and life insurance, their jobs, and their chances for promotion;

Whereas countless friends, loved ones, spouses, and caregivers must shoulder the physical, emotional, and financial burdens that polycystic kidney disease causes;

Whereas the severity of the symptoms of polycystic kidney disease and the limited public awareness of the disease cause many patients to live in denial and forego regular visits to their physicians or avoid following good health management, which would help avoid more severe complications when kidney failure occurs;

Whereas people who have chronic, life-threatening diseases like polycystic kidney disease have a predisposition to depression and its resultant consequences of 7 times the national average because of their anxiety over pain, suffering, and premature death; and

Whereas the PKD Foundation and its more than 60 volunteer chapters around the United States are dedicated to conducting research to find treatments and a cure for polycystic kidney disease, fostering public awareness and understanding of the disease, educating patients and their families about the disease to improve their treatment and care, and providing support and encouraging people to become organ donors, including by sponsoring the annual “Walk for PKD” to raise funds for polycystic kidney disease research, education, advocacy, and awareness: Now, therefore, be it

Resolved, That the Senate—

(1) designates the first Wednesday in September 2013 as “National Polycystic Kidney Disease Awareness Day”;

(2) supports the goals and ideals of National Polycystic Kidney Disease Awareness Day to raise public awareness and understanding of polycystic kidney disease;

(3) recognizes the need for additional research to find a cure for polycystic kidney disease; and

(4) encourages all people in the United States and interested groups to support National Polycystic Kidney Disease Awareness Day through appropriate ceremonies and activities to promote public awareness of polycystic kidney disease and to foster understanding of the impact of the disease on patients and their families.

SENATE CONCURRENT RESOLUTION 20—ENCOURAGING PEACE AND REUNIFICATION ON THE KOREAN PENINSULA

Mr. KAINE (for himself, Mr. MENENDEZ, Mr. BLUMENTHAL, Mr. BAUCUS, Mr. WYDEN, Mrs. GILLIBRAND, Mr. ROCKEFELLER, Mr. TESTER, Ms. KLOBUCHAR, Mr. DONNELLY, and Ms. WARREN) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 20

Whereas the Republic of Korea (in this resolution referred to as “South Korea”) and the Democratic People’s Republic of Korea (in this resolution referred to as “North Korea”) have never formally ended hostilities and have been technically in a state of war since the Armistice Agreement was signed on July 27, 1953;

Whereas the United States, as representing the United Nations Forces Command which was a signatory to the Armistice Agreement, and with 28,500 of its troops currently stationed in South Korea, has a stake in the progress towards peace and reunification on the Korean Peninsula;

Whereas progress towards peace and reunification on the Korean Peninsula would mean greater security and prosperity for the region and the world;

Whereas, at the end of World War II, Korea officially gained independence from Japanese rule, as agreed to at the Cairo Conference on November 22, 1943, through November 26, 1943;

Whereas, on August 10, 1945, the Korean Peninsula was temporarily divided along the 38th parallel into two military occupation zones commanded by the United States and the Soviet Union;

Whereas, on June 25, 1950, communist North Korea invaded the South, thereby initiating the Korean War and diminishing prospects for a peaceful unification of Korea;

Whereas, during the Korean War, approximately 1,789,000 members of the United States Armed Forces served in-theater along with the South Korean forces and 20 other members of the United Nations to secure peace on the Korean Peninsula and in the Asia-Pacific region;

Whereas, since the end of the Korean War era, the United States Armed Forces have remained in South Korea to promote regional peace;

Whereas provocations by the Government of North Korea in recent years have escalated tension and instability in the Asia-Pacific region;

Whereas one of the largest obstacles to peace and reunification on the Korean Peninsula is the presence of nuclear weapons in North Korea;

Whereas the refusal of the Government of North Korea to denuclearize disrupts peace and security on the Korean Peninsula;

Whereas, beginning in 2003, the United States, along with the two Koreas, Japan, the People’s Republic of China, and the Russian Federation, have engaged in six rounds of Six-Party Talks aimed at the verifiable and irreversible denuclearization of the Korean Peninsula and finding a peaceful resolution to the security concerns resulting from North Korea’s nuclear development;

Whereas the three-mile wide buffer zone between the two Koreas, known as the Demilitarized Zone, or DMZ, is the most heavily armed border in the world;

Whereas the Korean War separated more than 10,000,000 Korean family members, including 100,000 Korean Americans who, after 60 years of separation, are still waiting to see their families in North Korea;

Whereas reunification remains a long-term goal of South Korea;

Whereas South Korea and North Korea are both full members of the United Nations, whose stated purpose includes maintaining international peace and security, and to that end “take effective collective measures for the prevention and removal of threats to the peace”;

Whereas the Governments and people of the United States and South Korea have continuously stood shoulder-to-shoulder to promote and defend international peace and security, economic prosperity, human rights, and the rule of law both on the Korean Peninsula and beyond, and the denuclearization of North Korea; and

Whereas July 27, 2013, marks the 60th anniversary of the Armistice Agreement of the Korean War: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) recognizes the historical importance of the Korean War, which began on June 25, 1950;

(2) honors the noble service and sacrifice of members of the United States Armed Forces and the armed forces of allied countries that have served in Korea since 1950;

(3) reaffirms the commitment of the United States to its alliance with South Korea for the betterment of peace and prosperity on the Korean Peninsula; and

(4) calls on the Government of North Korea to abide by international law and cease its nuclear weapons program and denuclearize completely in order to resume talks that could eventually lead to peace and reunification.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1798. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table.

SA 1799. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1800. Mrs. McCASKILL (for herself and Mr. BLUNT) submitted an amendment intended to be proposed by her to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1801. Mrs. McCASKILL (for herself and Mr. COBURN) submitted an amendment intended to be proposed by her to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1802. Mr. SCHUMER (for himself, Mr. CARDIN, Mrs. GILLIBRAND, and Mr. MENENDEZ) submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1803. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 1243, supra.

SA 1804. Ms. COLLINS submitted an amendment intended to be proposed by her to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1805. Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1806. Ms. AYOTTE submitted an amendment intended to be proposed by her to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1807. Mr. HOEVEN submitted an amendment intended to be proposed by him

to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1808. Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1809. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1810. Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1811. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

SA 1812. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 1243, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1798. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE —TRANSPORTATION EMPOWERMENT ACT

SEC. 1. SHORT TITLE.

This title may be cited as the “Transportation Empowerment Act”.

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) the objective of the Federal highway program has been to facilitate the construction of a modern freeway system that promotes efficient interstate commerce by connecting all States;

(2) that objective has been attained, and the Interstate System connecting all States is near completion;

(3) each State has the responsibility of providing an efficient transportation network for the residents of the State;

(4) each State has the means to build and operate a network of transportation systems, including highways, that best serves the needs of the State;

(5) each State is best capable of determining the needs of the State and acting on those needs;

(6) the Federal role in highway transportation has, over time, usurped the role of the States by taxing motor fuels used in the States and then distributing the proceeds to the States based on the Federal Government’s perceptions of what is best for the States;

(7) the Federal Government has used the Federal motor fuels tax revenues to force all States to take actions that are not necessarily appropriate for individual States;

(8) the Federal distribution, review, and enforcement process wastes billions of dollars on unproductive activities;

(9) Federal mandates that apply uniformly to all 50 States, regardless of the different circumstances of the States, cause the States to waste billions of hard-earned tax dollars on projects, programs, and activities that the States would not otherwise undertake; and

(10) Congress has expressed a strong interest in reducing the role of the Federal Gov-

ernment by allowing each State to manage its own affairs.

(b) PURPOSES.—The purposes of this title are—

(1) to return to the individual States maximum discretionary authority and fiscal responsibility for all elements of the national surface transportation systems that are not within the direct purview of the Federal Government;

(2) to preserve Federal responsibility for the Dwight D. Eisenhower National System of Interstate and Defense Highways;

(3) to preserve the responsibility of the Department of Transportation for—

(A) design, construction, and preservation of transportation facilities on Federal public land;

(B) national programs of transportation research and development and transportation safety; and

(C) emergency assistance to the States in response to natural disasters;

(4) to eliminate to the maximum extent practicable Federal obstacles to the ability of each State to apply innovative solutions to the financing, design, construction, operation, and preservation of Federal and State transportation facilities; and

(5) with respect to transportation activities carried out by States, local governments, and the private sector, to encourage—

(A) competition among States, local governments, and the private sector; and

(B) innovation, energy efficiency, private sector participation, and productivity.

SEC. 3. FUNDING LIMITATION.

Notwithstanding any other provision of law, if the Secretary of Transportation determines for any of fiscal years 2015 through 2019 that the aggregate amount required to carry out transportation programs and projects under this title and amendments made by this title exceeds the estimated aggregate amount in the Highway Trust Fund available for those programs and projects for the fiscal year, each amount made available for such a program or project shall be reduced by the pro rata percentage required to reduce the aggregate amount required to carry out those programs and projects to an amount equal to that available for those programs and projects in the Highway Trust Fund for the fiscal year.

SEC. 4. FUNDING FOR CORE HIGHWAY PROGRAMS.

(a) IN GENERAL.—

(1) AUTHORIZATION OF APPROPRIATIONS.—The following sums are authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account):

(A) FEDERAL-AID HIGHWAY PROGRAM.—For the national highway performance program under section 119 of title 23, United States Code, the surface transportation program under section 133 of that title, the highway safety improvement program under section 148 of that title, the congestion mitigation and air quality improvement program under section 149 of that title, and to carry out section 134 of that title—

(i) \$37,592,576,000 for fiscal year 2015;

(ii) \$19,720,696,000 for fiscal year 2016;

(iii) \$13,147,130,000 for fiscal year 2017;

(iv) \$10,271,196,000 for fiscal year 2018; and

(v) \$7,600,685,000 for fiscal year 2019.

(B) EMERGENCY RELIEF.—For emergency relief under section 125 of that title, \$100,000,000 for each of fiscal years 2015 through 2019.

(C) FEDERAL LANDS PROGRAMS.—

(i) FEDERAL LANDS TRANSPORTATION PROGRAM.—For the Federal lands transportation program under section 203 of that title, \$300,000,000 for each of fiscal years 2015 through 2019, of which \$240,000,000 of the

amount made available for each fiscal year shall be the amount for the National Park Service and \$30,000,000 of the amount made available for each fiscal year shall be the amount for the United States Fish and Wildlife Service.

(ii) **FEDERAL LANDS ACCESS PROGRAM.**—For the Federal lands access program under section 204 of that title, \$250,000,000 for each of fiscal years 2015 through 2019.

(D) **ADMINISTRATIVE EXPENSES.**—Section 104(a)(1) of title 23, United States Code, is amended to read as follows:

“(1) **IN GENERAL.**—There are authorized to be appropriated from the Highway Trust Fund (other than the Mass Transit Account) to be made available to the Secretary for administrative expenses of the Federal Highway Administration—

“(A) \$437,600,000 for fiscal year 2015;

“(B) \$229,565,000 for fiscal year 2016;

“(C) \$153,043,000 for fiscal year 2017;

“(D) \$119,565,000 for fiscal year 2018; and

“(E) \$88,478,000 for fiscal year 2019.”.

(2) **TRANSFERABILITY OF FUNDS.**—Section 104 of title 23, United States Code, is amended by striking subsection (f) and inserting the following:

“(f) **TRANSFERABILITY OF FUNDS.**—

“(1) **IN GENERAL.**—To the extent that a State determines that funds made available under this title to the State for a purpose are in excess of the needs of the State for that purpose, the State may transfer the excess funds to, and use the excess funds for, any surface transportation (including mass transit and rail) purpose in the State.

“(2) **ENFORCEMENT.**—If the Secretary determines that a State has transferred funds under paragraph (1) to a purpose that is not a surface transportation purpose as described in paragraph (1), the amount of the improperly transferred funds shall be deducted from any amount the State would otherwise receive from the Highway Trust Fund for the fiscal year that begins after the date of the determination.”.

(3) **FEDERAL-AID SYSTEM.**—

(A) **IN GENERAL.**—Section 103(a) of title 23, United States Code, is amended by striking “the National Highway System, which includes”.

(B) **CONFORMING AMENDMENTS.**—Chapter 1 of title 23, United States Code, is amended—

(i) in section 103 by striking the section designation and heading and inserting the following:

“§ 103. Federal-aid system”; and

(ii) in the analysis by striking the item relating to section 103 and inserting the following:

“103. Federal-aid system.”.

(4) **CALCULATION OF STATE AMOUNTS.**—Section 104(c) of title 23, United States Code, is amended—

(A) in paragraph (2)—

(i) in the paragraph heading by striking “FOR FISCAL YEAR 2014” and inserting “THEREAFTER”; and

(ii) in subparagraph (A) by striking “fiscal year 2014” and inserting “a fiscal year”

(5) **NATIONAL BRIDGE AND TUNNEL INVENTORY AND INSPECTION STANDARDS.**—

(A) **IN GENERAL.**—Section 144 of title 23, United States Code, is amended—

(i) in subsection (e)(1) by inserting “on the Federal-aid system” after “any bridge”; and

(ii) in subsection (f)(1) by inserting “on the Federal-aid system” after “construct any bridge”.

(B) **REPEAL OF HISTORIC BRIDGES PROVISIONS.**—Section 144(g) of title 23, United States Code, is repealed.

(6) **REPEAL OF TRANSPORTATION ALTERNATIVES PROGRAM.**—The following provisions are repealed:

(A) Section 213 of title 23, United States Code.

(B) The item relating to section 213 in the analysis for chapter 1 of title 23, United States Code.

(7) **NATIONAL DEFENSE HIGHWAYS.**—Section 311 of title 23, United States Code, is amended—

(A) in the first sentence, by striking “under subsection (a) of section 104 of this title” and inserting “to carry out this section”; and

(B) by striking the second sentence.

(8) **FEDERALIZATION AND DEFEDERALIZATION OF PROJECTS.**—Notwithstanding any other provision of law, beginning on October 1, 2014—

(A) a highway construction or improvement project shall not be considered to be a Federal highway construction or improvement project unless and until a State expends Federal funds for the construction portion of the project;

(B) a highway construction or improvement project shall not be considered to be a Federal highway construction or improvement project solely by reason of the expenditure of Federal funds by a State before the construction phase of the project to pay expenses relating to the project, including for any environmental document or design work required for the project; and

(C)(i) a State may, after having used Federal funds to pay all or a portion of the costs of a highway construction or improvement project, reimburse the Federal Government in an amount equal to the amount of Federal funds so expended; and

(ii) after completion of a reimbursement described in clause (i), a highway construction or improvement project described in that clause shall no longer be considered to be a Federal highway construction or improvement project.

(9) **REPORTING REQUIREMENTS.**—No reporting requirement, other than a reporting requirement in effect as of the date of enactment of this Act, shall apply on or after October 1, 2014, to the use of Federal funds for highway projects by a public-private partnership.

(b) **EXPENDITURES FROM HIGHWAY TRUST FUND.**—

(1) **EXPENDITURES FOR CORE PROGRAMS.**—Section 9503(c) of the Internal Revenue Code of 1986 is amended—

(A) in paragraph (1)—

(i) by striking “October 1, 2014” and inserting “October 1, 2020”; and

(ii) by striking “MAP-21” and inserting “Transportation Empowerment Act”;

(B) in paragraphs (3)(A)(i), (4)(A), and (5), by striking “October 1, 2016” each place it appears and inserting “October 1, 2022”; and

(C) in paragraph (2), by striking “July 1, 2017” and inserting “July 1, 2023”.

(2) **AMOUNTS AVAILABLE FOR CORE PROGRAM EXPENDITURES.**—Section 9503 of such Code is amended by adding at the end the following:

“(g) **CORE PROGRAMS FINANCING RATE.**—For purposes of this section—

“(1) **IN GENERAL.**—Except as provided in paragraph (2)—

“(A) in the case of gasoline and special motor fuels the tax rate of which is the rate specified in section 4081(a)(2)(A)(i), the core programs financing rate is—

“(i) after September 30, 2014, and before October 1, 2015, 18.3 cents per gallon,

“(ii) after September 30, 2015, and before October 1, 2016, 9.6 cents per gallon,

“(iii) after September 30, 2016, and before October 1, 2017, 6.4 cents per gallon,

“(iv) after September 30, 2017, and before October 1, 2018, 5.0 cents per gallon, and

“(v) after September 30, 2018, 3.7 cents per gallon, and

“(B) in the case of kerosene, diesel fuel, and special motor fuels the tax rate of which is the rate specified in section 4081(a)(2)(A)(iii), the core programs financing rate is—

“(i) after September 30, 2014, and before October 1, 2015, 24.3 cents per gallon,

“(ii) after September 30, 2015, and before October 1, 2016, 12.7 cents per gallon,

“(iii) after September 30, 2016, and before October 1, 2017, 8.5 cents per gallon,

“(iv) after September 30, 2017, and before October 1, 2018, 6.6 cents per gallon, and

“(v) after September 30, 2018, 5.0 cents per gallon.

“(2) **APPLICATION OF RATE.**—In the case of fuels used as described in paragraph (3)(C), (4)(B), and (5) of subsection (c), the core programs financing rate is zero.”.

(c) **TERMINATION OF MASS TRANSIT ACCOUNT.**—Section 9503(e)(2) of the Internal Revenue Code of 1986 is amended—

(1) by inserting “and before October 1, 2014” after “March 31, 1983”, and

(2) by adding at the end the following new paragraph:

“(6) **TRANSFER TO HIGHWAY ACCOUNT.**—On October 1, 2014, the Secretary shall transfer all amounts in the Mass Transit Account to the Highway Account.”.

(d) **EFFECTIVE DATE.**—The amendments and repeals made by this section take effect on October 1, 2014.

SEC. 5. FUNDING FOR HIGHWAY RESEARCH AND DEVELOPMENT PROGRAM.

(a) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) to carry out sections 503(b), 503(d), and 509 of title 23, United States Code, \$115,000,000 for each of fiscal years 2015 through 2019.

(b) **APPLICABILITY OF TITLE 23, UNITED STATES CODE.**—Funds authorized to be appropriated by subsection (a) shall—

(1) be available for obligation in the same manner as if those funds were apportioned under chapter 1 of title 23, United States Code, except that the Federal share of the cost of a project or activity carried out using those funds shall be 80 percent, unless otherwise expressly provided by this Act (including the amendments by this Act) or otherwise determined by the Secretary; and

(2) remain available until expended and not be transferable.

SEC. 6. RETURN OF EXCESS TAX RECEIPTS TO STATES.

(a) **IN GENERAL.**—Section 9503(c) of the Internal Revenue Code of 1986 is amended by adding at the end the following:

“(6) **RETURN OF EXCESS TAX RECEIPTS TO STATES FOR SURFACE TRANSPORTATION PURPOSES.**—

“(A) **IN GENERAL.**—On the first day of each of fiscal years 2016, 2017, 2018, and 2019, the Secretary, in consultation with the Secretary of Transportation, shall—

“(i) determine the excess (if any) of—

“(I) the amounts appropriated in such fiscal year to the Highway Trust Fund under subsection (b) which are attributable to the taxes described in paragraphs (1) and (2) thereof (after the application of paragraph (4) thereof) over the sum of—

“(II) the amounts so appropriated which are equivalent to—

“(aa) such amounts attributable to the core programs financing rate for such year, plus

“(bb) the taxes described in paragraphs (3)(C), (4)(B), and (5) of subsection (c), and

“(ii) allocate the amount determined under clause (i) among the States (as defined in section 101(a) of title 23, United States Code) for surface transportation (including mass transit and rail) purposes so that—

“(I) the percentage of that amount allocated to each State, is equal to

“(II) the percentage of the amount determined under clause (i)(I) paid into the Highway Trust Fund in the latest fiscal year for which such data are available which is attributable to highway users in the State.

“(B) ENFORCEMENT.—If the Secretary determines that a State has used amounts under subparagraph (A) for a purpose which is not a surface transportation purpose as described in subparagraph (A), the improperly used amounts shall be deducted from any amount the State would otherwise receive from the Highway Trust Fund for the fiscal year which begins after the date of the determination.”

(b) EFFECTIVE DATE.—The amendment made by this section takes effect on October 1, 2014.

SEC. 7. REDUCTION IN TAXES ON GASOLINE, DIESEL FUEL, KEROSENE, AND SPECIAL FUELS FUNDING HIGHWAY TRUST FUND.

(a) REDUCTION IN TAX RATE.—

(1) IN GENERAL.—Section 4081(a)(2)(A) of the Internal Revenue Code of 1986 is amended—

(A) in clause (i), by striking “18.3 cents” and inserting “3.7 cents”; and

(B) in clause (iii), by striking “24.3 cents” and inserting “5.0 cents”.

(2) CONFORMING AMENDMENTS.—

(A) Section 4081(a)(2)(D) of such Code is amended—

(i) by striking “19.7 cents” and inserting “4.1 cents”; and

(ii) by striking “24.3 cents” and inserting “5.0 cents”.

(B) Section 6427(b)(2)(A) of such Code is amended by striking “7.4 cents” and inserting “1.5 cents”.

(b) ADDITIONAL CONFORMING AMENDMENTS.—

(1) Section 4041(a)(1)(C)(iii)(I) of the Internal Revenue Code of 1986 is amended by striking “7.3 cents per gallon (4.3 cents per gallon after September 30, 2016)” and inserting “1.4 cents per gallon (zero after September 30, 2021)”.

(2) Section 4041(a)(2)(B)(ii) of such Code is amended by striking “24.3 cents” and inserting “5.0 cents”.

(3) Section 4041(a)(3)(A) of such Code is amended by striking “18.3 cents” and inserting “3.7 cents”.

(4) Section 4041(m)(1) of such Code is amended—

(A) in subparagraph (A), by striking “2016” and inserting “2021”; and

(B) in subparagraph (A)(i), by striking “9.15 cents” and inserting “1.8 cents”; and

(C) in subparagraph (A)(ii), by striking “11.3 cents” and inserting “2.3 cents”; and

(D) by striking subparagraph (B) and inserting the following:

“(B) zero after September 30, 2021.”.

(5) Section 4081(d)(1) of such Code is amended by striking “4.3 cents per gallon after September 30, 2016” and inserting “zero after September 30, 2021”.

(6) Section 9503(b) of such Code is amended—

(A) in paragraphs (1) and (2), by striking “October 1, 2016” both places it appears and inserting “October 1, 2021”; and

(B) in the heading of paragraph (2), by striking “OCTOBER 1, 2016” and inserting “OCTOBER 1, 2021”;

(C) in paragraph (2), by striking “after September 30, 2016, and before July 1, 2017” and inserting “after September 30, 2021, and before July 1, 2022”; and

(D) in paragraph (6)(B), by striking “October 1, 2014” and inserting “October 1, 2019”.

(c) FLOOR STOCK REFUNDS.—

(1) IN GENERAL.—If—

(A) before October 1, 2019, tax has been imposed under section 4081 of the Internal Revenue Code of 1986 on any liquid; and

(B) on such date such liquid is held by a dealer and has not been used and is intended for sale;

there shall be credited or refunded (without interest) to the person who paid such tax (in this subsection referred to as the “taxpayer”) an amount equal to the excess of the tax paid by the taxpayer over the amount of such tax which would be imposed on such liquid had the taxable event occurred on such date.

(2) TIME FOR FILING CLAIMS.—No credit or refund shall be allowed or made under this subsection unless—

(A) claim therefor is filed with the Secretary of the Treasury before April 1, 2020; and

(B) in any case where liquid is held by a dealer (other than the taxpayer) on October 1, 2019—

(i) the dealer submits a request for refund or credit to the taxpayer before January 1, 2020; and

(ii) the taxpayer has repaid or agreed to repay the amount so claimed to such dealer or has obtained the written consent of such dealer to the allowance of the credit or the making of the refund.

(3) EXCEPTION FOR FUEL HELD IN RETAIL STOCKS.—No credit or refund shall be allowed under this subsection with respect to any liquid in retail stocks held at the place where intended to be sold at retail.

(4) DEFINITIONS.—For purposes of this subsection, the terms “dealer” and “held by a dealer” have the respective meanings given to such terms by section 6412 of such Code; except that the term “dealer” includes a producer.

(5) CERTAIN RULES TO APPLY.—Rules similar to the rules of subsections (b) and (c) of section 6412 and sections 6206 and 6675 of such Code shall apply for purposes of this subsection.

(d) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to fuel removed after September 30, 2019.

(2) CERTAIN CONFORMING AMENDMENTS.—The amendments made by subsections (b)(4) and (b)(6) shall apply to fuel removed after September 30, 2016.

SEC. 8. REPORT TO CONGRESS.

Not later than 180 days after the date of enactment of this Act, after consultation with the appropriate committees of Congress, the Secretary of Transportation shall submit a report to Congress describing such technical and conforming amendments to titles 23 and 49, United States Code, and such technical and conforming amendments to other laws, as are necessary to bring those titles and other laws into conformity with the policy embodied in this Act and the amendments made by this Act.

SEC. 9. EFFECTIVE DATE CONTINGENT ON CERTIFICATION OF DEFICIT NEUTRALITY.

(a) PURPOSE.—The purpose of this section is to ensure that—

(1) this Act will become effective only if the Director of the Office of Management and Budget certifies that this Act is deficit neutral;

(2) discretionary spending limits are reduced to capture the savings realized in devolving transportation functions to the State level pursuant to this Act; and

(3) the tax reduction made by this Act is not scored under pay-as-you-go and does not inadvertently trigger a sequestration.

(b) EFFECTIVE DATE CONTINGENCY.—Notwithstanding any other provision of this Act,

this Act and the amendments made by this Act shall take effect only if—

(1) the Director of the Office of Management and Budget (referred to in this section as the “Director”) submits the report as required in subsection (c); and

(2) the report contains a certification by the Director that, based on the required estimates, the reduction in discretionary outlays resulting from the reduction in contract authority is at least as great as the reduction in revenues for each fiscal year through fiscal year 2019.

(c) OMB ESTIMATES AND REPORT.—

(1) REQUIREMENTS.—Not later than 5 calendar days after the date of enactment of this Act, the Director shall—

(A) estimate the net change in revenues resulting from this Act for each fiscal year through fiscal year 2019;

(B) estimate the net change in discretionary outlays resulting from the reduction in contract authority under this Act for each fiscal year through fiscal year 2019;

(C) determine, based on those estimates, whether the reduction in discretionary outlays is at least as great as the reduction in revenues for each fiscal year through fiscal year 2019; and

(D) submit to Congress a report setting forth the estimates and determination.

(2) APPLICABLE ASSUMPTIONS AND GUIDELINES.—

(A) REVENUE ESTIMATES.—The revenue estimates required under paragraph (1)(A) shall be predicated on the same economic and technical assumptions and score keeping guidelines that would be used for estimates made pursuant to section 252(d) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 902(d)).

(B) OUTLAY ESTIMATES.—The outlay estimates required under paragraph (1)(B) shall be determined by comparing the level of discretionary outlays resulting from this Act with the corresponding level of discretionary outlays projected in the baseline under section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 907).

(d) CONFORMING ADJUSTMENT TO DISCRETIONARY SPENDING LIMITS.—On compliance with the requirements specified in subsection (b), the Director shall adjust the adjusted discretionary spending limits for each fiscal year through fiscal year 2019 under section 601(a)(2) of the Congressional Budget Act of 1974 (2 U.S.C. 665(a)(2)) by the estimated reductions in discretionary outlays under subsection (c)(1)(B).

(e) PAGO INTERACTION.—On compliance with the requirements specified in subsection (b), no changes in revenues estimated to result from the enactment of this Act shall be counted for the purposes of section 252(d) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 902(d)).

SA 1799. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 46, between lines 13 and 14, insert the following:

(d) Section 32906(a) of title 49, United States Code, is amended by striking “(except an electric automobile)” and inserting “(except an electric or natural gas automobile)”.

(e) The National Highway Traffic Safety Administration may not expend any

amounts appropriated under this Act unless chapter 329 of title 49, United States Code, is being enforced in accordance with the amendments made by this section.

SA 1800. Mrs. MCCASKILL (for herself and Mr. BLUNT) submitted an amendment intended to be proposed by her to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 24, between lines 16 and 17, insert the following:

SEC. 119F. (a) The United States, acting through the Administrator of the Federal Aviation Administration, shall release the City of St. Clair, Missouri, from all restrictions, conditions, and limitations on the use, encumbrance, conveyance, and closure of the St. Clair Regional Airport, as described in the most recent airport layout plan approved by the Federal Aviation Administration, to the extent such restrictions, conditions, and limitations are enforceable by the Administrator.

(b) The release under subsection (a) shall not be executed until the City of St. Clair, or its designee, transfers to the Department of Transportation of the State of Missouri—

(1) the amounts described in subsection (c), to be used for capital improvements within the meaning of airport development (as defined in section 47102(3) of title 49, United States Code) and consistent with the obligations of the Department of Transportation of the State of Missouri under the State block grant program of the Federal Aviation Administration; and

(2) for no consideration, all airport and aviation-related equipment of the St. Clair Regional Airport owned by the City of St. Clair and determined by the Department of Transportation of the State of Missouri to be salvageable for use.

(c) The amounts described in this subsection are the following:

(1) An amount equal to the fair market value for the highest and best use of the St. Clair Regional Airport property determined in good faith by an independent and qualified real estate appraiser on or after the date of the enactment of this Act.

(2) An amount equal to the unamortized portion of any Federal development grants other than land paid to the City of St. Clair for use at the St. Clair Regional Airport, which may be paid with and shall be an allowable use of airport revenue notwithstanding section 47107 or 47133 of title 49, United States Code.

(3) An amount equal to the airport revenues remaining in the airport account for the St. Clair Regional Airport as of the date of the enactment of this Act and otherwise due to or received by the City of St. Clair after such date of enactment pursuant to sections 47107(b) and 47133 of title 49, United States Code.

(d) The Federal Aviation Administration shall remove the runway end indicator lighting system at St. Clair Regional Airport.

(e) Nothing in this section shall be construed to limit the applicability of—

(1) the requirements and processes under section 46319 of title 49, United States Code;

(2) the requirements under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(3) the requirements and processes under part 157 of title 14, Code of Federal Regulations; or

(4) the public notice requirements under section 47107(h) of title 49, United States Code.

SA 1801. Mrs. MCCASKILL (for herself and Mr. COBURN) submitted an amendment intended to be proposed by her to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . PROHIBITION ON PERFORMANCE AWARDS IN THE SENIOR EXECUTIVE SERVICE.

(a) DEFINITIONS.—In this section, the terms “agency” and “career appointee” have the meanings given such terms in section 5381 of title 5, United States Code.

(b) PROHIBITION.—An agency may not use amounts made available under this Act to pay an award under section 4507 or 5384 of title 5, United States Code, to a career appointee during fiscal year 2014.

SA 1802. Mr. SCHUMER (for himself, Mr. CARDIN, Mrs. GILLIBRAND, and Mr. MENENDEZ) submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 26, line 4, insert “bridge” before “projects”.

On page 26, line 5, insert “and section 24402 of title 49” after “title 23”.

On page 26, line 14, strike “such title” and insert “title 23 or provided under section 24402 of title 49, United States Code, as applicable.”.

On page 26, line 15, after “112-141:” insert “Provided further, That the Secretary may transfer funds provided under this heading to the Federal Railroad Administration to carry out projects under title 49, United States Code.”.

On page 26, line 18, strike “such title” and insert “title 23, United States Code, or for projects under title 49, United States Code, not less than 80 percent”.

SA 1803. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; as follows:

On page 12, between lines 12 and 13, insert the following:

SEC. 1 ____ . None of the funds made available under this Act to the Department of Transportation for cyber security may be obligated or expended until the Secretary of Transportation submits to the appropriate committees of Congress a detailed plan describing how the funding will be allocated and for what purposes, including a detailed description of—

(1) how the cyber security funding will be obligated or expended;

(2) the programs and activities that will receive cyber security funding;

(3) if and how the use of the funding complies with the Federal Information Security Management Act of 2002 (6 U.S.C. 101 et seq.) and any other applicable Federal law;

(4) the performance metrics that will be used to measure and determine the effectiveness of cyber security plans and programs; and

(5) the strategy that will be employed to procure goods and services associated with the cyber security objectives of the Department of Transportation.

SA 1804. Ms. COLLINS submitted an amendment intended to be proposed by her to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . Not later than October 1, 2013, the Committee on Appropriations of the Senate shall revise the suballocations to the subcommittees of the Committee on Appropriations of the Senate for fiscal year 2014 under section 302(b) of the Congressional Budget Act of 1974 (2 U.S.C. 633(b)) such that the suballocations comply with the discretionary spending limits under the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 et seq.).

SA 1805. Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 169, between lines 22 and 23, insert the following:

SEC. 244. Funds appropriated or otherwise made available by this title for grants to be awarded by the Secretary of Housing and Urban Development shall be subject to the following accountability provisions:

(1) AUDIT REQUIREMENT.—

(A) IN GENERAL.—Beginning in the first fiscal year beginning after the date of the enactment of this title, and in each fiscal year thereafter, the Inspector General of the Department of Housing and Development shall conduct audits of recipients of any grant amounts appropriated or otherwise made available under this title to prevent waste, fraud, and abuse of funds by grantees. The Inspector General shall ensure that at least 10 percent of all grantees receiving grant amounts appropriated or otherwise made available under this title are audited each year.

(B) DEFINITION.—In this paragraph, the term “unresolved audit finding” means a finding in the final audit report of the Inspector General of the Department of Housing and Urban Development that the audited grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within 12 months from the date when the final audit report is issued.

(C) MANDATORY EXCLUSION.—A recipient of grant amounts appropriated or otherwise made available under this title that is found to have an unresolved audit finding shall not be eligible to receive grant amounts appropriated or otherwise made available under this title during the following 2 fiscal years.

(D) PRIORITY.—In awarding amounts appropriated or otherwise made available under this title, the Secretary of Housing and Urban Development shall give priority to eligible entities that did not have an unresolved audit finding during the 3 fiscal years prior to submitting an application for grant amounts appropriated or otherwise made available under this title.

(E) REIMBURSEMENT.—If an entity is awarded grant amounts appropriated or otherwise made available under this title during the 2-fiscal-year period in which the entity is barred from receiving grants under subparagraph (B), the Secretary of Housing and Urban Development shall—

(i) deposit an amount equal to the grant amounts that were improperly awarded to the grantee into the General Fund of the Treasury; and

(ii) seek to recoup the costs of the repayment to the fund from the grant recipient that was erroneously awarded grant funds.

(F) DISCLOSURE.—A recipient of grant amounts appropriated or otherwise made available under this title shall disclose to the Secretary of Housing and Urban Development, in the application for the grant, if the recipient has ever requested that a departing employee or contractor of the recipient sign an agreement, for compensation, delaying or declining to cooperate with any audits or investigations performed by or on behalf of the United States Government relating to use of Federal housing grant amounts.

(2) NONPROFIT ORGANIZATION REQUIREMENTS.—

(A) DEFINITION.—For purposes of this paragraph and any grant programs described in this title, the term “nonprofit organization” means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

(B) PROHIBITION.—The Secretary of Housing and Urban Development may not award any grant amounts appropriated or otherwise made available under this title to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986.

(C) DISCLOSURE.—Each nonprofit organization that is a recipient of grant amounts appropriated or otherwise made available under this title and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees and key employees, shall disclose to the Secretary of Housing and Urban Development, in the application for the grant, the process for determining such compensation, including the independent persons involved in reviewing and approving such compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, the Secretary of Housing and Urban Development shall make the information disclosed under this paragraph available for public inspection.

SA 1806. Ms. AYOTTE submitted an amendment intended to be proposed by her to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 24, between lines 16 and 17, insert the following:

SEC. 119F. Section 41731 of title 49, United States Code, is amended—

(1) in subsection (a)(1)—

(A) by redesignating subparagraphs (C) and (D) as subparagraphs (D) and (E), respectively; and

(B) by inserting after subparagraph (B) the following:

“(C) is located not less than 90 driving miles from the nearest—

“(i) medium hub airport or large hub airport; or

“(ii) small hub airport that was classified as a medium hub airport or large hub airport during the most recent 5-year period;”;

(2) in subsection (c), by striking “subparagraphs (B), (C), and (D)” and inserting “subparagraphs (B), (C), (D), and (E)”;

(3) by striking subsection (d) and redesignating subsections (e) and (f) as subsections (d) and (e), respectively; and

(4) in subsection (d), as redesignated by paragraph (3)—

(A) by striking “For fiscal year” and inserting the following:

“(1) ENPLANEMENTS REQUIREMENT.—For fiscal year”;

(B) by adding at the end the following:

“(2) DISTANCE REQUIREMENT.—The Secretary may waive subsection (a)(1)(C) with respect to a location if the Secretary determines that without the waiver there would be undue difficulty accessing the nearest medium hub airport or large hub airport as a result of geographic characteristics unique to the location.”.

SA 1807. Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 24, between lines 16 and 17, insert the following:

SEC. 119F. It is the sense of Congress that the Secretary of Transportation should continue the process of drafting regulations on the integration of unmanned aerial systems into the national airspace system while developing the report required by section 119E.

SA 1808. Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 188, after line 24, add the following:

SEC. 422. (a) Funds appropriated for assistance for the Government of Egypt for fiscal year 2014 may only be obligated in the following manner—

(1) 25 percent of such funds may be made available after enactment of this Act;

(2) 25 percent of such funds may be made available if the Secretary of State certifies to the appropriate congressional committees that the Government of Egypt is supporting inclusive political processes and institutions, including permitting pro-democracy and other civil society organizations to operate freely, has released political prisoners, and is not prosecuting political cases in military courts;

(3) 25 percent of such funds may be made available if the Secretary of State certifies to the appropriate congressional committees

that credible elections have been conducted in Egypt and a democratically elected government is in place; and

(4) 25 percent of such funds may be made available if the Secretary of State certifies to the appropriate congressional committees that the newly elected Government of Egypt is taking steps to govern democratically and protect human rights and the rule of law (including the rights of women and religious minorities).

(b) None of the funds appropriated for assistance for the Government of Egypt in fiscal year 2014 may be made available if such government is not abiding by the 1979 Egypt-Israel Peace Treaty.

(c) The President shall submit to the appropriate congressional committees, concurrent with the fiscal year 2015 budget request, a comprehensive and strategic review of military and economic assistance for Egypt: *Provided*, That in conducting such review, the President shall consult with relevant Government of Egypt officials and representatives of civil society, and the appropriate congressional committees: *Provided further*, That such review shall include a detailed description of the purposes of such assistance, and the specific goals and objectives of furthering political, military, and economic reforms in Egypt, including—

(1) supporting democratic institutions (including an independent legislature and judiciary), an inclusive political process, and regular conduct of free and fair elections at all levels of government;

(2) promoting the rule of law (including equal access to justice, protection of the rights of women and religious minorities, and anti-corruption efforts);

(3) supporting economic reforms (including transparent and accountable governance, private sector-led growth and job creation, and trade expansion);

(4) fostering a vibrant civil society (including free and independent media);

(5) supporting security sector reform (including civilian police forces); and

(6) combating terrorism (including eliminating smuggling networks between Egypt and Gaza in the Sinai).

(d) Notwithstanding any other provision of law, the Secretary of State shall reduce the amount of assistance made available for assistance for Egypt in fiscal year 2014 by an amount the Secretary determines is equivalent to that expended by the United States Government for bail, and by nongovernmental organizations for legal and court fees, associated with democracy-related trials in Egypt.

(e)(1) The Secretary of State may waive the requirements of subsection (a)(2) not earlier than 3 months after enactment of this Act if the Secretary of State certifies to the appropriate congressional committees that to do so is important to the national security interests of the United States.

(2) The Secretary of State may waive the requirements of subsection (a)(3) not earlier than 6 months after enactment of this Act if the Secretary certifies to such committees that to do so is important to the national security interests of the United States.

(f) For purposes of this section, the term “appropriate congressional committee” means the Committees on Appropriations and Foreign Relations of the Senate, and the Committees on Appropriations and Foreign Affairs of the House of Representatives.

SA 1809. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related

agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 169, between lines 22 and 23, insert the following:

SEC. 244. (a) None of the funds appropriated or otherwise made available under this title may be used by any recipient of such funds to discriminate against any person because that person is a member of the uniformed services.

(b) Any person or entity, acting in good faith, that has knowledge of any instance in which a recipient of funds under this title has discriminated or is discriminating against a member of the uniformed services may file a complaint against such recipient with the Office of Inspector General for the Department of Housing and Urban Development.

(c) For purposes of this section, the term "member of the uniformed services" means an individual who—

(1) is a member of—

(A) the uniformed services (as defined in section 101 of title 10, United States Code); or

(B) the National Guard in State status under title 32, United States Code; or

(2) was discharged or released from service in the uniformed services (as so defined) or the National Guard in such status under conditions other than dishonorable.

(d) Nothing in this section may be construed to prohibit the use or availability of any funds appropriated or otherwise made available under this title for programs, activities, or accounts that assist or provide housing to members of the uniformed services.

SA 1810. Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 169, between lines 22 and 23, insert the following:

SEC. 244. (a) The Secretary of Housing and Urban Development and the Neighborhood Reinvestment Corporation may not, from any amounts appropriated or otherwise made available under this title for fiscal year 2014, award any discretionary grant amounts to any nonprofit organization that, in any of fiscal years 2009 through 2013—

(1) provided a compensation package to one or more of its officers at a level exceeding, by at least 25 percent, the maximum basic rate of pay of the Senior Executive Service;

(2) utilized an average of 12 percent or more of the discretionary grant amounts it received from either the Secretary of Housing and Urban Development or the Neighborhood Reinvestment Corporation for the organization's grant administration expenses (including salaries); and

(3) had a finding of a significant deficiency or material weakness in any audit of that organization furnished to or conducted on behalf of either the Secretary of Housing and Urban Development or the Neighborhood Reinvestment Corporation in connection with a Federal housing grant award.

(b) The Secretary of Housing and Urban Development and the Neighborhood Reinvestment Corporation shall each submit a report to the Chair and Ranking Member of the Committee on Appropriations and the Committee on Banking, Housing, and Urban

Affairs of the Senate and the Chair and Ranking Member of the Committee on Appropriations and the Committee on Financial Services of the House of Representatives—

(1) on the number of nonprofit organization grantees meeting the criteria established under subsection (a);

(2) that summarize the type and amount of Federal housing grants awarded to each such organization, including the percentage of each such grant that was utilized by the organization for grant administration expenses, in each of fiscal years 2009 through 2013; and

(3) that describe the steps to be taken by the Secretary or the Corporation, as the case may be, to achieve greater cost-savings and grant-administration efficiencies in the future, including a plan for requiring future grant recipients to limit their grant administration expenditures to 10 percent of grant funds received from the Secretary or the Corporation, as the case may be.

(c) For purposes of this section, the term "nonprofit organization" means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

SEC. 245. Any amounts saved, reserved, remaining, or otherwise unobligated as a result of the prohibition set forth under section 244, shall be transferred to and appropriated under the heading "Home Investment Partnerships Program": *Provided*, that such amounts shall only be used by the Secretary of Housing and Urban Development to rehabilitate substandard housing of children residing in rural counties with the highest poverty rates.

SA 1811. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 6, between lines 11 and 12, insert the following:

SURFACE TRANSPORTATION PROJECTS OF NATIONAL AND REGIONAL SIGNIFICANCE

For grants to eligible applicants for eligible projects of national and regional significance (as such terms are defined in paragraphs (2) and (3) of section 1301(c) of SAFETEA-LU (23 U.S.C. 101 note)), \$500,000,000, to remain available until expended.

SA 1812. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill S. 1243, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2014, and for other purposes; which was ordered to lie on the table; as follows:

On page 52, after line 24, add the following:

SEC. 155. (a) Not later than 1 year after the date of the enactment of this Act, the Administrator of the Federal Railroad Administration shall—

(1) complete a study of the safety of movable railroad bridges and the transportation of hazardous materials over such bridges; and

(2) post a report on the Federal Railroad Administration's website that containing the results of such study.

(b) The study conducted under subsection (a) shall address—

(1) the adequacy of span locking and its relation to the practice of trains passing over bridges displaying a stop signal; and

(2) the adequacy of training received by train crews to inspect their route before passing over a bridge displaying a stop signal.

NOTICE OF INTENT TO SUSPEND THE RULES

Mr. PAUL. Mr. President, I submit the following notice in writing:

In accordance with rule V of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend rule XVI, and rule XXII, Paragraph 2, for the purpose of proposing and considering Amendment No. 1739, including germaneness requirements.

NOTICES OF HEARINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. WYDEN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Senate Committee on Energy and Natural Resources. The hearing will be held on Tuesday, August 1, 2013, at 9:30 a.m., in room 366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on the November 6, 2012 referendum on the political status of Puerto Rico and the Administration's response.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150, or by e-mail to danielle_deraney@energy.senate.gov.

For further information, please contact Allen Stayman at (202) 224-7865 or Danielle Deraney at (202) 224-1219.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. WYDEN. Mr. President, the Subcommittee on National Parks has previously announced a hearing to be held on Wednesday, July 31, at 2:30 p.m. to consider several bills. In addition to the bills previously announced, the subcommittee will also hear testimony on:

S. 1328, to authorize the Secretary of the Interior to conduct a special resource study of the archeological site and surrounding land of the New Philadelphia town site in the State of Illinois, and for other purposes, and

S. 1339, to reauthorize the Ohio & Erie Canal National Heritage Canalway.

For further information, please contact David Brooks at (202) 224-9863 or John Assini at (202) 224-9313.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on July 25, 2013.

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

COMMITTEE ON ARMED SERVICES

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on July 25, 2013, at 9:30 a.m.

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to hold a meeting during the session of the Senate on July 25, 2013, at 2:30 p.m. in room 253 of the Russell Senate Office Building.

The Committee will hold a hearing entitled, "The Partnership Between NIST and the Private Sector: Improving Cybersecurity."

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mrs. MURRAY. 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 July 25, 2013, at 9:30 a.m. in room SD-366 of the Dirksen Senate Office Building.

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

COMMITTEE ON FINANCE

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on July 25, 2013.

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

COMMITTEE ON FOREIGN RELATIONS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Foreign Relations Committee be authorized to meet during the session of the Senate on July 25, 2013, at 10:30 a.m. in room SD-419 of the Dirksen Senate Office building.

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

COMMITTEE ON FOREIGN RELATIONS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Foreign Relations Committee be authorized to meet during the session of the Senate on July 25, 2013, at 2:30 p.m.

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Com-

mittee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on July 25, 2013, at 11 a.m.

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

COMMITTEE ON THE JUDICIARY

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on July 25, 2013, at 9:30 a.m., in SD-226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

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

SELECT COMMITTEE ON INTELLIGENCE

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on July 25, 2013, at 2:30 p.m.

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

SUBCOMMITTEE ON WATER AND POWER

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Subcommittee on Water and Power of the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on July 25, 2013, at 2:30 p.m., in room 366 of the Dirksen Senate Office Building.

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

SUBCOMMITTEE ON COMMUNICATIONS, TECHNOLOGY, AND THE INTERNET

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Subcommittee on Communications, Technology, and the Internet of the Committee on Commerce, Science, and Transportation be authorized to hold a meeting during the session of the Senate on July 25, 2013, at 10:15 a.m. in room 253 of the Russell Senate Office Building.

The Committee will hold a hearing entitled, "State of Wireline Communications."

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

PRIVILEGES OF THE FLOOR

Mrs. MURRAY. Mr. President, I ask unanimous consent that Margaret Taylor, a detailee from the State Department to the Foreign Relations Committee, be granted floor privileges for the consideration of S. 1243.

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

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.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to executive session and it be in order

to file cloture on Executive Calendar Nos. 208, 223, 224, 104; further, that the mandatory quorum under rule XXII be waived; finally, if this request is granted, the Senate resume legislative session after the final cloture motion is reported pursuant to this order.

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

EXECUTIVE SESSION

NOMINATION OF JAMES B. COMEY, JR., TO BE DIRECTOR OF THE FEDERAL BUREAU OF INVESTIGATION

The PRESIDING OFFICER. The Senate will proceed to executive session and the clerk will report the nomination.

The legislative clerk read the nomination of James B. Comey, Jr., of Connecticut, to be Director of the Federal Bureau of Investigation.

CLOTURE MOTION

Mr. REID. Mr. President, I send a cloture motion to the desk on Calendar No. 208.

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

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of James B. Comey, Jr., of Connecticut, to be Director of the Federal Bureau of Investigation.

Harry Reid, Patrick J. Leahy, Mark Begich, Christopher A. Coons, Thomas R. Carper, Bill Nelson, Patty Murray, Martin Heinrich, Jeanne Shaheen, Benjamin A. Cardin, Al Franken, Sherrod Brown, Tom Harkin, Jack Reed, Sheldon Whitehouse, Charles E. Schumer, Robert P. Casey, Jr.

NOMINATION OF KENT YOSHIHO HIROZAWA TO BE A MEMBER OF THE NATIONAL LABOR RELATIONS BOARD

The PRESIDING OFFICER. The clerk will report the next nomination.

The legislative clerk read the nomination of Kent Yoshiho Hirozawa, of New York, to be a member of the National Labor Relations Board.

CLOTURE MOTION

Mr. REID. I send a cloture motion to the desk.

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

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Kent Yoshiho Hirozawa, of New York, to be a Member of the National Labor Relations Board.

Harry Reid, Tom Harkin, Jack Reed, Sheldon Whitehouse, Christopher A. Coons, Robert P. Casey, Jr., Benjamin L. Cardin, Patrick J. Leahy, Joe Manchin III, Elizabeth Warren, Debbie Stabenow, Carl Levin, Angus S. King, Jr., Charles E. Schumer, Richard J. Durbin, Amy Klobuchar, Richard Blumenthal.

NOMINATION OF NANCY JEAN SCHIFFER TO BE A MEMBER OF THE NATIONAL LABOR RELATIONS BOARD

The PRESIDING OFFICER. The clerk will report the next nomination.

The legislative clerk read the nomination of Nancy Jean Schiffer, of Maryland, to be a member of the National Labor Relations Board.

CLOTURE MOTION

Mr. REID. It is my understanding there is a cloture motion at the desk.

The PRESIDING OFFICER. The Senator is correct. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Nancy Jean Schiffer, of Maryland, to be a Member of the National Labor Relations Board.

Harry Reid, Tom Harkin, Jack Reed, Sheldon Whitehouse, Christopher A. Coons, Robert P. Casey, Jr., Benjamin L. Cardin, Patrick J. Leahy, Joe Manchin III, Elizabeth Warren, Debbie Stabenow, Carl Levin, Angus S. King, Jr., Charles E. Schumer, Richard J. Durbin, Amy Klobuchar, Richard Blumenthal.

NOMINATION OF MARK GASTON PEARCE TO BE A MEMBER OF THE NATIONAL LABOR RELATIONS BOARD

The PRESIDING OFFICER. The clerk will report the next nomination.

The legislative clerk read the nomination of Mark Gaston Pearce, of New York, to be a member of the National Labor Relations Board.

CLOTURE MOTION

Mr. REID. Mr. President, I send a cloture motion to the desk.

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

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Mark Gaston Pearce, of New York, to be a Member of the National Labor Relations Board.

Harry Reid, Tom Harkin, Jack Reed, Sheldon Whitehouse, Christopher A. Coons, Robert P. Casey, Jr., Benjamin L. Cardin, Patrick J. Leahy, Joe Manchin III, Elizabeth Warren, Debbie Stabenow, Carl Levin, Angus S. King,

Jr., Charles E. Schumer, Richard J. Durbin, Amy Klobuchar, Richard Blumenthal.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

UNITED STATES INTELLIGENCE PROFESSIONALS DAY

Mr. REID. Mr. President, I ask unanimous consent the Senate proceed to S. Res. 200.

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

The legislative clerk read as follows:

A resolution (S. Res. 200) designating July 26, 2013, as "United States Intelligence Professionals Day."

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

Mr. REID. Mr. President, I ask unanimous consent the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid on the table, with no intervening action or debate.

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

The resolution (S. Res. 200) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

NATIONAL POLYCYSTIC KIDNEY DISEASE AWARENESS DAY

Mr. REID. Mr. President, I ask unanimous consent the Senate proceed to S. Res. 201.

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

The legislative clerk read as follows:

A resolution (S. Res. 201) designating the first Wednesday in September 2013 as "National Polycystic Kidney Awareness Day" and raising awareness and understanding of polycystic kidney disease.

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

Mr. REID. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid on the table, with no intervening action or debate.

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

The resolution (S. Res. 201) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

ORDERS FOR MONDAY, JULY 29, 2013

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 2 p.m., on Monday, July 29,

2013, and that following the prayer and pledge, the morning hour be deemed expired, the Journal of Proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate be in a period of morning business until 4:15 p.m., with Senators permitted to speak therein for up to 10 minutes each; that following morning business, the Senate resume consideration of S. 1243, the Transportation and Housing and Urban Development appropriations bill; further, that at 4:30 p.m., the Senate proceed to executive session to consider Calendar No. 208, the nomination of James Comey to be Director of the Federal Bureau of Investigation, with the time until 5:30 p.m. equally divided and controlled in the usual form; and, finally, that at 5:30 p.m., the Senate proceed to vote on the motion to invoke cloture on the Comey nomination.

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

PROGRAM

Mr. REID. Mr. President, the next rollcall vote will be a cloture vote on the Comey nomination on Monday evening.

ADJOURNMENT UNTIL MONDAY, JULY 29, 2013, AT 2 P.M.

Mr. REID. 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 6:57 p.m., adjourned until Monday, July 29, 2013, at 2 p.m.

NOMINATIONS

Executive nominations received by the Senate:

THE JUDICIARY

VINCE GIRDHARI CHHABRIA, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF CALIFORNIA, VICE SUSAN Y. ILLSTON, RETIRED.

MATTHEW FREDERICK LEITMAN, OF MICHIGAN, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF MICHIGAN, VICE MARIANNE O. BATTANI, RETIRED.

JUDITH ELLEN LEVY, OF MICHIGAN, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF MICHIGAN, VICE NANCY G. EDMUNDS, RETIRED.

LAURIE J. MICHELSON, OF MICHIGAN, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF MICHIGAN, VICE GEORGE CARAM STEEH III, RETIRED.

JAMES MAXWELL MOODY, JR., OF ARKANSAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF ARKANSAS, VICE SUSAN WEBBER WRIGHT, RETIRING.

LINDA VIVIANNE PARKER, OF MICHIGAN, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF MICHIGAN, VICE ROBERT H. CLELAND, RETIRED.

SECURITIES INVESTOR PROTECTION CORPORATION

LESLIE E. BAINS, OF NEW YORK, TO BE A DIRECTOR OF THE SECURITIES INVESTOR PROTECTION CORPORATION FOR A TERM EXPIRING DECEMBER 31, 2015, VICE WILLIAM S. JASSEN, TERM EXPIRED.

EXECUTIVE OFFICE OF THE PRESIDENT

ROBERT MICHAEL SIMON, OF MARYLAND, TO BE AN ASSOCIATE DIRECTOR OF THE OFFICE OF SCIENCE AND TECHNOLOGY POLICY, VICE SHERBURNE B. ABBOTT.

DEPARTMENT OF STATE

CAROLINE KENNEDY, OF NEW YORK, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO JAPAN.

DONALD LU, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF ALBANIA.

ROBERT A. SHERMAN, OF MASSACHUSETTS, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE PORTUGUESE REPUBLIC.

POSTAL REGULATORY COMMISSION

TONY HAMMOND, OF MISSOURI, TO BE A COMMISSIONER OF THE POSTAL REGULATORY COMMISSION FOR A TERM EXPIRING OCTOBER 14, 2018. (REAPPOINTMENT)

DEPARTMENT OF DEFENSE

MARCEL J. LETTRE II, OF MARYLAND, TO BE A PRINCIPAL DEPUTY UNDER SECRETARY OF DEFENSE. (NEW POSITION)

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

DAVID M. ABEL
RODGER N. ACKLIN
IVAN A. ACOSTA
BERT W. ADAMS
BRIAN S. ADAMS
PAUL J. ADAMS
PAUL E. ADAMSON
NICHOLAS B. ADCOCK
JEREMY B. AHLSTROM
ARTHUR A. ALCANTARA
ROLANDO P. ALEJO
JAMES G. ALEXANDER
JEREMY B. ALEXANDER
MICHAEL J. ALEXANDER
BENJAMIN D. ALLEN
JASON D. ALLEN
RANDAL T. ALLEN
THOMAS G. ALLEN
GALEN R. ALSOP
JENNIFER A. AMATO
GREGORY A. AMIG
KEVIN G. AMSDEN
LANNY REY ANAYA
SERGIO E. ANAYA
MICHAEL L. ANDERSON
MICHAEL S. ANDERSON
SHANON E. ANDERSON
CHAD M. ANTHONY
ELIZABETH A. APTEKAR
RICARDO L. ARAÇON
CHARLES C. ARMSTRONG
JASON M. ARMSTRONG
KIM M. ARNOLD
BEN J. ARONHIME
CHAD C. ASHCRAFT
MIKE D. ATCHLEY
RICHARD ALLEN ATWELL, JR.
CHANDLER P. ATWOOD
CHRISTOPHER M. AUGER
JOSEPH R. AUGUSTINE
JOSEPH E. BABBONI
SEAN P. BAERMAN
BRENT R. BAK
BEVERLY A. BAKER
DARIAN W. BAKER
KYLE M. BALDASSARI
JOHN E. BALEB
TIMOTHY J. BAMFORD
JOSEPH S. BARBARE
KRIS E. BARCOMB
RYAN M. BARE
MICHELLE L. BARKER
KEVAN A. BARRY
SHAWN J. BARRY
PAUL R. BARTHEL
BENJAMIN A. BARTLETT
KEVIN S. BARTLETT
MATTHEW A. BARTLETT
ROBERT L. BARTLOW, JR.
PHILIP A. BARTOO
BRAD J. BASHORE
DARREN E. BATES
ARIEL G. BATUNGBACAL
JOHN J. BAUM
CASEY M. BEARD
HERBERT S. BEAUMONT
COREY A. BEAVERSON
JEFFERY D. BECKER
RICHARD R. BECKMAN
GABRIEL M. BEHR
TIFFANY L. BEHR
JONATHAN W. BEICH
ANDREW P. BEITZ
MICAH K. BELL
PAUL M. P. BELL
TRACY L. BELL
ANDREW J. BEMIS
BRAD A. BEMISH
ELIZABETH T. BENEDICT
JERRY W. BENNETT, JR.
JANCE R. BENSON
RICHARD S. BENTLEY
DEAN E. BERCK
DAVID M. BERGIN
JEREMY S. BERGIN
CLAUDIA E. BERMUDEZ
MATTHEW J. BERRIDGE
BRYAN L. BEST
RONALD L. BETTS

TODD G. BETZ
MATTHEW H. BEVERLY
GREGORY L. BEYER
JASON D. BIALON
DANIEL V. BIEHL
ROBERT M. BIGGERS
KEVIN M. BIGGS
MICHAEL P. BITTENBENDER
KEITH W. BITTLE
SCOTT T. BJORGE
JASON S. BLACKERBY
CAROL A. BLACKINGTON
CHRISTOPHER M. BLACKWELL
CODY L. BLAKE
ADAM L. BLANCHARD
JAMES M. BLANTON
JAROD P. BLECHER
JOHN W. BLOCHER
BRANDON D. BLY
RICHARD D. BOATMAN
JOHN A. BOEN
ROBERT L. BOLES
JONATHAN M. BOLING
JAMES M. BONO
CHANTEL M. BOOKER
MELISSA F. BOOKMAN
AARON M. BOSTON
JENNIFER U. BOUDREAU
KENNETH N. BOURQUE
CHRISTOPHER J. BRADLEY
DENOAH BRADLEY
PHILIP W. BRANDT
ALBERT J. BRASSEUR III
ALONZO C. BRAY, JR.
GEREMIAH J. BREKKE
JAMES A. BRENNING
KEVIN J. BREWER
JOHN H. BRINER
CHARLES P. BRISBOIS III
LATISHA R. BRISTOW
AARON D. BROOKS
DELEMESA MACK BROOKS
DARRYL P. BROOME
BRIAN L. BROWN
DAVID J. BROWN
DEMETRIUS O. BROWN
JASON P. BROWN
MATTHEW G. BROWN
MELISSA G. BROWN
ROBERT L. BROWN
DARRIN L. BRUMFIELD
JAMES E. BRUNNER
GABRIELLE J. BRYANTBUTLER
ROBERT M. BRYAN
DAVID A. BUCHANAN
ERIC W. BUCHEIT
MARK W. BUCHHOLZ
SCOTT A. BUCHEL
JONATHAN B. BURKE
SPENCER A. BURKHALTER
RUSSELL C. BURKS
AUSTIN F. BURRILL
STEVEN E. BURY
JAMES W. BUSCH
JONATHAN D. BUSCH
KEITH J. BUTLER
MARCINDA L. BUTTIE
WILLIAM L. BYERS
JONATHAN E. BYRNES
DONA L. BYRON
NICK D. CALLAWAY
LANCE G. CAMPBELL
SCOTT A. CAMPBELL
MICHAEL P. CAMPOS
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JOSEPH R. RUMCI
FRANCIS X. RURKA IV
MICHAEL C. RUSSELL
SCOTT K. RUSSELL
CHRISTOPHER T. RUST
CHARLES M. RYAN
JOSEPH B. RYTHER
JACHIN SAKAMOTO
MARTIN SALINAS II
GERARDO SANCHEZ
JASON K. SANDERSON
BRIAN T. SANDIDGE
GARY R. SANDT
DANIEL J. SANTORO
JENNIFER L. SARACENO
PAUL E. SASKIEWICZ
TORRENCE T. SAULSBERRY
JOHN F. SAUNDERS
STEPHEN R. SAVELL
ALBERT F. SCAPEOTTO, JR.
ROBERT J. SCHABRON
JOSEPH V. SCHAEFER
STEVEN J. SCHAEFER
MEGAN A. SCHAEFER
STEVEN A. SCHAEFER
JAMES A. SCHEIDEMAN
THOMAS PATRICK SCHILLING
CHRISTOPHER E. SCHLACHTER
KYLE W. SCHLAPPI
TAMMY L. SCHLICHENMAIER
CARL C. SCHLUCKEBIER
JEFFREY C. SCHLUETER
JEFFREY D. SCHNAKENBERG
RONALD M. SCHOCH
MATTHEW D. SCHORR
BRANDON B. SCHRAEDER
JEREMY A. SCHROEDER
WILLIAM A. SCHROEDER
MARK W. SCHULENBERG
ADAM M. SCHULTZ
ERIC E. SCHULTZ
CHRISTOPHER S. SCHULZ
CURT A. SCHUMACHER
IRA A. SCHURIG
MARTIN G. SCHWEIM
BRIN D. SCOTT
ELIZABETH H. SCOTT
NATHAN L. SCOTT
CHAD T. SEARLE
PAUL J. SEBOLD
KARL W. SEEKAMP
SCOTT M. SEIGFRIED
PATRICK C. SELF
DAMON P. SEVIER
MARTIN T. SHADLE
JEREMY D. SHADROUI

CHRISTOPHER J. SHANDERSKY
 PAUL E. SHEETS
 SUSAN M. SHEETS
 CHRISTOPHER M. SHEFFIELD
 SCOTT E. SHELTON
 STEVEN G. SHEPAN
 JASON J. SHEPARD
 RICHARD H. SHERTZER
 ALLEN R. SHEW
 JASON T. SHIBATA
 CAMERON B. SHIRLEY
 CAROL J. SHIRLEY
 RALPH R. SHOUKRY
 JEFFREY E. SHUCK
 ROBERT W. SHULL
 MACKENZIE R. SHULTZ
 THEODORE J. SHULTZ
 ROBERT A. SIDES
 ANTHONY F. SIDOTTI
 JUAN SILVA, JR.
 JEFF A. SIMMONS
 DANIEL T. SIMPSON
 MICHAEL R. SIMS
 ANDREW L. SINCOCK
 JAMES L. SIVILLE
 DAVID M. SKALICKY
 BRYAN E. SKARDA
 ROBERT W. SLANGER
 JEFFREY J. SLIWINSKI
 DAVID A. SLOAT
 JASON M. SMESNY
 KYLE J. SMET
 JAMIE R. SMICKLAS
 ANDREW F. SMITH
 CHAD A. SMITH
 DAVID A. SMITH
 JASON V. SMITH
 JENNIFER L. SMITH
 JOSHUA J. SMITH
 NATHAN S. SMITH
 ROBERT R. SMITH
 STEVEN J. SMITH
 TIMOTHY J. SMITH
 PATRICK A. SNYDER
 JAIME SONORA
 JOSHUA DAVID SOULE
 TIMOTHY J. SPAULDING
 WINSTON L. SPEARES
 STEVEN W. SPEARES
 BARRY J. SPELLS
 MATTHEW L. SPENCER
 CANDICE M. SPERRY
 ANDRE R. SPICER
 JEREMIAH B. STAHR
 PAUL M. STANLEY
 DALE W. STANLEY III
 MATTHEW C. STANLEY
 MATTHEW L. STANLEY
 GREGORY M. STEGER
 SIDNEY L. STEGALL, JR.
 BRIAN R. STELMA
 ANDREW C. STENGEL
 ANSON B. STEPHENS
 JOHN T. STEPHENS
 GREG E. STEVENS
 JAMES A. STEVENS
 MARK R. STEVENS
 CORETTA B. STEWART
 LOUIS G. STEWART
 MATTHEW W. STEWART
 MICHAEL D. STODDARD
 MICHELLE L. STOFFAMALLOY
 MICHAEL R. STOLLEY
 ROSE K. STOOB
 JOSHUA K. STRAKOS
 JEREMY P. STRINGER
 RONALD K. STROBACH
 CHARLES A. STSAUVER
 CEDRICK L. STUBBLEFIELD
 DANIEL W. STUPINSKI
 JASON O. SULLIZMAN
 JOHN A. SULLIVAN
 JOHN T. SULLIVAN
 RYAN D. SULLIVAN
 WILLIAM A. SULLIVAN
 MARC W. SUMMERS
 DAVID A. SUTTER
 ERIC E. SUTTON
 MATTHEW P. SUTTON
 MATTHEW J. SWANSON
 LYLE D. SWAPP
 JUSTIN W. SWARTZMILLER
 ROBERT J. SWEARINGEN
 RYAN J. SWEAZEY
 PATRICK J. SWEENEY
 ROBERT J. SWEENEY
 CRAIG M. SWIERZBIN
 TOBIAS B. SWITZER
 GARY B. SYMON
 LOUIS M. SZCZUKOWSKI
 TIMOTHY K. SZESZULSKI
 BREANNE TABOR
 KHALIM A. TAHA
 MICHELLE A. TARKOWSKI
 DONALD C. TASKER
 DAVID L. TAYLOR
 JASON E. TAYLOR
 LELAND J. TAYLOR
 MARLON TAYLOR
 STEVEN C. TAYLOR
 LUCAS J. TEEL
 BRANDON J. TELLEZ
 JASON LEE TERRY
 CLIFFORD M. THEONY
 LISA S. THIEM
 KENNETH G. THILL
 ANTHONY ALEXANDER THOMAS

BRIAN J. THOMAS
 JEFFREY D. THOMAS
 JOSEPH K. THOMAS IV
 MATTHEW M. THOMAS
 RYAN W. THOMAS
 KRISTEN D. THOMPSON
 NATHAN A. THOMPSON
 SAMMIE L. THOMPSON, JR.
 JOHN G. THORNE
 CHARLES D. THROCKMORTON IV
 ROBERT M. THWEATT
 BILL T. TICE, JR.
 SHAWN R. TIMPSON
 SAMUEL M. TODD
 KATHERINE ABOLD TODOROV
 SACHA N. TOMLINSON
 JERI D. TORRERO
 GUILLERMO TORRES
 CRAIG M. TOWELL
 PAUL K. TOWER
 PAUL P. TOWNSEND
 ERIC A. TRAMEL
 JASON L. TRANUM
 BENJAMIN R. TRAVERS
 JASON M. TREW
 SETH W. TRIBETT
 WILLIAM P. TRICHE
 SONJA C. TRITSCH
 SEAN E. TUCKER
 APRIL L. TUNYAVONGS
 ERICK A. TURASZ
 CHRISTOPHER H. TURNER
 JASON A. TURNER
 JASON C. TURNER
 ABIZER H. TYABJI
 TERRY L. TYREE, JR.
 MONYCA J. UECKER
 HEATHER M. UHL
 HORST K. UHL
 L. WILLIAM UHL
 ROSS G. UHLER
 JOHN L. VALA
 MATTHEW STEWART VAN HOOK
 ROBERT M. VANDAWAKER
 JAMES L. VANDROSS
 NEAL ADAM VANHOUTEN
 RICHARD L. VANSLYKE
 MATTHEW J. VEIDDER
 ANDREW C. VENNE
 ERNESTO VERGER
 PHILLIP A. VERROCO
 RYAN J. VETTER
 BRUS E. VIDAL
 BRIAN H. VILLAVASO
 MICHELLE K. VILLAVASO
 JOHN R. VINSON
 JOHN R. VOLCHECK
 RYAN M. VONEIDA
 DANIEL J. VOORHIES
 ALAN R. WADE
 RICHARD J. WAGEMAN, JR.
 MATTHEW T. WAGGONER
 RICHARD H. WAGGONER
 EDWARD R. WAGNER
 TORREY J. WAGNER
 RICHARD W. WALDROP
 DIETER A. WALDVOGEL
 KENNETH G. WALKER
 BRIAN P. WALLACE
 JASON R. WALLS
 JENNIFER G. WALSTON
 TIMOTHY M. WARNER
 STEVEN W. WASHKO
 MARK R. WASS
 MATTHEW N. WASZAK
 JOHN G. WEAVER
 SHONRY O. WEBB
 KEVIN M. WEBSTER
 JAMES T. WEBEKIND
 MARTIN W. WEEKS III
 SCOTT M. WEHRLE
 JAMES P. WEIR
 TROY C. WELKER
 MATTHEW D. WELLING
 BRENT M. WELLS
 MARION R. WENDALL
 CHRISTOPHER W. WERNER
 JEFFREY B. WESTPHAL
 KEVIN J. WHALEY
 DANIEL J. WHEELER
 SCOTT A. WHINNERY
 STEVEN S. WHISLER
 MICHAEL S. WHITACRE
 ALTON S. WHITE
 DOUGLAS W. WHITEHEAD
 RYE M. WHITEHEAD
 SCOTT B. WHITEHURST
 TYLER D. WICKHAM
 NOEL M. W. WILDAUER
 JOE F. WILDMAN
 LISA M. WILDMAN
 KEVIN M. WILEY
 SAMUEL R. WILHELM
 BRAD D. WILHAMS
 DOUGLAS A. WILLIAMS
 EARL WILLIAMS III
 JOSHUA J. WILLIAMS
 JOSHUA P. WILLIAMS
 MATTHEW K. WILLIAMS
 SEAN M. WILLIAMS
 TIMOTHY E. WILLIAMS
 JAMES B. WILLS
 SANDRA J. WILSON
 SCOTT R. WILSON
 APRIL L. WIMMER
 WILLIAM H. WIMSATT III
 GUY J. WINGENBACH

JOSEPH J. WINGO
 MICHAEL J. WINTER
 WALTER M. WINTER
 CRAIG J. WINTERS
 ANDREW IRVIN WISTRICILL
 DONALD W. WITTENBERG
 JOHN D. WODOCHEK
 OLGIERD P. WOJNAR
 WINSTON C. WOLCZAK
 JAMES E. WOLFE
 MARC E. WOLFE
 JOHN D. WOOD
 DOUGLAS A. WOODLEY
 TAD W. WOOLFE
 JUSTINE A. WOPAT
 CHRISTOPHER WORKINGER
 DAVID M. WRAZEN
 MICHAEL L. WREY
 ALEXANDER E. WRIGHT
 JAMES A. WRIGHT
 MICHAEL C. YARBROUGH
 MICHAEL D. YARINA
 NICHOLAS R. YATES
 JULIAN J. YNIGUEZ
 BRIAN K. YOSHIMOTO
 DAVID A. YOUNG
 GEOFFREY M. YOUNG
 JASON E. YOUNG
 STEPHEN R. ZAISER
 JOSHUA J. ZAKER
 PAMELLA J. ZANE
 ERIC J. ZARYBNISKY
 JEFFREY S. ZDENEK
 THOMAS M. ZEFFE
 CHRISTOPHER J. ZEGAR
 YAN C. ZHU
 JOHN P. ZIELINSKI
 ANTHONY J. ZILINSKY III
 CHRISTOPHER J. ZILKA
 DAVID L. ZIMMERMAN
 MICHAEL P. ZINK
 ANDREW W. ZINN
 STEVEN M. ZOLLARS
 JODY L. ZOLMAN
 JOHNATHAN B. ZULAUF
 MICHAEL M. ZWALVE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

VERONIQUE N. ANDERSON
 DAVID A. BARGATZE
 VICKI A. BELLEAU
 JOHN WILLIAM BELLFLOWER, JR.
 MICHAEL AARON BURNAT
 MATTHEW D. BURRIS
 MECHEL ALECIA CAMPBELL
 MICHAEL DAVID CARSON
 THOMAS PAUL CONDIE
 GARRETT MICHAEL CONDON
 TIMOTHY MICHAEL COX
 SUANNE M. CROWLEY
 JUSTIN R. DALTON
 JEREMY K. DAVIS
 COREY G. FULLMER
 BRYON T. GLEISNER
 JEFFREY L. GREEN
 TROY D. HAMMON
 JOHN CHRISTOPHER HARWOOD
 TROY S. HEAVENER
 CHRISTINA MARIA JIMENEZ
 ERIC MICHAEL JOHNSON
 ANDREW KALAVANOS
 CYNTHIA T. KEARLEY
 STEVEN GLADE LOERTSCHER
 JEFFERSON E. MCBRIDE
 ROGER A. MCILLECE
 ERIC P. MERRIAM
 RYAN D. OAKLEY
 LYN T. PATYSKIWHITE
 TRINH W. PETERSON
 DERIC W. PRESCOTT
 ELIZABETH D. PULLIN
 THEODORE T. RICHARD
 ASHLEY K. RICHARDS
 RICHARD M. ROBERTSON
 JOSHUA DANIEL ROSEN
 POLLY K. SANDNESS
 STEVEN JON SMART
 MICHAEL R. SUBERLY
 SHAWN C. TABOR
 PATRICIA S. WIEGMANLENZ
 RICHARD A. WILLIAMS
 MATTHEW DAVID WINFREY
 AARON EUGENE WOODWARD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

ROBERT F. BOOTH
 TIFFANY A. DAWSON
 DARREN C. HUSKISSON
 DIANA L. JOHNSON
 WON KYU LEE
 MICHAEL A. LEWIS
 CHARLOTTE M. LIEGLPAUL
 TODD E. MCDOWELL
 MARTIN T. MITCHELL
 IRA PERKINS
 NATALIE D. RICHARDSON
 THOMAS A. ROGERS, JR.
 JOHN D. SMITH
 MATTHEW S. WARD

BRYAN D. WATSON
PATRICK J. WELLS
ERIC J. WERNER
CHARLES E. WIEDIE, JR.

IN THE NAVY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES NAVY
UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

CHRISTOPHER M. ALLEN
FRANCIS D. J. AMMATURO
TRACEY M. APPEBY
ROBERT T. ATIENZA
MELISSA A. BARNES
DONALD G. BARNETT
JOSEPH J. BARTLEY, JR.
KEVIN L. BATES
FREDERICK BAYERLEIN
SUSAN M. BECKMAN
MICHAEL G. BELL
JERRY N. BELMONT
TROY A. BERTRAN
RONALD BETANCOURT
BRIAN J. BLANKENSHIP
ROBERT W. BOASE
JENNIFER A. BOUGHARD
CHRISTOPHER D. BRECKENRIDGE
LONDON BRIDGET
MARK R. BRYAN
ALBERT A. BUDASZEWSKI
ALVIN D. BURCHFIELD, JR.
DAVID S. BUTLER
WILLIS H. CAMPBELL
GEORGE CANTU
PHILIP J. CAREY
JAMALL W. CARRETHERS
WILLIAM K. CASTLEBERRY
EDWIN R. CATUBIG
JEFFERY C. CHALK
REZA A. CHEGINI
JON C. CLARK
ROBERT S. COLLETT
TODD J. COLLIFLOWER
SHAWN T. COLLINS
ERIC A. COUNCIL
STEPHEN M. CRONEY
FRANK B. CROUSE
HERIBERTO CRUZ, JR.
ROBERT A. CURRAN, JR.
BRADLEY A. DANDURAND
KURT E. DAVIS
BRIAN S. DEMBICKY
PHILIP L. DENNIS
JEFFREY C. DENNISON
DAVID E. DEREE, JR.
JOHN M. DIAZ
CHRISTIAN B. DILLARD
WILLIAM D. DOUCHER
HOWARD T. DOVE
MICHAEL B. DUWEL
JASON L. DYERT
JEREMY D. ELMER
PATRICIO ESCALONA, JR.
NATHAN J. FALLON
PHILIP A. FARLEY
MICHAEL J. FELDHUES
BALTAZAR FERNANDEZ III
JAMES C. FISH
OSCAR S. FLORES
THOMAS M. FOEGELLE, JR.
BOBBY L. FOREST
JAMES W. FOSTER
ANTHONY K. FRANKLIN
RONALD L. FREEMAN, JR.
WARREN FREEMAN, JR.
ANTHONY B. FRIES
LEO P. FUNARI, JR.
MICHAEL D. GANN
RUBEN GARZA, JR.
ROBERT P. GEORGE
ANDREW D. GLANINO
EDWARD GINDER
PAUL K. GITZEN
PETRONILO S. GOMEZ
ANTONIO S. GONZALEZ, JR.
JAIME GONZALEZ
SCOTT R. GOODIN
EDWARD R. GRADWELL
SAMMIE D. GREEN
STEVEN J. GREEN
DAVID L. HALEY
NATHAN A. HALL
JOSEPH W. HAMMOND
WAYNE T. HARDERS
KELVIN HARKINS
CHRISTOPHER M. HARPER
ALTHEA HARRIS
GEORGE HARRIS
JOHN E. HARRIS
ROBERT N. HARRIS
STEPHEN J. HARTLEY, JR.
JIMMY R. HARVEY
ROBERT J. HERBSTREITH
CHRISTOPHER S. HIMES
DAVID J. HOGG
ROBERT E. HORTON
TERRY C. HOSKINS, JR.
DEREK S. HOWARD
JACK L. HURLEY
JEVON C. JACKSON
JEREMY L. JAMES
DOUGLAS L. JENKINS II
ADAM C. JENNINGS
KENNETH D. JONES

CRAIG T. JOYCE
TODD A. KAMINS
JOHN J. KANETZKY
ROBB S. KELLBERG
BRIAN S. KELLER
MATTHEW K. KOKKELER
BRIAN M. KRISTAN
RUSSELL J. KUNTZ
ALAN M. LABONTE
EMMERICH V. LANGHAM
JAMIE C. LATIOLAIS
DAVID J. LATOUR
MATTHEW G. LAWRENCE
TROY R. LAWSON
CHRISTOPHER P. LEFFAKIS
DARYL B. LINHARDT
HAROLD T. LITTLE
JASON T. LOFTON
TRACY J. LOPER
GARY L. LOWE
SEAN G. LYNCH
MARCUS J. MACHART
SCOTT R. MACMILLAN
GREGORY P. MARTIN
CHRISTOPHER A. MAY
LEE O. MCCLOUD
ERIC M. MCCLAUGHLIN
ROBERT W. MENDENHALL
MICHAEL A. MERCADEL
SHAWN D. MITCHELL
ROBERT M. MOFFATT
MARK R. MORGAN
ROBERT J. MORRISON
VAUGHN D. MORTON
DARREN L. MULLEN
BRIAN T. MUTSCH
LOREN L. NICHOLS
JIMMY M. NOLEN
WILLIAM D. NORGAAARD II
RICHARD J. NULL
FRANCIS X. OBERT III
CURTIS C. ONEAL
JASON B. OSBORNE
TRACY A. OWENS
ROBERT L. PAGE, JR.
ERIC I. PALMER
MICHAEL A. PALMER
MICHAEL I. PECK
JOHN W. QUINATA
JOHN A. REDFORD
JASON A. RINTO
ROBERT RODRIGUEZ
TODD C. RONEK
GARY A. RONEY
JASON A. ROSS
CHAD A. SAMPLES
MARC C. SCHUH
SHAYNE J. SCHUMACHER
TRAVIS L. SCOTT
KEVIN P. SHAVER
DAVID T. SHULTZ
JAMES W. SIMMONS, JR.
TRUITT M. SMITH
DAVID M. SMITHERS
JEFFREY R. SOMERS
RALEIGH E. STAHL
JACK B. STANLEY
SCOTTIE D. STRONG
TODD L. STUFLICK
LORENZE B. TATE III
TIMOTHY J. THREADGOLD
BRIAN L. TICHENOR
JOE M. TOWLES
JOHN G. VANOVER
JESS A. VAUGHT
CHRISTOPHER VERDELL
KEVIN J. WALL
MICHAEL C. WALTERS
ADRIENNE M. WIGGINS
ROBERT B. WILEY
KYLE A. WILLIAMS
LAWRENCE L. WILLIAMS
ROBERT L. WINTERS
SCOTT D. WOODS
ANDREW R. WROBEL
JEFFERY B. YANCEY
KENNETH R. YATES
RONALD R. YNIGUEZ
BILLY W. YOUNG
KEVIN C. YOUNGBLOOD
WALTER J. ZAPF
BRIAN S. ZELLNER
STACEY E. ZIMMERMAN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES NAVY
UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

WAJAHAT ALI
DAREN W. BABULA
DOMINIC R. BAILEY
KRISTINA M. BASTONE
CHARLES F. BELL III
PETER T. BEUTTENMULLER
CHRISTOPHER R. BOLTON
MICHAEL J. BONACORSIA
JAY E. BOYLES
JOSEPH C. BYROM
CHRISTOPHER J. CALLAHAN
STEPHEN D. CURTAS
ANDREW C. DAVIS
CHRISTOPHER A. DUMAS
DAVID J. ELLISON
JOHN D. B. FINE
AMANDA L. GILL
ERICA F. GOODWIN

RICHARD T. GRIFFIN
AUSTIN J. GULLETT
JOHANN A. GUZMAN
ANDREW S. HAMILTON
AARON P. HANTMAN
PHILLIP K. HOGAN, JR.
DANIEL J. HONEBEIN
JOHN A. JAMISON
JOSEPH A. JANKOLA
NICHOLAS G. KALKAS
GREGORY J. KNOTT
MARK A. KNOX
FRANK C. KOVACS
JULIUS J. LIM
BRIAN C. MOORE
MATTHEW D. MYERS
JASON Y. OSUGA
JAREN R. PATTERSON
WALTER PAULI
ROBERT A. PIPKIN
MICHAEL S. QUAN
AMANDA B. RICHARDS
PAUL S. ROGERS
JUSTIN L. SCARBROUGH
SANTINO M. SGAMBELLURI
MINEL J. TASTET
EMMANUEL M. THOMANN
PACKARD C. TRENT
KHALIA S. WARNER
GREGGREGY T. WASEMILLER
JOSEPH R. WAY
DREW J. WHITTING
JACOB E. WILSON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES NAVY
UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

HANNAH L. BEALON
NATHAN A. BOEGER
JOHN M. CONNALLY
JAMES L. FISHER
ROBERT C. GRIFFITH
BRIAN D. HACKNEY
JEFFREY C. HAMILTON
JAMES T. HERZOG
RYAN H. KING
RICHARD J. MASCOLO
KYLE C. MOORE
SEAN M. NELSON
SCOTT V. PARKER
JAMES H. PENSEL
RYAN A. RIPPEON
MALCOLM S. SIMIEN
CALVIN T. STANFORD
EDWARD M. VALDEZ
JEFFREY P. WILCOX
ALFRED S. WILLIAMS
JERRY L. WOODS
ALICIA R. WRIGHT

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES NAVY
UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

BRIAN C. BAKER
DON E. BARBER, JR.
JASON R. BARDIN
BRIAN C. BROADWELL
RICHARD G. BUCKLEY
MATTHEW O. CAYLOR
BRIAN D. CUMMINGS
JOSEPH E. DUCHESNEAU
PAUL J. FELSING II
NEIL R. FLANDERS
DAMON P. GASS
KEITH A. GEHRKE
HENRY T. GILBERT IV
ERIC K. GRAEWERT
RYAN N. HAAG
JON H. HOPKINS
MICHAEL J. KNOOPS
MICHAEL R. KRUBGER
MIRANDA C. LABASH
MATTHEW L. LINDSAY
KEITH A. LUDWICK
JONATHAN C. MCCARTER
NEIL A. MYERS
KURT L. PODRAZIK
DANIEL A. REDDEG, JR.
DARREN C. SCHIERMEYER
MALCOLM C. SMITH
ROBERT S. STEWART
ROBERT W. THOMPSON
JOHN L. TOMAR
SEAN M. WHITT
KAN YANG

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES NAVY
UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

KRISTIE M. COLPO
MATTHEW S. CUSHANICK
LAURAMICHEL DEHAAN
DOMINIC F. DIMAGGIO
CYNTHIA K. HENZE
CHRISTOPHER M. MORRIS
JEFFREY R. PORTELL
JAMES A. SCIANNA
ALLISON B. TERRAY
COLIN L. THORNTON
DAVID H. WATSON, JR.
MATTHEW N. WATTS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

ONEGE BATEAGBORSANGAYA
MARTIN M. BATTCKOCK
JUSTIN D. DRAGON
KIMBERLY T. MANUEL
STEPHEN OSWALD
STEPHEN D. RITTERMANN
MICHAEL G. TOMSIK

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

ANTHONY J. FALVO IV
CALLIE D. FERRARI
MATTHEW S. GILL
AARON V. KAKIEL
KATHRYN E. KELLY
WILLIAM M. KNIGHT
AMBER J. LEWIS
RICHLYN C. NEAL
CLINTON E. PHILLIPS
NATHAN C. POTTER
GREG D. RAEELSON
SEAN P. RIORDAN
NICOLE R. SCHWEGMAN
NICHOLAS D. SHERROUSE
HAYLEY C. SIMS
MICHAEL L. SMITH
WILLIAM B. TISDALE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

TRENTON J. ARNOLD
VICTOR D. BALDONI
DAVID F. BELL
LESLIE O. BRANCH III
TZU H. CHEN
ARNOLD L. CORTEZ
LINCOLN S. ENDECOTT
IAN J. ESPICH
MICHAEL A. FREAS
WILFRED H. JUDD III
BRIAN J. LEETCH
MARK T. LOGAN
ADAM R. LYSENE
JASON T. MARTINSON
JARED M. MAULDIN
AARON L. MOELLER
NICHOLAS B. MULCAHEY
JEFFREY A. TOMASZEWSKI
ROBERT A. WAINSCOTT, JR.

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

BRIAN C. FREDRICK
JASON M. PETTTITT
CHRISTOPHER W. TAYLOR
ERNESTO R. VILLALBA

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

MATTHEW R. ARGENZIANO
TROY D. BAILEY
NATHAN V. BEACH
BRYAN M. BLAIR
ERIC D. BREGE
RICHARD A. COLE
JOHN E. DALTON
JONATHAN R. DERGES
TIMOTHY S. DUTTON
CAROLYN J. ENGLAND
CAROLE J. ETHERINGTON
DION G. FONTENOT
KEN G. FOOS
DANIEL L. HEMMINGER
GABRIEL D. HERNANDEZ
WENDELL R. HOLMES
JARED A. JOHNSON
MELISSA L. JOLLEY
RICHARD B. LEBEL
VIDAL C. LOZADA
ANDREW M. LUTERAN
CALEB W. MACDONALD
TIMOTHY R. MAYER
MATTHEW C. MCCULLLEY
ERIC P. MCDUGALL
CRYSTAL A. MILLE
SCOTT C. MILLHOUSE
PETER L. NORGAARD
SETH J. PIERCE
SETH J. ROSENBERRY
JUSTIN J. SALVIA
MARTIN K. SAVAGE
DAMIAN J. SMITH
DANIEL SORIA
CHRISTOPHER M. SOVA
ERIC J. THURKINS, JR.
CHRISTOPHER A. TILLEY
DANIEL L. URBANCZYK
MATTHEW A. VANHORN
KEVIN A. WHITE
JAMES R. WILKINS IV
EVAN B. WILLIAMS

KATHLEEN M. WILLIAMS
CHRISTOPHER J. WING
KYLE L. WOERNER
MICHAEL A. WOODS
AARON A. ZIMMER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

SHANE L. BEAVERS
MATTHEW J. BELLINA
ROMEO J. CLAYTON
WILLIAM M. CORLEY
AMANDA L. DZANANOVIC
JAMIE M. ERICKSON
MICHAEL J. GENTA
STEPHANIE K. HAYES
ALLISON M. HILLS
LESLIE A. HUFFMAN
JEREMY N. HYLER
ANDREW I. JOHNSON
JEANINE A. LANG
WILLIAM P. LEWIS
ROBERT V. LIBERATO
ROBERT A. LINN
KAITLIN M. MCLEOD
ENDIA T. MENDEZ
MICHAEL J. PYNE
STEVEN J. RANCOURT
NICOLE A. ROTUNDA
ALICIA M. SALERNO
PATRICK M. SALUKE
KRISTIN M. SHEPHERD
AMY M. SIMEK
LACEY M. SIZEMORE
MATTHEW C. SULLIVAN
JOHN J. WILLIAMS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

CHARLES B. ABBOTT
JAMES S. ACKERMAN
JAMES M. AGOSTINELLI
MELANIE K. AHLE
NICHOLAS R. AHLEN
DARIUS V. AHMADI
ALEX W. ALDRICH
SAMUEL R. ALDRIDGE
MATTHEW P. ALLAN
DANIEL E. ALLEN
FREDRICK J. ALLEN
WILLIAM Y. ALLEN
TRAVIS R. ALLISON
DIEGO F. ALVARADO
ANDREA J. ALVORD
BEN L. ANDERSON
BRIAN C. ANDERSON
JAMES F. ANDERSON
MARK K. ANDERSON
TIMOTHY R. ANDERSON
HIRAM ANDREU
STEPHEN T. ANDROS
BRIAN S. ANTHONY
JAMES P. ANTONIONO
MICHAEL J. APONE
WADE C. ASHLEY
KURT C. ASTROTH
FREDERICK ATIENZA
DANIEL A. BAILEY
APRIL D. BAKKEN
THEALOS C. BALLAS
BRENT L. BANKS
JEREMY J. BARDIN
DREW R. BARKER
JOSIAH K. BARKER
JEREMY D. BARNES
EDWARD J. BARRY
JONATHAN R. BAUGH
STEPHEN E. BAUSERMAN
JONATHAN S. BEATON
CHARLES H. BECKER
JOSEPH K. BEHAN
KEVIN J. BEHM
CHRISTIAN A. BEISEL
THOMAS D. BELCHIK, JR.
SAMUEL D. BELL
DEVON M. BENBOW
WILLIAM M. BENICINI
CHRISTOPHER B. BENNETT
DARRICK M. BERENS
BRIAN J. BERG
DIANA L. BETZ
JESSICA F. BETZ
JOHN R. BLACKFORD
CHRISTOPHER E. BLAIS
BRIAN K. BLASCHKE
BRIAN C. BLAYDES
MATTHEW M. BLEVINS
PATRICK E. BLIND
MARK A. BLOMER
MARK E. BOAZ
NICHOLAS J. BOCCAGNA
NICOLAS T. BOGAARD
DANIEL B. BOND
PETER M. BORSZICH
TODD C. BOWERS
BRADLEY M. BOYD
BRIAN J. BRADACH
DAVID R. BRANDON
JAMES P. BRAUNREITER
DAVID M. BRENNAN
SCOTT A. BRESNAHAN

TIMOTHY S. BREWER
SCOTT E. BRICKNER
DAMON J. BRIDGES
ROBERT J. BRIGGS
JAMES V. BRISCOE
BRIAN BRONTE
JAMES R. BROOKS
JOSHUA J. BROOKS
CHRISTOPHER M. BROWN
JEFFREY K. BROWN, JR.
MICHAEL J. BROWN
RANDALL M. BROWN
THOMAS J. BROWNING
BENJAMIN M. BRUMM
MATTHEW J. BRUNELLE
JADE L. BUCKLER
JUSTIN M. BUMMARA
BRIAN C. BUNGAY
IAN M. BURGESS
JOSEPH C. BURGON
DAVID B. BURKE
ROBERT C. BURKE
NICHOLAS A. BURKLE
MATTHEW M. BUSSE
LINDSEY C. BUZZELL
CHARLES W. BYARS
CHRISTOPHER R. BYRNES
MARK B. CALLAGAN
BRYAN P. CALLAN
DAVID A. CAMP
CALVIN M. CAMPBELL, JR.
JOSEPH L. CAMPBELL
RENE CANO, JR.
ALAN J. CARLSON
BRETT A. CARSTENS
DONALD J. CARTER
PAUL M. CASE
CHRISTOPHER CAUSEE
BORYA I. CELENTANO
JULIAN M. CENTENERA
JOSEPH D. CHAMBERLIN
CHARLES E. CHAMBERS II
TARUS D. CHATMAN
DANIEL J. CHILTON
IN S. CHO
ADDAM D. CLARK
EARNEST F. CLARK, JR.
RANDALL J. CLEMONS
ANDREW F. COATES
RICHARD J. COILLOT
STEPHEN M. COL
NICHOLAS S. COLLIER
TREVOR J. CONGER
THOMAS R. CONKLIN
MICHAEL R. CONRAD
WILLIAM J. COOPER
AUSTIN W. COOVERT
JAMES R. CORDONNIER
MICHAEL CORNWELL
DEVIN P. CORRIGAN
JOSE B. CORTEZ
BRADLEY T. COWDEN
ANNE M. CRAWFORD
EARL A. CRAWFORD
JEFFREY J. CREIGHAN
STUART J. CROCKFORD
COLIER C. CROUCH
JOHN R. CRUMPACKER
WILLIAM F. CUNNINGHAM
JEREMIAH M. DALEY
JAMES J. DALO
MICHAEL S. DALRYMPLE
JOHN F. DALY III
LOUIS A. DANTONIO
MATTHEW J. DATTOLI
MICHAEL A. DAURO
ANDREW B. DEAN
JAMIE L. DECOSTER
BRIAN A. DEIBIG
VIDAL DEJESUS
JASON DELANEUVILLE
LUIS P. DELGADO
KIRK T. DELPH
SHANE R. DENNIS
SHAUN E. DENNIS
BROOKE H. DESROCHERS
CHRISTOPHER S. DIAS
JAMIE J. DIAZ
PHILLIP S. DIPAOLO
JOSHUA M. DISHMON
JASON D. DIVITO
JAMES R. DOBBS
ANDREW L. DOMINA
JOSEPH DOMINGUEZ
JOHN T. DONOHUE
THOMAS J. DORAN
JONATHAN D. DORSEY
DAVID A. DOSTAL
SEAN R. DOUGHERTY
CODY A. DOWD
PAUL S. DUENAS
JOHN J. DUES, JR.
DAVID E. DUFAULT
JOSH W. DUGAN
CHRISTIAN F. DUMLAO
RONALD D. DUNCAN
STEPHEN A. DURAN
NORM L. DURHAM
STEVEN A. DYKSTRA
JUSTIN P. ECKHOFF
JOSEPH M. EDELEN
ROBERT L. EDMONSON III
DAVID F. EDWARDS
GREGORY W. EDWARDS
LLOYD R. EDWARDS
TABITHA J. EDWARDS
BRIAN J. EHRHARDT

SETH R. EISENMENGER
MICHAEL E. EK
ANTONE B. ELIASSEN
DEREK J. ELLIOTT
KIRK D. EMANUELSEN II
NICHOLAS S. ENGELBRECHT
GREGORY B. ENZINGER
JAMIE M. EPPS
CHRISTINA E. EVANS
RICHARD C. EYTEL
THOMAS C. FALCONER
JOHN E. FALLON
BRAD A. FANCHER
DEAN B. FARMER II
TARA A. FEHER
JOSEPH C. FERRARI
PETER A. FIELD
ERIK S. FIGUEROA
JEFFRY S. FINDLAY
SPENCER M. FISHMAN
WILLIAM F. FITZKEE
ALLISON M. FLETCHER
NEIL B. FLETCHER
MIKHAEL A. FLOYD
MARSHALL H. FOARD
JOSHUA E. FOGARTY
MICHAEL L. FOLEY
JOSEPH A. FONTENOT
DAVID J. FOOTE
DANIEL R. FORD
LARRY R. FORD, JR.
SHANNYN W. FOWLER
SHANE M. FOX
JOSEPH W. FRANKS
NATALIE R. FRANTZ
ROBERT J. FRANTZ
JOSEPH T. FREDA
JAMIE L. FRENCH
SCOTT B. FRENCH
ROGER L. FRINGER
MICHAEL L. FRISBY II
WILLIAM J. FRY
DANIEL R. FULTON
NOA J. FUNK
SCOTT J. FYOCK
PETER A. GAAL
COLIN M. GAINES
JEFFREY S. GAMMON, JR.
JEFFREY GARCIA
JASON R. GARIS
FRANCISCO X. GARZA
CHARLES C. GASTON
FORREST D. GEER
MATTHEW L. GEER
DAVID B. GELESZYNSKI
KIMBERLY J. GENTNER
NICHOLAS D. GEORGE
MATTHEW A. GERBER
RYAN M. GERO
THOMAS P. GILFILLAN
TRAVIS J. GILL
ROBERT B. GILLENWATER
DAEHYUN J. GILLESPIE
ANN K. GILSON
AMY E. GIRALDI
MICHELLE A. GIRE
ROBERT R. GIVEN
SEAN T. GLARNER
JOHN E. GLOVER, JR.
CURTIS J. GOBERT, JR.
KEVIN C. GORECKE
JOEL A. GOW
CHRISTOPHER K. GRABILL
ERIK A. GRAHAM
MICHAEL C. GRAHAM
GABRIEL R. GRAUKE
JEFFREY M. GRECO
CHRISTOPHER J. GREEN
CULLEN M. GREENFIELD
ANDREW J. GREENLEES
MICHAEL J. GRECA
BRANT P. GRESHAM
MARY L. GRESKO
JOHN M. GRIFFITH
RODNEY A. GROGAN
JONATHAN M. GUDRY
JOSEPH GUNTA
DAVID M. HAFEMAN
WILLIAM J. HAFFER
MATTHEW C. HAMS
JEREMY M. HANSLER
JOHN D. HARKINS
JASON R. HARR
STEPHEN C. HARRINGTON
CLARENCE S. HARRIS II
CHRISTOPHER M. HARRISON
BRYAN P. HART
KATHERINE R. HART
MICHAEL S. HARTMANN
PAUL M. HATFIELD
TRAVIS A. HAVENHILL
MATTHEW G. HAYS
JUSTIN A. HAYWARD
NEAL D. HEATON
TODD W. HEIG
JONATHAN R. HEIL
MICHAEL J. HELLARD
BENJAMIN B. HENDRICKS
HARLAND A. HENDRICKS
AMANDA M. HENRY
EDMUND D. HENRY
RYAN M. HERNANDEZ
PHILLIP C. HERNLD
JEFFREY W. HERZOG
FREDERICK C. HETTLING
CORY S. HICKS
JASEN A. HICKS

SAMUEL HIGGINBOTHAM
ERICH R. HILL
JOHN D. HILL
BRANDON B. HILLIARD
PHILIP J. HINTON
NICHOLAS G. HOFFMAN
JAMES F. HOPP
JAMES H. HORA
JOHN B. HORN
ROBERT P. HORTMAN, JR.
JOHN N. HOWARD
ADAM HOWELL
SCOTT C. HUDSON
JERALD T. HUMPHREY III
CHRISTOPHER P. HUSSEY
ALDEBARAN K. IMPERATORE
ANDREW M. IMPERATORE
DANIEL D. INBODY
RYAN C. INGRAM
MARQUES D. JACKSON
KATIE JACOBSON
JASON G. JEANPIERRE
JUSTIN W. JENNINGS
AMEIAN JEREMIAH
SCOTT T. JOHNS
CALE W. JOHNSON
DEVINE JOHNSON
JOSHUA M. JOHNSON
BRETT L. JONES
JACOB A. JONES
SCOTT A. JONES
TIMOTHY B. JONES
RICHARD S. KADLICK
JEFFERY A. KAHN
NATHAN D. KAHN
VINCENT A. KAHNKE
JOSEPH T. KARAFFA
MICHAEL G. KEATING
RYAN M. KEHOOE
JAMIE A. KELLY
LANCE K. KELLY
CHRISTI N. KENNEDY
MARCUS A. KEPHART
PATRICK N. KILCREASE
SI H. KIM
RYAN M. KING
JOHN A. KIRSCHKE III
COMER T. KNIGHT
JASON D. KNOX
KYLE D. KOBOLD
BENJAMIN C. KOHLMANN
DOUGLAS R. KRAMER
DANIEL J. KRAUSE
KEVIN P. KREUTZ
JOSHUA M. KRIEG
JOSHUA D. KRISTENSON
PHILLIP R. KRITES
STEVEN N. KUEHN
STEVEN H. KUKLA
ERIN M. KURZ
LUKIN C. LAIN
JONATHAN G. LANCE
WRENN E. LANDERS
PETER D. LANGLEY
EVAN A. LARSEN
TRAVIS A. LARSON
CHARLES A. LARWOOD III
CONOR P. LATHAM
ANDREW E. LEATHERWOOD
CHESTER LEE III
DONALD E. LEE II
JON D. LEE
KEVIN O. LEIVA
TIMOTHY A. LEONARDI
ERIC V. LERNHARDI
JACOB A. LERNER
PETER E. LESSACA
PATRICK M. LESSIE
JEFFREY J. LESSARD
MATTHEW D. LETTCHER
KRISTEN N. LEVASSEUR
KORI L. LEVYMINZIE
JAMES J. LIGHT
MICHAEL A. LILLEBERG
JENNIFER C. LIPSCOMB
CARL S. LIPTAK
BRYAN E. LITVIN
THOMAS G. LITWIN
SEAN J. LOCKE
LACY N. LODMELL
ISAAC R. LONG
JONATHAN E. LONG
CHRISTOPHER J. LONGABAUGH
JUSTIN W. LONGO
JESSE D. LORENZEN
JASON D. LORIZ
NICHOLAS J. LUNSFORD
JOSHUA L. LUSK
CODY C. LUTKE
MICHAEL R. LYLE
MICHAEL J. LYNNCH
JOHN D. MACK
ERIC J. MADONIA
NICHOLAS C. MADREN
CHLOE D. MAILER
DAWN T. MAKOWSKY
JOHNPAUL S. MANTONE
HECTOR MARIN
MICHAEL R. MARKS
PRESTON S. MARSHALL
PATRICK R. MARTIN
JOEL P. MARTINEZ
DANIEL M. MARZLUFF
ANDREW J. MARSCOTTI
JOHN K. MASTRIANI
JOHN R. MATEIKAT
ADAM M. MATTHEWS

JOSHUA C. MATTINGLY
MICHAEL R. MAZZONE
DUSTIN R. MCCALLISTER
THOMAS D. MCCANDLESS IV
BRYAN R. MCCARTHY
JOHN P. MCCARTHY
JONATHAN I. MCCARVER
LINDA H. MCCAULEY
DARREN D. MCCORMICK
MATTHEW A. MCCORMICK
JOSHUA Q. MCCRIGHT
MATTHEW J. MCCULLOUGH
CHRISTOPHER G. MCCURRY
JAMEEL MCDANIEL
KYLE O. MCDANIEL
MICHAEL R. MCDONALD
CHRIS S. MCELROY
JOSEPH L. MCGETTIGAN
SEAN P. MCGLADE
MICHAEL S. MCGUIRE
PATRICK F. MCINERNEY
PETER A. MCKEEVER
PATRICK L. MCKELVEY
DAVID J. MCLAUGHLIN
MICHAEL P. MCLAUGHLIN
JEFFREY J. MCLEAN
ALEXANDER M. MCMAHON
MICHAEL T. MCMAHON
MEGAN A. MCWILLIAMS
GILLIAN L. MEDINA
JOHN W. MEISE
TIMOTHY J. METCALF
WILLIAM T. MIANTE
CHRISTOPHER M. MILLER
ERNEST L. MILLER III
MICHAEL S. MILLER
STEPHEN P. MILLOWAY
COLLEEN M. MINHAN
JAMES M. MISSLER, JR.
DANIEL E. MITZNER
JONATHAN L. MOCKER
KEVIN M. MOELLER
MATTHEW C. MOESER
BRADLEY M. MONGER
MICHAEL R. MONTOYA
ALLISON L. MOON
JONATHAN D. MOONEYHAM
COLLEEN E. MOORE
THOMAS C. MOORE
FRANK J. MORALES
MELISSA A. A. MORAVAN
JOSHUA D. MORGAN
LARRY P. MORGAN
JASON P. MORTIMER
MATTHEW A. MRAVLJA
NOELLE R. MURPHY
ADAM C. MURRELL
JAMES C. MUSE
MICHAEL J. MYERS
KRISTOPHER J. NASTRO
ROBERT J. NEFF
BRENDAN O. NEGLE
BENJAMIN E. NEHRKE
JASON A. NELSON
ROBERT A. NEUERMAN
STEPHEN T. NEUMAN
BRIAN J. NEWGREN
SHAWN T. NEWMAN
WENDY S. NG
THANH T. NGUYEN, JR.
DAVID A. NICHOLS
KEITH S. NIELSEN
SHELBY M. NIKITIN
ERIK A. NYHEIM
JOSHUA D. OAKES
PATRICK J. OBRIEN
KRISTEL A. OCANAS
AARON M. OCHALEK
TOD F. OCONNELL
RYAN J. OGDEN
NATHANIEL I. OKELLY
STACEY L. ONEAL
NATHAN T. ONEIL
BRENDAN ONEILL
FRANK J. ORSINO
MARK A. OSWALT
ANNIE J. OTTEN
ERIC C. OVIATT
JOSEPH S. OWMBY III
JONATHAN D. PADGETT
GREG A. PAGE
WALTER J. PAK
MICHAEL R. PANGRAC
SAINATH P. PANJETI
STEVEN C. PARENTE
JEREMY J. PARM
ISAAC M. PELT
GARY L. PEMBLETON
JAYSON PEREZ
JOHN C. PERKINS
DANIEL W. PERSON
BRYAN A. PETERSON
KELSEY C. PETERSON III
SAMUEL P. A. PETERSON
STEPHEN R. PETRES
MICHAEL W. PFEFFER
MATTHEW C. PIASECKI
ANTHONY J. POLO
MATTHEW B. POWELL
RICHARD J. PRESCOTT
ANDREW J. PRITCHETT
BRAD D. PRYOR
MICHAEL P. QUARG
JON B. QUIMBY
COLIN J. QUIRINO
ALEX S. RAFAL
JOSHUA N. RAGADIO

ROBERT RAMIREZ III
STEPHEN J. RAULLI
JENNA K. RAUNIG
RICHARD S. RAVENDO
CASSIDI A. REESE
MATTHEW M. REHBERG
DAVID P. REHNBERG
JOHN R. REINER
BRIAN G. REIZISS
JESSICA N. RENON
ERNIE REYES
FERNANDO R. REYES
MATTHEW B. RHODES
CHRISTOPHER M. RIALS
CHRISTIAN P. RICHER
GLENN D. RICHESON
LOGAN T. RIDLEY
EDWARD Z. RIENDEAU
LOUIE RIVERA
ANTONIO RIZIO
ERIK S. ROBERTS
JAMES A. ROBERTS
JOSEPH A. ROBERTS
BRANT J. ROBINSON
TIMOTHY E. ROGERS
ALERON B. ROGNLIE
SUMNER J. ROLLINGS, JR.
DANIEL D. ROPP
MICHAEL G. ROSS
SAMUEL J. ROTH
BOBBY J. ROWDEN
MICHAEL D. RYAN
JONATHAN L. SABURN
NICHOLAS E. SAFLUND
ANTONIO L. SAMUEL
THOMAS SANECKI
MATTHEW H. SASS
DESTINY N. SAVAGE
MICHAEL A. SAYLOR
GRAHAM C. SCARBRO
CRYSTAL L. SCHAEFER
KEVIN M. SCHAEFFER
JONATHAN P. SCHERMERHORN
CARLSON E. SCHINDLER
RICHARD G. SCHMIDT
BRADLEY V. SCHOULTZ
DUSTIN A. SCHRAUD
GORDON M. SCHRIVER
ANDREW J. SCHWENKHOF
KEITH E. SCOTT
JOSHUA D. SEAMOUNT
BENJAMIN L. SEBEK
BRETT R. SEELEY
CHRISTOPHER V. SEIVERS
ERNIQUE L. SESLER
CAROLINE A. SEVERSON
WILLIAM R. SHERIDAN II
ERIN E. SHERRY
MATTHEW L. SHETLER
KEVIN K. SHIKUMA
MICHAEL M. SHORT
WILLIAM J. SHULTZ IV
PETER J. SILVA, JR.
ANDREW SIMMONS
STEPHANIE M. SIMONI
ROSS W. SIMPSON
JORDON C. SIMS
RHEANNA M. SINNETT
JARED L. SLABICKI
JOHN T. SLAGLE

LESLIE A. SLOOTMAKER
DANIEL W. SMITH
JOHN C. SMITH
KELLIE J. SMITH
MARLIN R. SMITH III
MICHAEL R. SMITH
TYLER Y. SMITH
JOSEPH W. SNYDER
LAURIE A. SOLBERG
PHILIP D. SOSEBEE
SCOTT C. SOUTH
CHARLES C. SPIVEY III
JAMES M. STACHURA
SCOTT B. STAFFORD
MATTHEW G. STARR
JAMES B. STAUFFER
CHARLES E. STEELE II
MICHAEL T. STEFFENS
RONALD M. STEHLIN II
SHAUN M. STEINBARGER
CHRISTOPHER J. STEVENS
ERIC F. STILES
ROBERT T. STINSON
MICHAEL A. STOCK
MANUEL B. STRANGE
ANTHONY G. STRANGES
SCOTT A. STRATMAN
JARED J. STROUT
ERIK P. STRZEMPKA
AARON M. STUTZMAN
JAMES SULLEN, JR.
SEAN M. SUNDEY
JEFFREY R. SWEITZER
MICHAEL A. SWYERS
KARI A. SZEWczyk
DENNIS A. SZPARA
ALLISON W. TASSO
PATRICK E. TEMBREULL
KARI J. TEREICK
MICHAEL R. THERIOT
EMILE D. THERRIEN
MATTHEW C. THIEN
JOHN L. THIESSEN
DREW F. THOMAS
JARED B. THOMAS
JOSHUA C. THOMPSON
JAMES D. THORNTON
TIMOTHY J. THURSTON
ADAM S. TISDALL
MICHAEL J. TOZZI
GREGORY J. TRACH
TODD M. TRAGO
TIN T. TRAN
DAVID N. TRENHOLM
ERIC D. TURNER
JOSEPH S. TURNER
KEITH T. TURNER
SHAUN S. TURNER
STEPHEN M. VALERIO
VALERIE K. VANHO
JAMES S. VANNES
KENNETH W. VAUGHN
THEODORE J. VERMEYCHUK
ANDREW J. VINCENT
DAVID R. VOGELGESANG
MATTHEW P. VOSS
JACOB N. VRBAS
BRENT C. WADSWORTH
CHAD C. WALKER
JONATHAN N. WALLACE

MATTHEW P. WALSH
TIMOTHY P. WALSH
BRYAN T. WALTHERS
CHARLES E. WALTMAN II
TRAVIS E. WANDELL
JEFFREY A. WARE
BRYAN P. WATSON
JEFFREY M. WEBB
MICHAEL R. WEBB
PATRICK A. WEED
GERALD V. WEERS
MICHAEL J. WELGAN
SCOTT E. WELLES
JOSHUA B. WELLS
JAMES V. WELSCH III
JAMES M. WENDLER
ELIOT A. WESTON
SAMUEL WHEELER
ALFONZA O. WHITE
THOMAS W. WHITE
CHRISTOPHER K. WHITEHOUSE
JASON D. WHITEMAN
ROBERT W. WHITMORE
BRETT A. WHORLEY
DANIEL T. WICKERSHAM
HENRY J. WICKS
JARED M. WILHELM
JULIEANNE K. WILKENING
JAMES M. WILLETTE
BRETT M. WILLIAMS
JOSHUA A. WILLITS
DANIEL M. WILTFANG
DAVID L. WILTSHIRE
MICHAEL L. WINDHAM
ERIC WINN
BRAD D. WOHLNHAUS
BRYAN T. WOLFE
YANCY M. WOODARD
BRANDEN K. WOODS
DUSTIN R. WORLEY
TIMOTHY V. WRITER
MARVIN L. WYNN II
ANDREW W. WYRICK
JAMES A. YACH
WESLEY W. YANCEY
ADAM D. YATES
JASSEN E. YATES
MICHAEL D. YEAGER
KEVIN R. S. YOST
KEITH D. YULL
JOHN M. ZAHODNE
ADAM I. ZAKER
AMANDA H. ZAWORA
NICHOLAS J. ZIMMERMAN
DAVID C. ZINKHON
GEORGE S. ZINTAK

CONFIRMATION

Executive nomination confirmed by
the Senate July 25, 2013:

DEPARTMENT OF JUSTICE

DEREK ANTHONY WEST, OF CALIFORNIA, TO BE ASSO-
CIATE ATTORNEY GENERAL.