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Senate

The Senate met at 10 a.m. and was called to order by the Honorable CORY A. BOOKER, a Senator from the State of New Jersey.

PRAYER

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

Let us pray.

God of grace and glory, descend upon us today. Make Capitol Hill a place that honors Your Name, as our lawmakers depend on Your might and power to keep America strong. Lord, help our Senators to remember that laudable progress comes not by might nor power but through Your Spirit. Give them the wisdom to seek Your guidance for every critical decision, as You infuse them with the courage to obey Your commands. As they seek to do what is best for America, be for them a shield and sure defense. May they ask the right questions as they labor to keep liberty's lamp burning brightly.

We pray in Your sacred 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 legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 20, 2014.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable CORY A. BOOKER, a Senator from the State of New Jersey, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. BOOKER thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

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

JUSTICE AND MENTAL HEALTH COLLABORATION ACT OF 2013—MOTION TO PROCEED

Mr. REID. Mr. President, I now move to proceed to Calendar No. 92, S. 162, which is the Franken Mentally Ill Offender Treatment and Crime Reduction Act.

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

The legislative clerk read as follows:

Motion to proceed to Calendar No. 92, S. 162, a bill to reauthorize and improve the Mentally Ill Offender Treatment and Crime Reduction Act of 2004.

SCHEDULE

Mr. REID. Mr. President, following my remarks and those of the Republican leader, if any, the Senate will be in a period of morning business until 5:30 p.m. The time from 2:30 p.m. to 5:30 p.m. will be equally divided and controlled between the two leaders or their designees. The Senate will recess from 12:30 p.m. to 2:15 p.m. to allow for the weekly caucus meetings. At 5:30 p.m. there will be at least two rollcall votes: confirmation of the Costa nomination to be a U.S. circuit judge and a cloture vote on the Fischer nomination to be a member of the Federal Reserve Board of Governors.

BROWN V. BOARD OF EDUCATION ANNIVERSARY

Mr. President, we hear a lot—and have for many years—about the Brown v. Board of Education case, but what was that all about? Well, it was about a dad and a mom who decided they could no longer just go along; they had to try to do something to take care of their little 7-year-old girl Linda. In the 1950s this family lived in Topeka, KS, and the State was racially segregated. Little Black boys and girls went one place to school; little White boys and girls went someplace else. But it was clear where the little Black boys and girls went to school the schools were not very good; where the little White boys and girls went the schools were pretty good—certainly better than where the Black boys and girls went.

But a courageous father named Oliver Brown was determined to give his little third grader Linda a fair shot at a good education. These were long odds he took. Mr. Brown tried unsuccessfully to enroll his daughter Linda in the neighborhood all-White elementary school, the school that was close by. But the doors of that school were shut to little Linda because she was an African American—because of the color of her skin. It had nothing to do with her intellect; it had everything to do with the color of her skin.

She was forced to walk—a little 7-year-old girl, a third grader—seven or eight blocks to a bus stop where she waited for a bus to take her to an all-Black elementary school some distance away.

Rather than accept the status quo, the Browns—and they got some other neighbors to join them—brought a civil case against the Topeka school board challenging the school district's segregation policy.

This case took a long time to work up to the U.S. Supreme Court, but it got there. This case is now commonly known as Brown v. Board of Education. As I said, it was eventually argued before the U.S. Supreme Court.

The plaintiffs were represented by the NAACP and a young lawyer by the name of Thurgood Marshall. I just finished a stunning book about this man. It is called ''Devil in the Grove,'' and

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

for anyone within the sound of my voice, I would recommend they read this book. It tells a lot about Thurgood Marshall and the struggles he went through. But it also talks about the South and what he had to put up with—death threats, accommodations. He had to stay at other people's homes. Even though he would go to a courthouse, and he would have to spend weeks in that town, he could not get a room nearby. He had to go live with an African-American family during that period of time. It is a good book, and it talks about how courageous the Brown family would have to be to do what they did: to challenge the status quo.

In rendering the decision, the U.S. Supreme Court—not in a 5–4 decision, not in a 7–2 decision, but in a unanimous decision—under the leadership of Chief Justice Earl Warren, unanimously held that a racially segregated public school was ''inherently unequal,'' and they overturned—some say half a century—what America had been for a long time. They changed it. We all know it did not change like that, but it changed.

I had the good fortune last night—I got home fairly early, 7 o'clock—and watched the news. Every news show talked about the 60th anniversary of Brown v. Board of Education, which occurred last Saturday. They interviewed everyone, and even though we have a long way to go, everyone acknowledged that decision changed America. The status quo of separate but equal in our Nation's public schools was struck down. It was gone—not in a decision, I repeat, that was close but unanimous. We need more of those. We need more collegiality in the Supreme Court, not only here in the U.S. Senate but in the Supreme Court, because after that was struck down, little kids such as Linda Brown were able to attend class with little White boys and girls.

This past Saturday marked the 60th anniversary of the Supreme Court's decision in Brown v. Board of Education.

My children are not little kids anymore, but in Nevada, we had segregation. I can remember a man I served with in the State legislature. His name was Woodrow Wilson, an African American. He told me about Las Vegas and taking his children to a lunch counter that was in a drugstore. They told him to leave, that he could not eat there. That is Las Vegas; that is not Mississippi.

So things changed in Nevada. When my children were young, schools were not really segregated as I just described what was going on in Kansas, but they still had some issues. How it was handled in Nevada—let's see if I can remember the grade—yes, for all sixth graders, White kids were bused to an African-American community to go to school for 1 year of their school career, but the rest of the time the Black kids were bused. So for 1 year White kids were bused; the rest of the time Black kids were bused. That is gone now. But it was handled differently. Was what took place with my two oldest children good? No. But it was better than it used to be.

After six decades, our Nation still owes a debt to those few brave individuals who stood against racial segregation in American schools, and the lawyer there was a man by the name of Thurgood Marshall. I never had the pleasure and honor of meeting this man when he was on the Supreme Court, but, boy, what a stalwart he was. And that book was so good. Again, I repeat, it is called ''Devil in the Grove.'' It is focused mainly on Florida and what went on in Florida—what a bad situation there, created by lots of people but principally one sheriff.

The Brown family, their fellow plaintiffs, the legal teams, and the nine Supreme Court Justices all refused to let inequality go unchallenged.

For the Browns, it was difficult, it was scary, and it was courageous to pursue legal recourse in the face of insults, slanders, and threats. But the Brown family and their fellow plaintiffs stood firm in the face of their opposition. Their legal teams did not waiver, led by Thurgood Marshall, and their supporters had their backs from the beginning to the end.

These parents could have given up, and I am sure there are stories that are untold where parents did give up. But here the Browns knew it was their responsibility to fight for justice. There was nothing given when they started this. In fact, the odds were stacked against them.

Today, along with my Senate colleagues, I express my gratitude for the men, women, and children whose iconic efforts helped bring racial segregation to a screeching halt. As I have said before, today our Nation is still far from perfect, and, sadly, we still see racism rear its ugly head. We saw what happened in Nevada very recently where a man said that African Americans were better off with slavery. Some people still believe such things. But no one can dispute that we are better off because of Brown v. Board of Education.

It is my hope we will recognize and support those other children like little Linda Brown in doing our part to equally and fairly look at what is going on and do our part to defend equality and fairness in our society. As we do that, we will complete the unfinished work of Brown v. Board of Education.

NOMINATIONS

Mr. President, I want to briefly call attention to something that I think is extremely important for our country and for the Senate.

Last week we had all the police officers from Nevada, New Jersey, came from all over the country, to celebrate National Police Week, to express our appreciation for the crime-fighting men and women who protect our families every day. They had an honor roll there of people in our country who were killed in the line of duty as police officers.

While the rest of America honored our Nation's police officers, the U.S. Senate failed to do its part in supporting law enforcement.

For months—for months—we have struggled to get nominations done.

The chief law enforcement officer of our country is Eric Holder. He is the Attorney General of the United States. He has awesome responsibility. Yesterday we saw that seven Chinese military officers were indicted for hacking into different businesses to steal their trade secrets. A day rarely goes by where we don't see the Justice Department announcing something they have done for the good of our country. A big bank was fined $2.5 billion yesterday for doing things that were criminally done in our country—hiding money that people were putting into banks so they wouldn't have to pay taxes on them. The Justice Department is so important to the integrity of our Nation, but we have about 140 nominations that have been stalled by the Republican obstruction.

We changed the rules in the Senate. We are getting our judicial nominations done. These good men and women will serve a lifetime in their jobs. They were blocked, and now we have a way to get them done. But rather than live up to those responsibilities, Republicans are pouting. They are pouting. They are saying: Oh, they changed the rules to get these judges done, so we are going to agree to nothing—things we used to do as a matter of fact. I can remember when I was the whip here and I did work for Senator Daschle, who was the leader. One evening, by consent, we did 70 nominations just like that, walked out with a consent agreement and approved them. That is the way we used to always do it until President Obama was elected. They have done everything they can to make it so that this man's job is very difficult. Everyone can try to figure out why they have done it, but they have done it. They have opposed everything this good man has tried to do.

Right now, if you can imagine this, we have three people—it is very important—who want to be U.S. attorneys in New Mexico, Louisiana, and Connecticut. These are extremely important jobs, fulfilling those responsibilities. But they can't fulfill those responsibilities because they are being held up by Republicans. These are jobs that were never held up in the past. These are people who are prosecuting crimes in the States of New Mexico, Louisiana, and Connecticut, but they are being held up. Why? For no good reason. These are all good men and women.

The U.S. attorneys are our Nation's top prosecutors for drug trafficking, bank robbery, counterfeiting. When I practiced law, it was kind of a joke: What are they trying to do—make a Federal case out of it?

Yes.

Why do they say that? Because Federal cases are good cases. They are investigated by the FBI and other agencies, and they bring these cases to the

U.S. attorney, and they make a Federal case out of them. But they are not making Federal cases out of those cases in New Mexico, Louisiana, and Connecticut. Everyone who is watching what I say today, that is a sham.

The reason I mentioned the Attorney General, we have two Assistant Attorneys General they are holding up. Eric Holder called me yesterday and said: Is there anything that can be done to help me?

Again, I will have to file cloture on these. This is how it works, everybody: I file cloture, we get cloture, and they have 30 hours to stand around and do nothing. When 30 hours is over we finally get a vote. They get 30 hours for a circuit court judge, Supreme Court Justice, and Cabinet officer. For U.S. attorneys and assistant U.S. attorneys, they get 8 hours—an arbitrary number.

I don't plan on changing the rules again, but how much longer can we put up with this? Even law enforcement officers, as I have indicated, are held up for no reason. We don't hear people giving speeches about what horrible people the President selected to be U.S. attorney in Connecticut, Louisiana, and New Mexico—not a word. They just hide behind their obstruction.

I ought to mention that we have about 40 ambassadors they have held up. These are not political appointments; these are career ambassadors who have worked their whole lives to have one of these jobs where they represent our country. We have major countries where they have held up ambassadors: 25 percent of all African countries, no ambassadors; Peru; and on and on with all of the things that are being done—not for the betterment of our country.

We have the Assistant Attorney General for the Environment and Natural Resources Division. One would think that is kind of important with the fires burning in the West and the number of fires caused by malicious acts.

Is it right that we have all this degradation of our environment and there is nobody to enforce the law? I know the Koch brothers want no environmental protection. They say that, so maybe they are at the beck and call of the Koch brothers, who don't want these laws enforced.

The U.S. Department of Justice is the crime-fighting arm of our government, and they should not be handcuffed by not having the people to allow the Attorney General to have help with his responsibilities. It is hard to fathom that the work of Attorney General Eric Holder is being recklessly hindered by Republican obstruction.

It used to be easy for me to say ''I call on my Republican colleagues to stop it,'' but they haven't stopped it for 5½ years. It is a shame. I would at least hope they could give our Nation's law enforcement all the tools they need to protect us.

RESERVATION OF LEADER TIME

Mr. REID. Would the Chair announce the business of the day.

The ACTING PRESIDENT pro tempore. Under the previous order, 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 5:30 p.m., with Senators permitted to speak therein for up to 10 minutes each.

The Senator from Maryland.

EXPIRE ACT

Mr. CARDIN. Mr. President, I take this time to urge my colleagues to find a way to proceed with the EXPIRE Act that Senator WYDEN and Senator HATCH worked on.

I am proud to be a member of the Senate Finance Committee, where this legislation was passed by a unanimous vote. We had an extensive markup where members offered numerous amendments.

This deals with expiring tax provisions, and if we don't take action, we will find that those who depend upon this tax policy remaining in effect—such as small business owners, students, people who use certain benefits, and some of our energy provisions—will find that policy expires at the end of the year. If that happens, what happens, quite frankly, is that—it has already expired in some provisions, and if we don't extend it, there will be continued uncertainty in our Tax Code.

It also means that if we don't pass this bill, it effectively raises taxes on a large number of Americans. So it will affect those who ride our transit systems. It is already affecting those who use transit systems. It is already having an impact because we haven't taken timely action. We can't wait any longer on the passage of this bill.

I would like to take this time to express my strong support for giving a fair shot to all Americans who depend upon a stable tax policy and are finding that our inactions are causing more uncertainty. It affects job creation in our communities. Let me give a few examples.

Small businesses depend upon the passage of this bill. Why do I say that? The research and development tax credit is very much at stake. Small businesses depend upon the help in the Tax Code to take risks, to invest in new innovation. More innovation occurs through small businesses than large businesses. More jobs are created through small businesses than large businesses. They need a tax code that is friendly for small business owners to accumulate capital, to take risk, and to develop the next cure for a dread disease, the next technology that will help us deal with cyber security, and the list goes on and on. But without the extension of the research and development tax credit, small businesses particularly are put at a tremendous disadvantage.

We have the expensing provision, which is a very popular provision, which allows small business owners to be able to take off immediately the cost of their investments in their company. It is bipartisan. We have always thought of that as a good idea.

If you are a small business owner and you are trying to plan as to your next investment but you don't know what the tax policy is going to be, you are going to withhold. You are not going to make those plans to put in that new piece of equipment that perhaps expands capacity or makes you more efficient so you hire more people, sell more product, and create more jobs. If you don't have the certainty in the Tax Code, you put off that decision, delaying the acquisition. Then maybe when you get back to it, times are different and maybe it is more challenging and you never go forward with that expansion. Those jobs are lost forever.

Literally, the passage of this bill helps small business owners to be able to make decisions to expand opportunity and create more jobs. That is at jeopardy if we do not move this bill forward.

One of the provisions that I have worked on with other Members in the Senate is the S corporation. S corporations are preferred by small companies because it allows them to pass through their income and expenses as if they are an individual taxpayer, avoiding the double taxation of a C corporation. Well, there have been changes over time on how businesses operate, and we need to reform the S corporation provisions so that they are friendlier toward small businesses and give them more flexibility on the use of this structure.

These are the provisions we want incorporated into the EXPIRE Act.

Let me mention one other provision that I think is very important in New Jersey, Maryland, and in all of our States. We have yet to recover fully from the housing crisis. We still have too many people in Maryland and—I am sure the Presiding Officer would agree—in New Jersey who are in danger of losing their homes through foreclosure. We still have a disconnect between many of the balances that are on mortgages and the value of the homes. So it is in everyone's interest to readjust the numbers so that it works; the person can afford to stay in the house. It makes sense economically, it is less costly to the mortgage holder, and it is certainly better for our community and certainly better for the homeowner to be able to maintain their house. So we restructure the loan.

We have had a policy in place that said restructuring those loans with loan forgiveness does not trigger a taxable event. That makes sense. Everybody agrees with that. We have to extend that policy because it is still needed today. We still need to make that connection between homeowners and the mortgage holders to adjust mortgages where it is appropriate to avoid foreclosure, to keep neighborhoods more stable, to help individual

families and, by the way, it will also help the banking institutions because they will lose less money if they have a person paying their mortgage on time. That policy will be at stake if we do not pass the EXPIRE Act.

Another issue I have been working on personally—and I know this one will be very important to the Presiding Officer—is the transit benefit, the parity provision. We had a policy in place that provided parity between those who use transit to get to work and those who are provided parking spaces, and that parity expired. So we need to extend that provision so those who help us—help our energy policy in this country by using transit rather than driving a car, help those who drive cars by having fewer cars on the road so that they can get into work a little easier, and help our environment by taking cars off the road—receive a comparable tax break as those who drive their cars to work. That is another provision that is critically important in the EXPIRE Act and another reason we have to get it done.

The low-income housing tax credit—we have worked on this, and it is the most important tool we have for affordable housing in this country today. It is the No. 1 tool today. Senator CANTWELL and others have worked together to try to make it more effective with certain floors to guarantee a certain amount of help to different communities. We extend that policy in the EXPIRE Act so that we again are able to maintain the existing tools of today to help provide affordable housing by partnerships with the private sector. This is jobs. This is the private sector being incentivized to construct affordable housing in the community, privately owned, with the government as a partner. It is more cost-effective to the taxpayer and provides a greater stock of affordable housing. That policy will be in jeopardy if we cannot pass the underlying bill.

A section I have worked on with many of my colleagues is the extension of 179D, which deals with energy efficiency. We all talk about incentives so that when you build a building, you make it energy efficient. It is good policy for our energy and for our environment. We all know it makes us less dependent upon foreign sources of energy—all of the above.

This energy credit has been very, very effective in getting businesses and institutions to incorporate energy efficiency when they construct their buildings. So we want to extend that policy, absolutely, and I am proud of the role many of us have played in this area to get that extended.

We also want to improve that, and one of the provisions that is improved in the underlying bill is to help nonprofits take advantage of the 179D credit. It makes no difference whether it is a commercial or a nonprofit venture; we should be friendly to all from the point of view of being able to make buildings more efficient. That is what is incorporated in the underlying bill.

I must say I hope we will have an opportunity to offer some amendments, and I would hope, if we do, we can expand that to retrofitted buildings. We should be dealing not just with new construction, but we should also be dealing with older buildings from the point of view of giving incentives for retrofitting and saving energy, saving costs, making this country more efficient, creating more jobs and, by the way, also helping our environment. All of that can be done, and the EXPIRE bill helps us move forward on all those issues.

A provision I worked on with Senator SCHUMER on section 181 deals with film expensing rules. This is very important because filmmaking, whether it is for the theater or for TV, is a global competition. It is no longer whether it is going to be done in your State or in my State; it is whether it is going to be done in America or in another country. We have certain provisions in the code that make it easier for companies to locate in our States.

I am proud of the filmmaking industry in Maryland. It is very important to our economy, with literally hundreds of jobs dependent on that every week when we have new companies coming in. So extending this credit will help us in that regard, and that is in the underlying bill.

A provision I worked on with Senator PORTMAN, the work opportunity tax credit, is a credit we give to employers who hire very difficult-to-hire individuals. It has been very successful in getting jobs for people who would otherwise be unemployed. The company takes a risk, and they are compensated for it because it is a more vulnerable group of unemployed workers.

Senator PORTMAN and I have introduced an amendment to expand that to the long-term unemployed. When an employer is looking for someone to hire, they do not normally go to the long-term unemployed list. This will allow us to deal with that. It takes the pressure off the unemployment insurance system, and it provides incentives for job growth. That is in this bill.

I could go on and on. There are literally dozens and dozens of similar provisions that are extended and improved—extended and improved—in the underlying bill. That is what the Finance Committee did under the leadership of Senator WYDEN and Senator HATCH. We looked at all these provisions and asked: Which ones should we extend and which should we modify?

The next thing we want to do is to make permanent decisions. We know uncertainty is not healthy. We know we have to make permanent decisions on which credits should be there and which ones should not. We want to level the playing field as far as the Tax Code is concerned, but you can't get there unless this bill is first passed. This gives us a 2-year window in order to pass tax reform.

It is called EXPIRE for a reason—because we don't want to see temporary provisions in the Tax Code. We think we should make permanent judgments, and this bill gives us a chance to do that. So it will help us from the point of view of a more predictable tax policy. It will help us create jobs. There is no question about that. It does help small businesses. They are the ones most at risk by our failure to act. The uncertainty and the timing of this affects small businesses more. Based upon current policy, it would increase the tax burden of companies in this country and individuals. It is not only businesses but also individuals' tax burdens which will go up if we don't pass this bill.

This is not the time that any of this should be done. It makes more sense for us to move this bill forward. So let us find a way to do it. I might add that, traditionally, tax bills coming out of the Finance Committee are not an open process for amendments. I understand that. I think most of my colleagues understand that. So let us use reason to figure out a path forward so that at the end of the day we can pass this most important piece of legislation and help our economy grow.

Mr. President, 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. GRASSLEY. 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.

BARRON NOMINATION

Mr. GRASSLEY. Mr. President, I wish to speak about Harvard law professor David Barron's nomination to the First Circuit. I will do so by addressing some aspects of Professor Barron's record I find particularly troubling. At the end of the day, I believe his record reveals a nominee who simply doesn't belong on the Federal bench.

I will also update my colleagues on the efforts to withhold material relevant to this nominee from the American public, as well as, it appears, from the Senate.

Unfortunately, the White House continues its refusal to confirm that it has provided the full Senate with all Barron-related drone materials. As I stated 2 weeks ago, every Senator should be provided access to any and all Barron memos related to the drone issue, but before I turn to Barron's drone materials, I will discuss with my colleagues some of the other problematic aspects of this nominee's record.

I have reviewed the record. It is a record of legal reasoning and policy positions that are far outside the mainstream of legal thought. Professor Barron's record is even outside the mainstream of typically left-wing legal thought that we see in so many of our

law schools. It is a record that reveals Professor Barron's judicial philosophy. While that judicial philosophy may be appropriate for the ivory towers of academia, it has no place on a Federal appellate court. It is also a record that reveals Professor Barron's embrace of an approach to judging that is flatly inconsistent with what Federal judges are called upon to do.

Professor Barron has been very candid about his view on the role of the Federal courts. So from that standpoint, he is intellectually honest. It is fair to say he appears to view the Federal judiciary as a political branch of our government, not the judicial branch interpreting law instead of making law. I will recount some of the evidence which leads me to this conclusion.

Professor Barron has written that the courts are a ''significant wielder of power'' for ''progressive potential.''

What he appears to mean is that the courts should be used as an instrument to impose progressive policies on the American people, a role generally reserved to the legislative branch of government. These are of course policies that liberals couldn't otherwise impose through legislation because they are so far outside the political mainstream.

Professor Barron also appears to believe that progressives should mask their motives. He has written that candor and clarity have potential to ''obstruct progressive decisionmaking'' and that ''candor, clarity, and activism cannot co-exist.''

If that is what he believes, he is intellectually honest. His solution to this problem is, ''Candor and clarity seem a preferable choice for sacrifice'' to all-important progressive decisionmaking.

I would like my colleagues to stop and think about whether that kind of thinking is compatible with the role of a Federal judge. It is surely compatible with being a legislator but not being a judge. I think the answer is, quite simply, it is not because judges are called upon to decide cases based upon laws applied to the facts.

Consider this quote from the professor: ''Principled frankness has its place, but it need not always lie between the covers of the United States Reports.''

Let that sink in for a moment. The ''United States Reports'' he is referring to of course are the volumes containing the reported opinions of the U.S. Supreme Court.

So when we consider this statement together with his view that candor and clarity have the potential to ''obstruct progressive decisionmaking,'' it then becomes very clear he believes that liberal judges should hide their true intent.

That is an astounding proposition. It is unthinkable that someone who holds such a cynical view of the judiciary could obtain a lifetime appointment to one of the Nation's highest courts. What more assurance could my colleagues have that Professor Barron views the Federal judiciary merely as a tool for liberal policymaking?

Consider another statement. The professor has suggested that ''principled judicial interpretation may obstruct democratic constitutional politics.''

Is that the sort of person who should be judging instead of legislating? Comments such as these make it clear to me that this nominee has a ''whatever it takes'' judicial philosophy. He will aggressively do whatever it takes to reach his desired progressive policy outcomes.

Are any of my colleagues ready to vote for a judicial nominee who has hinted that ''principled judicial interpretation'' might occasionally need to take a backseat to political considerations? It is in a body such as we are in right now—the Senate—where political considerations and policy considerations rule according to what our constituents tell us, but that is not something a judge takes into consideration.

The professor is an unabashed advocate of what he calls ''progressive federalism.'' According to Professor Barron, the purpose of progressive federalism is to ''promote national and local relations consistent with a broader liberal political vision.''

Legislators are supposed to have political vision. Judges are supposed to judge and not have political vision because they don't run for office. Is that the type of individual we want on the Federal bench?

He has added:

> Federalism is what we progressives make of it. Rehnquist and his conservative colleagues have been making the most of it for more than a decade. It's time for progressives to do the same.

That is a pretty explicit example of his judicial philosophy. That philosophy is that the courts are an instrument of leftist policymaking. He sees the courts as basically a third political branch. That view of the Federal judiciary is totally incompatible with the limited role the Constitution assigns to the courts.

It should be clear to all Senators that if he is confirmed, the professor would bring an extreme progressive political agenda with him to the First Circuit. Political agendas belong in the Senate, not in the First Circuit.

His academic work gives us some indication of the kind of judge he would be. I would note that we had a hearing last week where some of my colleagues on our Judiciary Committee expressed their frustration about the nomination process. They remarked that every nominee who comes before a committee dutifully promises that he or she will objectively and dispassionately apply the law to the facts and respect precedent.

But my Democrat colleagues claim, after being confirmed, some nominees do not simply call the balls and the strikes. Let me assure my colleagues that we don't need to guess at what kind of judge the professor would be. It is not a mystery. He makes no secret of it.

Let's take another look at his academic work. It is clear the professor wouldn't be bound by the law when deciding cases. He's admitted as much. Professor Barron is an outcome-oriented legal thinker. He will select his desired progressive results and then find a way to get there. As I said, it is a ''whatever it takes'' judicial philosophy.

Here is what the professor said about precedent and the doctrine of stare decisis: ''Any good lawyer knows how to distinguish a precedent, if you need to.''

You see, in the professor's world view, precedent is just an inconvenient obstacle that can be easily dismissed on the road to his preferred outcome. Can any of us doubt that as a judge the professor would cleverly choose the precedents that he agrees with and ignore those he disagrees with?

Let me give you some more evidence. He lost a case before the Supreme Court 9 to 0. In other words, a unanimous vote against legal arguments that the professor advocated. He told the press that the Supreme Court ''got it wrong'' and that his brief ''was right after all.'' Imagine that, being voted down 9 to 0 and saying the Supreme Court got it wrong because in the professor's judgment every member of the Supreme Court got it wrong—but not our professor nominee. What does this statement suggest that we can expect from him when it comes to his respect for legal precedent? I don't think we can expect much. We cannot expect him to follow legal precedent because he disagrees with the Supreme Court even after they disagree with him 9 to 0.

There is more evidence the professor wouldn't be confined by the law in reaching the right outcome in a case. He has written that judicial decisionmaking, guided by statutes and legal precedent, is ''awfully cramped and technical, because it doesn't reflect a broader legal culture.''

Now, get back to basics. I thought the role of a judge was to apply the law, not to go fishing around for the ''broader legal culture'' until you find support for the result you want.

So I think we can be very clear. I don't expect President Obama to nominate conservatives to the Federal bench. When this President was elected, I didn't expect that a crop of young Scalias, Thomases, and Alitos would be filling the vacancies in our courts. Judicial nominees are a Presidential prerogative, and I voted for many of this President's judicial nominees who don't share my views on constitutional interpretation or federalism or the First Amendment. I voted for them because they were accomplished judges and lawyers who I believed could put their personal preferences aside once they took to the bench. I would and did expect when I voted for them to objectively rule based upon the law; or, if I wasn't absolutely sure, I was willing to give them the benefit of the doubt.

However, given the statements from this nominee's body of work that I have recounted today, as well as others, I can't understand how any of my colleagues could think the same about this nominee. In fact, I don't believe that I have seen a nominee who has been more candid about his or her desire to use the courts as an instrument of political ideology than Professor Barron.

This nominee's views are fundamentally incompatible with the limited constitutional role of the Federal courts. Here I want to go back to the people who wrote the Constitution and tell you what they really had in mind about the courts. In Federalist No. 78, Alexander Hamilton famously referred to the judicial branch of government as ''the least dangerous branch,'' because in the constitutional vision of our Founders the courts would have ''neither force nor will, but merely judgment.'' The professor's judicial philosophy turns that vision on its head. His record reveals a judicial philosophy that says progressive policy ends justify the legal means to get there. It is a judicial philosophy in which will trumps judgment. I don't share those views, and I cannot vote for this nominee or a nominee who does.

Now I will take a few minutes to update my colleagues on another aspect of this nominee that deals with the Barron drone materials and the White House's apparent refusal to provide this body with every one of the Barron-related drone materials.

Two weeks ago I came to the floor calling on the Obama administration to release any and all Office of Legal Counsel materials on the drone program that were written by or related to the professor. I also called upon the administration to comply with the Second Circuit's opinion last April ordering the Department of Justice to release a copy of the 41-page Barron drone memo in redacted form. We know this particular memo provides the legal arguments for targeted killing of American citizens overseas.

Yet the administration refuses to comply with the court order of the Second Circuit to make the arguments public, albeit in redacted form, and I haven't heard any indication that the administration intends to do that. Not only that, but the White House refuses to tell us whether they have made available to the full Senate all of the professor's drone-related materials.

Since 2010, the press has reported that Professor Barron wrote at least 2 memos that justified the Obama administration's drone policies while he was at the Office of Legal Counsel, and the Second Circuit said that there are at least 3 and possibly as many as 11 memos on the administration's drone policy. That much is very clear. What isn't clear is the scope of the professor's writings on the legality of the administration's drone program. We don't know this because the administration continues to ignore the bipartisan demands of Members of the Senate to make available all of those drone memos, particularly the ones written by the professor. We don't know how many of the drone memos exist because this administration refuses to even confirm whether they have provided all the drone memos to the full Senate. These materials are of crucial importance to the full Senate's consideration of this nominee.

I would recount for my colleagues what has happened thus far. On May 12, White House Press Secretary Jay Carney said that a single drone memo—what Carney referred to as the al-Awlaki memo—had been made available to the full Senate. But the Press Secretary was asked repeatedly how many drone memos exist, and he repeatedly dodged the question.

Here is what Mr. Carney said. Question: ''How many of them are there?'' Mr. Carney answered:

> What I can tell you is a couple of things. First, on the Senator Paul op-ed in which he does call for the memos to be made available to senators, we have made the memo available—the memo in question available before the vote.

Again, the White House is dodging here and just addressing one memo. So Mr. Carney was asked a second time at the news conference. The questioner said: ''How many memos are there? How many memos in which he [meaning Barron] was a principal author outlining the legal case?''

Mr. Carney answers: ''There was one memo in question that I have referred to, and that has been made available to U.S. Senators.''

So the questioner came back: ''Are there others?'' Mr. Carney, the Press Secretary, answers: ''Are there other memos that he [meaning Barron] drafted? I don't know.''

Now get this: An answer of ''I don't know'' to how many memos exist. That is as good as the White House can do when there is this high level of discussion about how many memos exist? Surely there are people scrambling around the White House to have an answer, even if they don't want to give the answer, because it is already obvious that they want to know what is going on themselves. But you still get the answer: I don't know how many memos there are. That is the best answer we can get from the White House after weeks of bipartisan requests from Senators to provide the full Senate with any and all of the professor's drone materials. ''I don't know'' is simply not an acceptable response from the White House.

Again, the White House seems to imply that it has provided all of the Barron-related memos on the drone program, but the fact of the matter is that they will not confirm that. Unfortunately, it appears many Democrats as well as members of the media have fallen for this ruse. The Second Circuit mentioned at least three memos that were responsive to the New York Times Freedom of Information Act request for materials on killing Americans abroad. So we know that there are multiple drone memos. That is a matter of public record.

Has anyone in this administration bothered to read the Second Circuit's opinion? We know that there are multiple memos on the drone program—as many as 11. As the New York Times has reported since 2010, there are at least two drone memos that this nominee has written. But there may be more. The best answer we have gotten so far is ''I don't know.''

On May 14 the White House changed its tune just slightly. Another White House spokesperson told the press that the White House said it had provided all of the Barron drone materials related to ''U.S. citizens.''

But, again, the White House hasn't said whether there are additional materials that the professor wrote on the drone program. It is not at all clear to me why this administration thinks it has done its duty to provide the full Senate with materials that are crucial to our consideration of this nominee's fitness for a lifetime appointment, particularly considering the fact that the White House should make at least that one memo available to the public. It is similar to when President Jackson didn't like what John Marshall ruled in a particular case; the Chief Justice ruled, now let him enforce it. Are we going to have that respect for the circuit court opinion that says the White House ought to release to the public this decision? Is that the oath the President of the United States took to uphold the Constitution?

Why does this administration think that any Senator would vote on a judicial nomination without having reviewed the nominee's work on such an important topic?

Moreover, as I mentioned 2 weeks ago, the Freedom of Information Act litigation in the Second Circuit is still ongoing. Whatever responsive memos that the administration has not yet released may become public in the future. Again, are my colleagues ready to vote on this nomination without having reviewed all relevant writings of the nominee? Are my colleagues ready to shrug their shoulders and accept the White House Press Secretary's statement when he says, ''I don't know'' how many memos there are? Are my colleagues prepared to face their constituents and explain that they didn't bother to track down this controversial nominee's complete record on this topic before they voted?

The Constitution requires every Senator to provide advice and consent on a nominee. We cannot satisfy that obligation if this administration continues to withhold the professor's writings. At the very least, the White House should say definitively that no additional Barron-related drone materials exist. What are they hiding?

The Second Circuit says the professor is the author of the memo that sets forth the legal framework used to justify killing Americans overseas. What

else has he written that the administration refuses to release to the full Senate? The Members of this body will never know until the administration ends the obstruction and provides access to each and every one of the memos on drones that Professor Barron has written. Again, the administration should comply with the Second Circuit's order requiring them to make the opinion of the Office of Legal Counsel public, even if it is with redactions.

Why the rush to have this vote before the public gets to read the legal reasoning? Why is the other side so afraid of waiting to vote until their constituents read this nominee's legal rationale for the targeted killing of American citizens?

It is time for the White House and the administration to stop playing games regarding how many of the professor's memos there are. It is time for the White House to stop hiding from the public the materials they have been ordered by the court to disclose.

I will vote against this nominee and urge my colleagues to do the same.

I suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

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

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

Mrs. BOXER. Mr. President, under the order I ask unanimous consent for 20 minutes to address the Senate.

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

BENGHAZI

Mrs. BOXER. Mr. President, I rise to urge Senator REID to say a very clear no to the request by 37 Republicans that we create a new Senate select committee on Benghazi. I was astounded to see 37 Republicans—many of whom have worked on this issue with me and Senator MENENDEZ on the Foreign Relations Committee—essentially make this request at a time when we have so much information already on Benghazi. To spend the funds for this separate committee—in addition to the one the House has set up—doesn't make sense unless you believe, as I do, that this is all a political witch hunt.

The attacks of September 11, 2012, in Benghazi that took the lives of four Americans, including Ambassador Chris Stevens, were a tragedy. After such a tragedy, we should all come together and make certain that this never happens again, but we should not play politics. Instead of focusing and agreeing on how we can prevent future attacks against U.S. personnel overseas—as they have had an opportunity to do by adding more funding for diplomatic posts to protect our people—the Republicans want to turn the Benghazi-Libya tragedy into a scandal. That is scandalous. The way they are handling this issue is a scandal.

The American people are smart. I have seen recent polls, and they get it. More than 60 percent—and I will look that up again—say this is all about politics; it is not about anything else.

I wish to explain to the American people what we have done about this tragedy. Over the last 20 months, these attacks have received unprecedented scrutiny. I have a chart I wish to share that explains it.

We have had nine House and Senate investigations on Benghazi. We have conducted 17 hearings. We have held 50—5–0—briefings. We have conducted 25 interviews, issued 8 subpoenas, and reviewed 25,000 pages of documents. There are 25,000 pages of documents that have been reviewed. We have had six reports released. All of these little boxes represented here show the various hearings, the various committees, the various briefings, the various documents. We look at this chart and realize this is unprecedented.

Nine different House and Senate committees have investigated the attacks. Seventeen hearings have been conducted. Fifty briefings have taken place. Twenty-five transcribed interviews have been conducted. Eight subpoenas have been issued. More than 25,000 pages of documents have been reviewed, and 6 congressional reports have been released.

I have gone over this a couple of times this morning because I want to make sure the RECORD reflects all of this accurately.

In case that is not enough to convince the people of this country what a witch hunt the Republicans are on, I will show my colleagues a partial viewing of the materials, if my colleagues will excuse me while I bend down. That is just one stack of binders. All of these binders are filled—filled—with all of the information that came out of these reports.

So before people get up here and say, Oh, we need more information, how about reading what we already have: stacks and stacks of information.

Within these binders are the reports and the testimony Congress has already heard over the last 20 months, but my Republican friends would have us believe none of this happened and none of what the chart depicts happened. They are not satisfied with exhaustive reviews, much of which was conducted by House Republican committee Chairs, by the way. They walk away from their own work because they are playing politics. They should be proud of the work they did, but this isn't about the work they did. It is about playing politics. It is about hurting people—hurting people.

Benghazi was a tragedy. We lost four beautiful, patriotic Americans. Don't turn it into a scandal.

I guess these filled binders were not enough for them in the House of Representatives.

I will take these down now.

This wasn't enough for them: 9 committees, 17 hearings, 50 briefings, 25 interviews, 8 subpoenas, 25,000 pages of documents, 6 reports. All of this was not enough for them. The House set up a new select committee and, again, 37 of my Republican friends now want their own select committee. That is right; they want two new committees to investigate what has been investigated, investigated, and investigated.

A person doesn't need a degree in political science to know what a political witch hunt looks like. All a person needs to do is to look at this and a person understands. This is a campaign tactic by my Republican colleagues to gin up their base ahead of the midterm election and, by the way, look ahead to 2016, where they are filled with anxiety at the thought that the former Secretary of State, Hillary Clinton, may be the Democratic nominee.

This is a campaign tactic, this call for these committees. We know Republicans have been actively fundraising off this tragedy. That is right; they have been fundraising off this tragedy. When Speaker BOEHNER was asked about it, all he did was walk away from the question. I watched that interview. It was painful.

They said: Aren't you going to stop the fundraising?

He said: We are just interested in the facts.

They said: Aren't you going to stop this fundraising?

He said: We are just interested in the facts.

Answer the question. We know it is a political witch hunt because before he was minding his Ps and Qs, the House Select Committee chairman suggested the administration should be put on ''trial'' over Benghazi—put on trial.

We also know the House GOP refused House minority leader NANCY PELOSI's offer to put an equal number of Democrats and Republicans on the panel. Oh, no, because it is a political witch hunt and they want total control over that committee.

Here is one issue I know the select committee won't be investigating in the House, and that is the budget cuts House Republicans made to security at our embassies and at our consulates, at our diplomatic posts around the world—cuts that Republicans actually boasted about making. Here in the Senate, we have tried to get through an embassy security bill by unanimous consent and they objected I don't know how many times—a couple of times.

So we are not going to see an investigation into why the Republicans thought it was wise to cut spending on embassy security. Oh, no, they won't look at that. One Congressman in the House was asked by CNN whether the GOP cut embassy security, because the reporter was incredulous, and this Congressman said: Absolutely. Look, we have to make priorities and choices. You have to prioritize things. So, clearly, this particular Member of Congress was proud they cut embassy security; but, believe me, they are not

going to be investigating that in their investigative committee.

I will tell my colleagues what else they are not going to investigate. They are not going to investigate the tragedy and the scandal of more than 4,000 Americans killed in the Iraq war based on phony intelligence—4,000 Americans dead, based on phony intelligence. I never heard one call for a select committee to find out why that happened. And that ignores the tens of thousands of wounded, some with post-traumatic stress, and all the problems we know are happening.

Here is something else they won't tell us. Between 1998 and 2013, there were at least 501 significant attacks against U.S. diplomatic facilities and personnel in 70 countries, resulting in the deaths of 586 people, including 67 Americans. During the Bush administration, there were 166 attacks which killed 116 people, including 18 Americans. All of these attacks were terrible tragedies, but not one of them was exploited for political gain. Why would we exploit a tragedy where an American got killed for political gain? We could have done it.

I was serving in the House back in 1983. I know that is probably close to when the Presiding Officer was born. I was serving in the House in 1983 when a truck bomb exploded outside the Marine barracks in Beirut, Lebanon, killing 241 American servicemembers. The attack came just 6 months after 17 Americans were killed in the bombing of the U.S. Embassy in Beirut. Let me tell my colleagues about how that was handled by then-Speaker Tip O'Neill when Ronald Reagan was President. Tip O'Neill conducted real oversight with the two parties working closely together. Within 2 months, the House stepped forward—Democrats and Republicans—and produced a report that criticized the lax security around the barracks and called for new measures to keep our brave military men and women safe. That is the way we should handle these things, not a kangaroo court, not a political witch hunt, not a partisan investigation.

Let's face it. This is politics. They are about discrediting the Obama administration and former Secretary of State Hillary Clinton. I repeat: Never in history, to my knowledge—and I have gone back and back—has any political party done what they are doing on Benghazi.

There is disinformation. They say: Well, the President kept saying it was because of the movie that was produced. The President stepped forward and in his first comment said the attacks were acts of terror. That is his quote. We never hear that from the Republicans. He called them acts of terror.

I will tell my colleagues what else they forget to mention: that Secretary Clinton was the first person to convene an independent investigation of the attacks. Let me reiterate. The very first person to convene an independent investigation of the attacks in Benghazi was Secretary of State Hillary Clinton.

The independent investigation was nonpartisan. It was called an investigation by the Accountability Review Board. It was chaired by Ambassador Thomas Pickering and Admiral Michael Mullen. Talk about a nonpartisan team. I can attest to the fact they are nonpartisan. I am privileged to sit on the Foreign Relations Committee. I am the most senior member on that committee. I will tell my colleagues these two gentlemen came forward and delivered their report. They talked very openly and honestly about the systemic problems that undermined security in Benghazi. And guess what happened after that report. Secretary Clinton and the State Department quickly accepted all 29 of those recommendations and put them into place—first under Secretary Clinton and now Secretary Kerry.

So let me say this again. There is this call for this political witch hunt because they want to hurt Hillary Clinton, and Hillary Clinton was the first person to convene an independent investigation that made 29 recommendations that she started to put in place, and Secretary Kerry is completing that task. Unbelievable. But we won't hear that from our Republican friends. They want to make Benghazi into a scandal, but they are the scandal. That is the scandal: playing politics with a tragedy. That is the scandal.

The Senate Intelligence Committee produced a bipartisan report based on dozens of committee hearings, briefings, and interviews—that is in here as well—that highlighted the need to better respond to security threats against our diplomatic posts and personnel around the world.

Instead of going over all of these reports—I showed my colleagues how many there are, and this chart demonstrates that as well in a very clear way how many investigations that have been conducted—instead of focusing on protecting Americans serving abroad by carrying out the recommendations of these reports, my colleagues are obsessing over talking points prepared for a Sunday TV show.

There is nothing in the thousands of documents released that even remotely suggests an attempt to cover up what happened in Benghazi. As I said, the President said they were acts of terror. Hillary Clinton launched the investigation. The investigation made 29 recommendations.

This new select committee request is a sham. It is a kangaroo court. It is a waste of taxpayer dollars. If Senate Republicans really wanted to help protect the men and women who bravely serve our country overseas, they would stop objecting to our request to take up our bipartisan embassy security bill.

The Senate Foreign Relations Committee passed S. 1386. It is named after Chris Stevens, Sean Smith, Tyrone Woods, and Glen Doherty. It is called the Chris Stevens, Sean Smith, Tyrone Woods, and Glen Doherty Embassy Security Threat Mitigation and Personnel Protection Act.

It was passed and reported in December of last year. It was authored by Senators MENENDEZ and CORKER. I thank them for that. This bill will authorize funding for key measures recommended by the Accountability Review Board, including security upgrades at our embassies, consulates, and other diplomatic posts, especially high-risk posts. It also authorizes new funding for security training, including language training for high-threat security environments. It would direct the Secretary of State to expand the Marine Corps security guard detachment program to help protect our diplomatic facilities and personnel.

Why do the Republicans keep objecting to this bill? You cannot, with a straight face, tell me you truly care about our foreign personnel when you stand in the way of S. 1386, a bill to provide for enhanced security, a bill that is bipartisan, a bill that came out of the committee on which I serve, Foreign Relations.

I hope other colleagues will come down and talk about this sham. We have so much to do. We need to grieve for the families, the deaths of four Americans. Their loss is deep, very deep. To turn that into some investigation, some witch hunt, is not the right thing to do for their memories. The right thing to do for their memories is to pass this embassy security bill.

I do not know how to say it, but it does cost money to make upgrades to your home, to your buildings. We are here in the Capitol, we protect and upgrade these beautiful buildings because of their history. We have to upgrade our buildings. That does not come free. It does cost money.

Yet House Republicans were bragging that they cut embassy security. So I am going to talk about this a lot because I care so deeply about making sure our personnel are safe all over the world. Until they allow this bill to go through, I truly question the deep concerns that are being expressed by my Republican friends. Oh, they need yet another committee to get to the bottom of Benghazi.

We know what happened. It was a terror attack on a facility that needed more protection. OK? How do we make sure that does not happen again? We have had more than 500 attacks—significant attacks—on our facilities since 1998, between 1998 and 2013 over 500 attacks.

Never has anyone of any party tried to play politics with it. The reason I am so, shall we say, upset with this is because it is the wrong way to move forward. People look at us and they wonder if we can get anything done. I am so proud. I have a very important water resources bill coming up. We worked so well together across the aisle. We did a highway bill. We worked so well across the aisle. Why don't we do what we did when Tip O'Neill was

Speaker and work well across the aisle on foreign policy? When I was coming up, foreign policy basically stopped at the water's edge. We respected the President, whoever it may be, Republican or Democrat.

If we had a critique, we expressed it, but we did it in a way that was, if I can just say, less partisan. I will leave you with the image of this chart. This chart says it all. We have investigated this. We have looked at it. We have conducted hearings and briefings and interviews and issued subpoenas and reviewed documents and issued reports.

We do not need to spend money on another committee because someone is afraid of Hillary Clinton's candidacy. Just deal with it. Do not try to revise history. She was the first person to convene an independent investigation to begin to put the pieces into play that would in fact make sure this did not happen again.

Don't say you care about embassy security when you stand and oppose a bipartisan bill that would make sure we make the requisite improvements to our facilities? I hope HARRY REID, our leader, will not say yes to a committee that is nothing but a political witch hunt. I will continue to come down to the floor to discuss this issue, to debate this issue if it is necessary to do so.

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

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

THE ECONOMY

Mr. THUNE. Mr. President, there were two polls that were released this week, one from Gallup and one from Politico. Both polls asked Americans what concerns them the most. Both polls got the same answer: the economy, jobs, and health care.

That response is not too surprising. Unemployment is high. In fact, there are 3½ million Americans who have been unemployed for 6 months or longer. Last month more than 800,000 Americans gave up hope of finding work and dropped out of the labor force entirely. The economy barely grew at all last quarter—one-tenth of 1 percent.

Household income is down by $3,500 since the President took office. Some 6.7 million Americans have fallen into poverty since 2008. Meanwhile, the price of everything from gas to college to health care keeps going up. It is no wonder Americans list jobs and the economy as two of the issues that concern them the most.

It is not surprising that the other top concern of Americans is health care, because over the past 4 years the President and his team have taken an imperfect health care system and made it much worse. Thanks to ObamaCare, millions of Americans have lost their health care plans, plans which in many cases they liked and wanted to keep.

Many of the 8 million exchange signups the President likes to brag about were actually people who were forced into the exchanges after their health care plans were canceled. In fact, according to a recent McKinsey survey, only one-quarter of the people who signed up on the exchanges were previously uninsured. In addition to losing their plans, millions of Americans have also seen their costs increase.

Family health insurance premiums, which the President claimed would fall by $2,500 under his health care law, have actually risen by $3,671, and they are still going up, no end in sight. I would like to read just a few of the headlines from last week. This is from the Fiscal Times. It says, ''Big Increases in ObamaCare Premiums and Deductibles Coming in November;'' from Forbes, ''First ObamaCare Premium Notices for 2015 Show Double Digit Increases;'' from the Los Angeles Times, ''Employer health costs to rise nearly 9% this year, survey finds;'' from Investors Business Daily, ''ObamaCare Deductibles to Rise to $6,600 by 2015;'' from the Associated Press, ''Cost-Control Plan for Health Care Could Cost You.''

There are more, but we get the idea. Prices are not on their way down; they are in fact on their way up. Then of course there is the President's ''if you like your doctor, you'll be able to keep your doctor'' promise. As too many Americans have found out, that was another promise destined to be broken. Over the past 4 years, Americans have not only discovered that in many cases they will no longer be able to see the doctors they have been seeing for years, they have also discovered their choice of a replacement is limited.

The New York Times reported last week:

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

That is from the New York Times. One quote in that article struck me particularly. It was something Marcus Merz, the CEO of Minnesota insurer PreferredOne, told the Times. This is what he said:

> We have to break people away from the choice habit that everyone has. . . . We're all trying to break away from this fixation on open access and broad networks.

Let me repeat that to get the full context of what he is saying. We have to break people away from the choice habit that everyone has. Is this what we wanted out of health care reform? Was that not one of the good things about our health care system, the fact that people are able to, by and large, go to the doctor they chose; that people could look around for the best doctor in a particular field or find a doctor who they felt comfortable with?

Do we really want a health care future where Americans don't have a choice about the doctor they see?

Limited choice doesn't just mean that Americans might not be able to find a doctor they like. It also means that Americans may not be able to go to a doctor they need.

A Daily Caller article from last week noted:

> Cancer centers, with their top-of-the-line physicians and expensive procedures, have been a primary casualty of narrow networks. According to an Associated Press analysis, just four of the top 19 comprehensive cancer centers are covered by all Obamacare exchange plans in their states.

Four of the top 19 cancer centers in the country—that is not what you want from of a health insurance plan if you have cancer.

Given the President's broken promises and the havoc that ObamaCare is wreaking on our health care system, it is no surprise that 83 percent of those Politico surveyed want to modify or repeal the law entirely or that health care was the most frequently cited reason for a negative experience with the government over the past year or that nearly 90 percent of respondents say that ObamaCare will be important in determining how they vote this fall.

There is a lot more that could be said about ObamaCare, such as the damage it is doing to our economy.

VETERANS AFFAIRS

I want to move on to talk about another, very serious instance of government mismanagement—what is going on in the Department of Veterans Affairs.

Almost every day a new report surfaces of mistreatment or mismanagement at VA facilities across the country. At least 40 veterans have reportedly died because of delayed or inadequate care.

It is now clear that this is not an isolated problem at a few select locations but a system-wide crisis, and it is a national embarrassment.

Our contract with our servicemen and women is a sacred trust. They pledge their lives in the service of our country and take upon themselves the burden of defending liberty for the rest of us. In return, we promised them benefits, including health care and a college education.

Our men and women in uniform uphold their end of the contract, sometimes at the cost of their own lives. For us to fail to uphold ours is a disgrace and a betrayal of their sacrifice.

Every resource of this administration should be focused on discovering the full scope of this problem and immediately starting to fix it. Yet this administration has shown a startling lack of concern about the widespread mistreatment of veterans in our country.

When it became clear that his health care Web site was a disaster, the President employed an ''all hands on deck''

approach to fixing the problem, spending hundreds of millions of dollars in the process.

In response to the VA disaster, on the other hand, the President has dispatched just a single staffer to oversee the investigation. This is not acceptable. As Commander in Chief our Armed Forces, the President should be leading the charge to fix this problem, but he hasn't even spoken publicly about it for weeks.

Regardless of the President's inaction, Congress must take immediate step to address this crisis. This week the House of Representatives is taking up a version of Senator RUBIO's bill, the Department of Veterans Affairs Management Accountability Act, which would allow the VA Secretary to fire or demote senior executives in the department when warranted.

Private organizations can fire employees who fail to fulfill their responsibilities. We ought to be able to fire officials who fail in their obligation to our veterans.

Yet all we have seen from the VA is the resignation of the Under Secretary for Health, Dr. Petzel, who was already planning to retire—hardly the accountability our veterans deserve.

I have introduced a bill to require the VA inspector general to conduct a national investigation into the wait times veterans face. It is essential that we get an idea of the full scope of this problem so we can ensure that it gets fully fixed.

Under my bill the inspector general will have 6 months to investigate and submit a report to Congress. In the meantime, the VA would be forbidden from closing any of its medical facilities.

No facility—not the Hot Springs facility in my State of South Dakota or any other—should be closed unless we make very sure that veterans' care is not going to be affected.

There are other bills this body should be considering as well, including Senator HELLER's bipartisan legislation, to reduce the backlog of veterans' disability claims, and I hope the Senate will take them up quickly.

This crisis can't wait. There is every likelihood that right now—right now—veterans around our country are still failing to receive the care they need. I hope the President of the United States will come to his senses and treat this situation with the seriousness it deserves.

If he won't act, Congress must. It is the very least that we owe our veterans.

I yield the floor.

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

WATER RESOURCES DEVELOPMENT ACT

Mr. ISAKSON. Madam President, this year Congress has not particularly been noted for much of an accomplishment of anything. We have been in closture atrophy and we have been in political atrophy, but we are about to change that for a day.

I want to pause for a moment and acknowledge the hard work of a number of Members in the House and the Senate on what is known as the Water Resources Development Act, which soon will be on the floor of the Senate, and I understand will be on the floor of the House today for its ratification.

The Water Resources Development Act is the authority of the U.S. Government to move forward on infrastructure across the country.

I congratulate Chairman SHUSTER in the House and Chairman BOXER in the Senate for their hard work on the conference committee.

Ranking Member VITTER has been an untold hero for us and working hard for the Senate.

I give thanks to Sylvia Burwell of the OMB. She has been a lifesaver for us on the Port of Savannah. I appreciate her cooperation and her help.

I thank Vice President BIDEN. We did a tour of ports on the east coast of the United States to focus on the importance of improving our infrastructure.

In this WRDA bill are improvements across the country, but the one I want to talk about for a second is an example of why infrastructure is so important, and that is expansion of the Savannah Harbor and the deepening project in the Savannah at the Port of Savannah. That is a project that was authorized 16 years ago—the year I was elected to the House of Representatives. It was authorized to be built, but it hasn't been expanded for 16 years or authorized for 16 years because of environmental concerns, atmospheric concerns, sometimes funding concerns, and sometimes political apathy concerns. But finally everyone has their act together. NOAA has endorsed it, Fish and Wildlife has endorsed it, the EPA has endorsed it, and the Corps of Engineers has endorsed it.

Thanks to this Water Resources Development Act authorization, a $706 million project in my State for the southeastern United States will become a reality over the next 5 years.

Why is it important? It is important for this reason. As we sit and talk today, the nation of Panama is widening and deepening the Panama Canal. Within a few months, they are going to be taking through the Panamax ships of the 21st century, ships that can carry not 9,000, not 11,000 but 14,000 containers.

Ports along the east coast of the United States, such as the Port of Savannah, are not able to take that deep of a ship. They will have to wait until high tide to bring it in and then have to wait a day for high tide to come back to take the ship out. That costs money, and it causes people to divert to other ports, to other countries, and it hurts our economy.

Over the next 5 years as we deepen the Savannah River and Savannah Harbor, and as we improve that port, we are improving the opportunity for the entire southeastern United States to grow, prosper, and be competitive in the 21st century. The Port of Savannah directly contributes to 297,000 jobs in our State. It contributes to 49 of the 50 States on the continental United States. It provides jobs, economic vitality, tax revenues, and prosperity for America. Its time has come.

I am so delighted the Water Resources Development Act is done. I am so delighted that Chairman BOXER, Ranking Member VITTER, and Chairman SHUSTER have put their teams together, dotted the last ''i'' and crossed the last ''t.''

I encourage everybody in the Senate to ratify prosperity, employment, and economic development for America. When the bill comes before the Senate, ratify the Water Resources Development Act and that final conference committee report.

I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Rhode Island.

UNEMPLOYMENT INSURANCE

Mr. REED. I rise to discuss again the urgent need to restore emergency unemployment insurance.

Like many Americans, I am hopeful about our future but concerned about how the great recession has impacted our fellow Americans, particularly those who have been hit the hardest—the long-term unemployed. These are good people from all walks of life, from all 50 States. They are people who work in a variety of fields, from high tech to manufacturing, from cubicles and offices to plants and factory floors.

Many of them are older and find themselves out of work for the first time in decades. All of them, all 2.78 million of them, lost out on December 28 of last year. While they have been looking for jobs, Congress has failed to do its job and restore unemployment insurance.

Previously, Congress had never let emergency benefits expire when the long-term unemployment rate was so high. Today's long-term unemployment rate is 2.2 percent, and it is still well over the highest rate, 1.3 percent, of previous expirations.

In the past, when the rate was this high for long-term unemployment, we maintained these benefits. This is still an emergency, and we have to maintain these benefits. It still requires our attention and swift bipartisan action.

To the Senate's credit, there has been bipartisan action. Thanks to my Republican colleague from Nevada, Senator DEAN HELLER, and a coalition of 10 Senators—5 Democrats and 5 Republicans—the Senate passed a 5-month extension of these vital benefits that would provide aid to job seekers who have been searching for work for more than 26 weeks. Senators on both sides of the aisle recognize this is the right thing to do for workers and the smart thing to do for our economy.

So the Senate responded and found a path forward, and it was a difficult path. Majority leader HARRY REID dedicated a vast amount of floor time. Our bipartisan coalition reached a true compromise and stuck together on vote after vote. On April 7, 43 days ago, the full Senate approved the measure.

Unfortunately, Speaker BOEHNER and the House Republicans in charge have refused to take up our bipartisan legislation or pass their own extension of these emergency efforts. Because of their obstruction, millions of Americans are hurting.

We need to get our country back to full unemployment. That is the fundamental answer—to place people in jobs.

We have to move the country to a place where all Americans have an opportunity to earn a living and build a better life for their families.

Some may be tempted to look at the latest unemployment numbers and say: Well, see, ending job benefits is working because the numbers seem to be falling.

That notion is simply not supported by the facts. This long-term unemployment problem is still, as I mentioned, of significant proportions, and those are precisely the people who benefit from extended unemployment benefits.

A recent study by the Illinois Department of Employment Security found that four of five Illinois workers who lost long-term unemployment benefits at the end of last year were still without work 2 months later. They are still struggling in a very difficult market.

I would agree with the director of this State agency who says: ''Economic conditions should determine when this safety-net program ends, not an arbitrary date on the calendar. ''

The economic conditions for the long-term unemployed are still perilous, and it is still an emergency. The Speaker's refusal to renew emergency unemployment insurance makes it even harder for struggling Americans to feed their families, and it does nothing to improve our economic outlook.

The Senate-passed bill was fully offset and included, in fact, deficit reduction. So the idea that it was too expensive doesn't hold water.

The fact that House Republicans are now moving $300 billion worth of budget-busting tax breaks, many of which flow to corporations, but refuse to renew emergency benefits for job seekers strikes many people, including myself, as not just an unfair double standard but as out of step with what we need to do to get this economy moving forward.

Let me again remind everyone, we had a fully paid-for unemployment extension bill on a bipartisan basis that actually resulted in some deficit reduction and the House has refused to take it up. But in the meantime, they are moving $300 billion worth of tax cuts and tax breaks over several years, which flow to corporations, and all of it unpaid for.

So for the sake of job seekers in our economy, I hope House Republicans will stop obstructing emergency aid to job seekers. They need to take up the bipartisan Senate agreement to restore these benefits and work with us on strengthening our economic recovery. Just give the bill an up-or-down vote and give millions of American job seekers the chance to get back on their feet. In fact, I am confident if there were an up-or-down vote it would pass the House. It is fiscally responsible, fully paid for, it provides assistance to people and families who desperately need it, and would help the economic climate in every State in this country.

They can attach measures to the bill if they want. That is their prerogative. But let us go ahead and get a bill passed, and if we need to resolve the bill between the House and Senate, let us do so. Refusing a vote is irresponsible. The American people deserve better, and I hope they will see better in the coming days ahead.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. REID. Madam 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. Madam President, I ask unanimous consent that, notwithstanding the previous order, today, at 5:30 p.m., the Senate proceed to executive session to consider Calendars No. 521, 622, and 765, and the Senate proceed to vote on confirmation of the nominations in the order listed; that there be 2 minutes for debate prior to each vote, equally divided in the usual form; that any rollcall votes following the first in each series be 10 minutes in duration; further, that if confirmed, the motions to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order to the nominations; that any statements related to the nominations be printed in the RECORD; that the President be immediately notified of the Senate's action; and that following disposition of these nominations the Senate proceed under the previous order.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. What this means is tonight at 5:30 p.m. we could have as many as five rollcall votes. Some of these votes could be confirmed by voice, so we will wait and see about that, so there would be maybe only two rollcall votes, on confirmation of Jeffrey Costa to be a U.S. Circuit Judge for the Fifth Circuit and cloture on Stanley Fischer to be a member of the Federal Reserve Board.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. Madam President, I ask unanimous consent that, notwithstanding rule XXII and the previous order, if cloture is invoked on Calendar No. 768, Fischer, on Wednesday, May 21, 2014, at 12:15 p.m., the Senate proceed to executive session and all postcloture time be expired and the Senate proceed to vote on confirmation of Calendar No. 768, Fischer; further, that following disposition of Calendar No. 768, the Senate be in recess until 2 p.m.; that at 2 p.m., there be 10 minutes for debate, equally divided between the two leaders or their designees prior to a vote on cloture on the nomination of Barron, Calendar No. 576; further, that if cloture is invoked, on Thursday at 2 p.m., all postcloture time be expired and the Senate proceed to vote on confirmation of the Barron nomination with all other remaining provisions of the previous order remaining in effect; finally, that following the cloture vote on the Barron nomination, the Senate proceed to consideration of Calendar Nos. 773, Cook; 774, Daly; 775, Green; and 743, Martinez; and vote on confirmation thereof in the order listed; further, that there be 2 minutes for debate prior to each vote, equally divided in the usual form; that any rollcall votes following the first in each series be 10 minutes in length; the motions to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order to the nominations; that any statements related to the nominations be printed in the RECORD; that President Obama be immediately notified of the Senate's action.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. With this agreement, on Wednesday, we expect one rollcall vote at 12:15 p.m. on confirmation of the Fischer nomination, and as many as five rollcall votes at 2:10 p.m. We hope all four votes will be by voice, but we have to wait and see.

RECESS

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

Thereupon, the Senate, at 12:39 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Ms. BALDWIN).

The PRESIDING OFFICER. The Republican whip.

VA HEALTH CARE

Mr. CORNYN. Madam President, the steady trickle of allegations surrounding abuses of our veterans has turned from a trickle into a monsoon. It seems every day that goes by there is an additional bad news story about appointment lists that have been

cooked to look like the waiting times were not as long as they were, allegations such as those at the Veterans' Administration hospital in Phoenix, where allegedly there were secret waiting lists where 40 veterans died waiting to get health care, and the secret waiting list was being created to make the backlog appear not as serious as it was.

As we discuss and debate all the numbers on wait times and backlogs, it is important as always, whenever we are talking about statistics and numbers, to remember these are real human beings and these are our veterans with real individual stories.

They represent people such as Dale Richardson, who is a Vietnam veteran from East Texas who died of cancer after reportedly waiting 2 months to hear back from the VA about scheduling chemotherapy treatments. They represent people such as Thomas Breen, a Navy veteran who, similar to Mr. Richardson, died of cancer after a 2-month period in which he reportedly waited in vain to hear back from the VA about an appointment time. They also represent people such as Edward Laird whose story was written up in the Los Angeles Times this last weekend. Mr. Laird is a Navy veteran, age 76, who discovered a couple of unusual marks on his nose, and so he went to the doctor at the Phoenix VA hospital to get it checked out, and according to the Los Angeles Times, the doctor said he needed a biopsy, but it took almost 2 years before Mr. Laird was allowed to see a VA specialist, and when he finally did get to see the specialist, he was told that the biopsy was unnecessary and so it wasn't done.

Mr. Laird found it hard to believe, but that is what they told him. Unfortunately, by the time he got the VA hospital in Phoenix to agree to see him—the situation with his nose which he could tell as simply a layman had gotten worse—Mr. Laird was ultimately diagnosed with cancer and literally half of his nose had to be taken off because of cancer.

As Mr. Laird told the Los Angeles Times: ''I have no nose, and I have to put an ice cream stick up my nose at night so I can breathe.''

I will just mention one other story from the Phoenix system. Earlier this month a woman named Kim Sertich told the Arizona Republic that her father received such poor care at the Phoenix VA that she was forced to pay for private care until he ultimately died in 2011. In her own words, she said:

> Whenever anyone asked how my father died, I say, ''From being in the VA hospital.'' The icing on the cake is when I received a letter of condolence from the hospital, and they had the wrong name for my dad.

It is obvious from anecdote to anecdote, from the drip, drip, drip that then turns into a flood, there is something terribly wrong with the health care and the way the Veterans' Administration is administering 589,000 claims, with more than half of them backlogged, according to the standards and criteria of the Veterans' Administration.

We have known that the backlog has been a problem for years. Indeed, we have tried to come together in a bipartisan way and legislatively through the national defense authorization bill, where we added money. We have added resources to the VA system. Obviously, we have not gotten to the bottom of the problem. Part of it, I am afraid, is systemic, and some of it, sadly, is part of the bureaucratic culture at the VA, where accountability is unknown. You don't get credit for doing a good job. You don't get demerits for doing a bad job. There is no accountability, and this is what you get without accountability.

Not only is the VA system failing to provide our military heroes with reliable health care that they deserve, there are also news reports that the VA across the country has been falsifying appointment data in hopes of covering up wait times. Sadly, some of those allegations have come from my State. We have allegations of data manipulation of these appointment times in Austin, where I live, and Harlingen, in South Texas, and San Antonio and Waco.

For that matter, a former VA doctor named Richard Krugman told the Washington Examiner that up to 15,000 VA patients in South Texas were either denied colonoscopies,—of course, those are cancer screening examinations—or they were forced to endure long, pointless delays. Dr. Krugman fears that many of those patients simply died awaiting their cancer screening or awaiting treatment. If the problems at the VA are just a fraction as serious as what they appear from the news reports that we see day in and day out or the stories I recounted today, if they are a fraction as severe as what they appear to be, we have a national scandal of the highest order.

Let's be clear about what is happening. U.S. military veterans are literally dying because of bureaucratic failures and in some instances bureaucratic fraud. There is simply no excuse for what reportedly happened in Harlingen, Phoenix or in any of the cities where veterans or veterans officials have made their allegations. Yet it disturbs me that I am not sure the President is taking this with the requisite urgency. Apparently it is in the talking points to say, when somebody raises this scandal—I think Jay Carney said the President is mad as hell. That is what Eric Shinseki said when he testified before the Senate Veterans' Affairs Committee last week, but that is, frankly, not good enough. We need less rhetoric and more action.

For starters, the President has still not demanded the resignation of the person in charge of the Department of Veterans Affairs. We all admire General Shinseki for his service in the U.S. Army, but he on his watch has presided over some of the biggest scandals at the VA in history. It is painfully clear, no matter what you think about General Shinseki—and I admire him for his service in the Army, but it is painfully clear the VA needs a fresh new set of eyes, new leadership, in order to recover, reform, and regain the confidence of America's veterans.

President Obama still stands by his VA Secretary while nothing seems to be happening. Yes, we read about where there is an audit here, audit there, but we need top-to-bottom review and reform and we need to see the VA once again regain America's confidence.

It is not just me who is saying this. One of the largest veterans affairs organizations in America, the American Legion, has called on Secretary Shinseki to step down and new leadership to be appointed.

Here is just another example of the administration's unserious response to this scandal. The person who has been nominated to serve as the VA Under Secretary of Health, Dr. Murawsky, currently oversees a VA health care system in Illinois that was recently rocked by all-too-familiar allegations of secret waiting lists. I note that Dr. Murawsky spent 2 years as the direct supervisor of Sharon Helman, who worked in the Great Lakes Health Care System before becoming Director of the Phoenix system. As we all know, Ms. Helman was placed on administrative leave after the Phoenix VA was charged with creating secret waiting lists of its own.

For these reasons I asked President Obama to withdraw Dr. Murawsky's nomination. We need a clean break. We need new leadership, a fresh set of eyes, and we need a sense of urgency in what is a growing scandal. As I said a moment ago, if even a fraction of these failures and abuses were true, it would represent a national scandal of the highest order. It is not enough for the VA Secretary to say, I am ''mad as hell.'' That doesn't solve anybody's problems. That doesn't fix what is broken in the VA health care system. What America's veterans want and deserve is bold reform and new leadership. President Obama has the power to make that happen, and it is long past time for him to use it.

I yield the floor.

ORDER OF BUSINESS

The PRESIDING OFFICER. Under the previous order, the time until 5:30 p.m. will be equally divided and controlled between the two leaders or their designees.

The Senator from Michigan.

THE MIDDLE CLASS

Ms. STABENOW. Madam President, I am here to talk about the future of our country and the future of our middle class, which I know the Presiding Officer cares deeply about as well.

A few years ago in Michigan something quite extraordinary happened. In 1914 a man named Henry Ford did

something that all his business friends said was crazy. He doubled the wages of his workers to $5 a day. The headlines at that time showed that those on Wall Street literally thought he was going to ruin the economy, and everyone said he was going to go under. It was the craziest thing they had ever seen.

Exactly the opposite happened. In fact, there were stories a month after he did this—by the way, tens of thousands of people showed up for these jobs. Around the plant there were newspaper interviews about how all the small businesses had seen their profits double and how they were hiring new people for the hotdog stand or the clothing entrepreneur who was selling shoes and suits, and so on. Small businesses said that it had been wonderful for them.

We all know what happened to Henry Ford. He went on to become one of the wealthiest men of his generation by doing the right thing and understanding that we all do better if everybody has a fair shot to make it and that he would do better as a business person if everybody had a shot. In fact, we are very proud, and we believe we started the middle class in Detroit, MI.

We celebrate success in this country. We also understand that we are all in this together—our family, our community, and our country. We can do great things by ourselves, but ultimately what makes us great as Americans is that we are connected and in it together. That is the idea on which America was built. Everybody contributes their fair share, and we give everybody a fair shot to work hard and get ahead in life.

Just like Henry Ford, we understand that the economy is not working—our country is not as strong as it could be—unless it is working for everyone and not just the wealthy few.

In fact, Henry Ford showed that you can become very wealthy yourself by doing the right thing. We now have choices to make. Unfortunately, today a small number of incredibly rich people are doing the opposite of what Henry Ford did. They are literally trying to buy a government that works only for them at the expense of every other American.

The Supreme Court's outrageous Citizens United decision and other decisions that have followed have paved the way for multimillionaires to spend secret money on fake front groups and hundreds of millions of dollars on television and radio ads to twist the facts or just make things up so they can impose their own extreme views on our country.

I want to speak about the two people who are at the forefront of this effort and what their views mean for the people I represent in Michigan, the people in Wisconsin, and the future of middle class families all across America. The Koch brothers, two petrochemical magnates, are reportedly now worth over $100 billion. Last month, their fortune grew by $1.3 billion in just 1 day. How many average Americans would work a lifetime—added up together across the country—to try to reach the $1.3 billion they made in a day? They have built what the Washington Post called ''a far-reaching operation of unrivaled complexity, built around a maze of groups that cloak its donors'' in secrecy. This ''maze of groups'' raised $400 million in 2012.

Just last week we found out one of the groups, Americans for Prosperity, plans to spend $125 million in secret, undisclosed money in this year's election alone—$125 million on people who support their views of America.

One expert on taxes and political groups, a professor at Notre Dame Law School, said he had never seen anything like the network of Koch groups before. He said:

> It is designed to make it opaque as to where the money is coming from and where the money is going . . . It would only be worth it if you were spending the kind of dollars the Koch brothers are, because this was not cheap.

These are front groups that pose as senior citizen groups, environmental groups, and veterans groups. I could go on and on about all of the fake groups through which they are funneling money.

The Koch brothers may be able to hide their money and hide behind shadowy groups, but they can't hide their radical views from the American people. Let me be clear. It is not only me who is saying they are being radical. Charles Koch described his own views as ''radical.''

Senator SANDERS recently spoke on the Senate floor about some of the Koch brothers' extreme anti-middle-class views. I want to thank him for shedding light on some ideas that I know the vast majority of Americans disagree with and many of us find frightening, frankly, for the future of our country.

We don't have to guess what these views are since David Koch ran for Vice President on the Libertarian ticket in 1980 and loudly trumpeted them for all to see. What did David Koch promise to do when he ran for the second-highest office in the country? He promised to end the ''fraudulent, virtually bankrupt, and increasingly oppressive Social Security system,'' which has lifted a generation of seniors out of poverty and given them dignity as they have moved on over the years.

He promised to abolish Medicare and Medicaid. By the way, the majority of Medicaid funds is used on low-income seniors in nursing homes. He promised to get rid of the post office. He didn't suggest that it be cut it back to 5 days a week, he wanted to get rid of it. I suppose you can deliver the mail yourself or go hire somebody from someplace to somehow deal with the mail. What about trying to get your Social Security check? I guess it doesn't matter. Since he thinks you should not get Social Security or Medicare, it doesn't matter if you get that check as a senior.

He proposed to abolish the Environmental Protection Agency—the agency that makes sure we have clean air to breathe and safe water we can drink. For those of us in the Great Lakes region, we have the blessing of being able to fish and boat and have the beauty of the Great Lakes.

He promised to end all programs for children and seniors, low-income veterans, and repeal all taxation—no funding for the police department, fire department, roads, military, and veterans.

We just heard Senator CORNYN—and I agree with him—talk about our veterans and the great concern we have with what is happening to our veterans. The people supporting our colleagues on the other side of the aisle, the top two donors, said there should be no taxation and that we should get rid of the minimum wage. Remember how Henry Ford became one of the wealthiest men of his generation. He helped build the middle class by doubling their wages. By the way, if we were using Henry Ford's formula, the minimum wage would be close to $15 right now.

The Koch brothers don't want a minimum wage, Social Security or Medicare. They don't want help for anyone. They expect people to go out and earn $1.3 billion in a day and purchase whatever they need. Seniors, children, people with disabilities, including our veterans, would be left with no support, and, of course, no taxes for the Koch brothers and their big-shot friends.

This is truly a radical agenda. Here is the truly shocking part. The Koch brothers' agenda, which, again, Charles Koch himself proudly calls a ''radical'' agenda, is exactly the agenda we are seeing emerge from the Republican House of Representatives right now. Too many Members in our Senate Republican caucus want to privatize Social Security and gamble seniors' money away in the stock market. They want to eliminate Medicare as we know it. They passed the Ryan budget, which does that. They want to privatize the post office.

They passed a budget that guts efforts to help Americans in need or invest in the future of education and innovation. This is not what was said in 1980. This is what has passed and is being promoted right now, which is why they are putting so much money into the elections. Their agenda is being promoted right now, which they themselves call radical.

They refuse to join us in giving Americans a raise so that people who work 40 hours a week in a full-time job and make minimum wage—by the way, a majority of them are women who are raising children—are at least above poverty level and have a fair shot to get ahead.

We also don't have to guess how this radical, ''I've got mine and you're on your own'' Koch brothers agenda works in practice. We have seen how this plays out in Michigan.

In Gaylord, MI—beautiful northern Michigan—hundreds of workers used to work at a plant making particleboard—that is, until the Koch brothers bought their company, closed the plant, and left town. Instead of good-paying jobs that paid workers $15 to $20 an hour so they could with their family enjoy the great outdoors in Michigan and send their kids to college—jobs that gave workers a fair shot to get ahead—the Koch brothers left behind rubble and scrap metal. But that is not all the Koch brothers left behind.

Imagine you are outside with your family—or even inside your apartment or home—and suddenly you see a giant cloud of toxic black dust blowing towards you. It is piling up, and later you discover that this black dust includes a toxic metal that is believed to cause cancer. Imagine you own a restaurant and are forced to sweep up the same toxic dust from your patio, and you have to worry about what it is doing to your pregnant wife and unborn child. This is not something out of a Charles Dickens' novel or a story about the pollution in China today. This actually happened to the people in Detroit. Why? Because a company owned by the Koch brothers decided to illegally store piles of petcoke—a byproduct of refined, dirty tar sands oil—alongside the Detroit River. These piles were up to four stories high and piled up next to where people lived.

Just the other day I read a story about the exact same thing happening to people in Chicago. Another company owned by the Koch brothers is storing giant piles of petcoke in a residential area, which is something I know Senator DURBIN is very concerned about. It doesn't stop there.

Last Wednesday, Senator LEVIN, Congressman FRED UPTON from Kalamazoo, and I wrote to the Environmental Protection Agency about a toxic waste site in Kalamazoo, MI. We want to make sure it finally gets cleaned up. Guess who owns that toxic waste site and hasn't cleaned it up for years and years. That is right, the Koch brothers.

We have come together in this country and decided that it is not fair for the rest of us to have to breathe dirty air and drink dirty water so a multibillionaire can have an even bigger profit. The Koch brothers, however, whose companies have been fined numerous times, apparently think it is just fine to pollute our air and our water and then say to every American: You are on your own; you clean it up.

The New York Times reported this weekend that David Koch even ran ads calling for the complete deregulation of the energy industry. Can we believe it. A billionaire oilman who thinks there should be no rules for Big Oil at the expense of the public.

So whether it is clean air and clean water rules, whether it is Medicare, whether it is Social Security, funding for seniors in nursing homes through Medicaid, other vital services that keep the promise of the American dream within reach for every American, the Koch brothers want to get rid of those things in order to help themselves and their powerful friends. They want to rig the game in their favor. They are trying very hard to do that, with hundreds of millions of dollars of secret money and phony groups. They are willing to use their billions to create a government that works for them—just them and their friends. Heads they win; tails the rest of America loses.

That is not what this country is about. We need to stop this assault on our democracy and our middle class by passing a constitutional amendment to get this secret money out of our elections. That is why I am so proud to join in supporting and cosponsoring an amendment sponsored by Senator TOM UDALL that so many of our caucus are supporting because we need to make it clear that this is not acceptable in a democracy. In the meantime, though, we need to make sure the American people understand the real agenda behind the front groups and the secret money. That is why I am here today. That is why our majority leader and others speak out. It is because it matters. It is the money promoting the agenda, the money promoting actions such as closing plants and petcoke going into the rivers in our neighborhoods.

It is an agenda that is not the agenda of the American people. In America, everyone deserves a fair shot to work hard and get ahead—everybody. It is not about rigging the game for a few. People shouldn't be able to buy all the rules of the game by putting secret money and front groups out there and saying things that aren't true and getting people in there whom they know will just work for their own radical agenda. That is not what America is about. We have too many people barely holding on to the middle class, struggling to get into the middle class, and all they want is a fair shot to make it. That is what we are about. That is what we are fighting for every single day.

I see my colleague on the floor who is offering a constitutional amendment that would address this issue of getting the light of day on the money in politics in our great country. I wish to again, in his presence, commend Senator UDALL for doing that, and I urge my colleagues to come together. What is happening right now with the money is the worst of America, not the best of America. We can do better than that. People expect us to do better than that. I am going to continue with my colleagues in the Democratic caucus to fight to make sure that happens.

I yield the floor.

The PRESIDING OFFICER. The deputy whip.

STUDENT LOAN DEBT

Mr. DURBIN. Madam President, I thank my colleague from Michigan for her statement because it raises a theme which we really need to focus on in the Senate.

I went back to Illinois this last weekend, traveling around, as I have over the last several months. After a person has been in this world of politics for a while, it doesn't take long to sit down with most gatherings and crowds and kind of test out ideas. People either fold their arms and look at the ceiling and pray you stop talking or they start getting on the edge of their chair and listening. What I have found over the last several weeks is that everywhere I go, everywhere in the State—downstate small towns, medium-sized cities, and the city of Chicago—there is one issue that has everybody sitting up and listening. The issue is student loans.

We wonder why that issue would have so many people interested. It is because 34 million Americans are paying back student loans now. In the State of Illinois, there are 1.7 million people paying back student loans—1.7 million. Fifteen percent of our population is paying back student loans. There is more student loan debt in America today than credit card debt.

Some of the loans these students are taking out to go to school are outrageous. There is no other way to describe it. These young people, 19 or 20 years old, are sitting there at the desk at the college as someone is shoving a piece of paper toward them for them to sign saying: Well, if you sign up here for your loans, you can start classes on Monday. That young man or woman, who has been told since they were just a little kid to go to college, go to college, go to college, signs on and heads to class. At the end of the day those students end up $20,000 in debt, $30,000 in debt, and more—dramatically more. Many of them don't have a clue about the indebtedness they are getting into to go to school. Some of them don't know they are being lured into these for-profit colleges and universities. Sadly, too many of them are worthless. Students are signing up for these for-profit colleges and universities thinking they are real schools, thinking it is just like the University of Wisconsin, just like the University of Illinois. No, it isn't. It is a business, and it is a business that makes its money off of kiting the cost of tuition for students and, if they can stick around to finish, handing them a worthless diploma. How does a student know this? Well, the honest answer is they don't until it is too late.

Hannah Moore has been at my press conferences twice. She went to one of these awful for-profit schools and ended up with $120,000 in debt for a bachelor's degree and a worthless diploma. She couldn't get a job. Her debt is now closer to $150,000. She can't pay it. Here she is barely 30 years old with over $100,000 in debt for a worthless diploma. That is the extreme, but for 10 percent of the students graduating from high school in America today,

those are the schools they go to—for-profit colleges and universities.

Which are the biggies? The University of Phoenix, No. 1; DeVry University from Illinois, No. 2; and Kaplan University, which used to own the Washington Post. These are the big ones.

Remember three numbers when you think about the for-profit colleges and universities: 10 percent of high school students go to these schools. These schools get 20 percent of the Federal aid to education because their tuition is so outrageously high—20 percent—over $30 billion a year going to this industry. And here is the kicker: 46 percent of all student loan defaults are students at for-profit colleges and universities. What does that tell us? They charge too much, the educations are not worth it, and the students can't get a job.

That is the most extreme example, but let's talk about the rest of the world: 97 percent of students going to other colleges and universities. They are running up debt at record numbers, at a record pace. Unfortunately, many of those student loan debts lure in their parents and sometimes grandparents to help them along, and the student debt grows and grows. Sadly, if they make the big mistake of going not to a for-profit school but one of the regular schools and sign up for private loans, they are in for a beating, and they don't know it. They are young students. How could they possibly know what they are signing up for—a school that would lure them into a private loan to go to college and then subject them to the harshest, toughest, meanest, most unrelenting collection agency you have ever seen coming after these students on their student loans. That is the world we live in, and that is a world that needs to change.

When I go home and talk to people about it, they are either directly personally affected by it, their family is affected by student debt, or they worry that their sons and daughters who may want to have a chance at higher education will get sucked into this same scam. Well, help can be on the way.

I have joined with two of my colleagues, JACK REED of Rhode Island and ELIZABETH WARREN of Massachusetts. We have a package of three bills that would give students from middle-income families, working families across America, a fair shot at an affordable higher education. My bill, the student borrower bill of rights, says the school has an obligation to tell students to stick with the government loan because it is a lower interest rate and not lure students into a private loan. JACK REED has a bill which stipulates that if schools keep sinking students deeper in debt and they can't get out of it, eventually the school has to accept financial responsibility. That will get their attention. But the big bill of the three comes from ELIZABETH WARREN—and we are joining her—to refinance college debt at lower interest rates, bring them down from 7, 8, 9, 10 percent to 3.8 percent. Does it make a difference? Anybody who has ever had a home mortgage will say it does. Lowering that interest rate to 3.8 percent will finally allow some of these families and students to start paying off the principal on the student loan and put it behind them. Consolidate the loans at lower interest rates is what our bill says.

Oh, Senator, great idea. Who is going to pay for this?

I will tell my colleagues exactly how we pay for it—exactly. Does the name Warren Buffett ring a bell? He is one of the richest men in America. He has done very well for himself, the ''Seer of Omaha,'' Berkshire Hathaway. He came to Congress a few years ago and said: Something is wrong with the Tax Code.

Do we know what is wrong with it? Warren Buffett is paying a lower income tax rate than his secretary.

Why, he said, is my secretary, who makes dramatically less money than I do, paying a higher income tax rate than I am?

The reason is pretty clear: Most of his income comes from capital gains, and that is lower than the regular income tax rate.

So Warren Buffett said: We ought to have a rule that says if you are a millionaire in America, you are going to pay at least as much as the people who work for you pay in taxes—the Buffett rule. The Buffett rule generates enough money in the Tax Code by imposing that tax burden on millionaires to refinance college loans across America. Is it worth it? You bet it is, and I will tell my colleagues why. I don't begrudge millionaires their wealth if they have come by it legally, and I believe Mr. Buffett has. But they have an obligation to this great country that set the stage for their success, and that obligation is to be a good citizen, pay their taxes. That is what Mr. Buffett has suggested. He is willing to accept that responsibility.

And if we can refinance student loans, it doesn't just bring relief to these families, it does something else. Hannah Moore is living in her parents' basement with $148,000 in student loan debt and she is barely 30 years old. The thought of borrowing more money to go to a real college is out of the question. The thought of living in her own apartment is out of the question. The thought of buying a car? No way. For some young couples even having children is out of the question because of student debt. Do we see that when we bring this debt under control, we unleash a positive growing force in our economy where these young people can get back and participate—buy homes, buy cars, become full-fledged members of the economy again. So it not only brings relief to families and gives them a fair shot at a college education they can afford, it also can help our economy overall.

We don't have a single cosponsor from the other side of the aisle yet on this—not one. They are scared of the Buffett rule. The idea that millionaires might have to pay higher taxes scares them away. If they have a different pay-for, come on down. Let's hear the ideas. Let's actually have a dialogue on the Senate floor. How about that. That would be historic. And we could talk about solving a problem in America such as this runaway college debt and these awful for-profit colleges and universities.

We need to work together. What we have before us is the tax extender bill and a bill which involves a lot of different sections of the Tax Code. This bill is not paid for—by and large not paid for. Some of us believe that unemployment compensation, which was cut off for millions of Americans over the last several months, should be there to help them get back on their feet. When we suggest it to our Republican friends, they say: No, no, you have to either raise taxes, which we will oppose, or cut spending to pay for unemployment.

But when it comes to tax cuts for businesses, good or bad, they look the other way. They do not think that has to be paid for. I think helping unemployed Americans get back on their feet, find a job, take care of their families, is central to putting this economy on a glidepath to the future.

I hope as we measure the issues we can debate here on the floor of the Senate, we will start with those issues that interest the people we represent and that affect their lives and give working families a fighting chance.

I yield the floor.

The PRESIDING OFFICER (Mr. MANCHIN). The Senator from New Mexico.

Mr. UDALL of New Mexico. Madam President, I applaud Senator DURBIN for his comments on the fair-shot agenda and on an affordable college education for all of our kids. It is something parents and families and people in New Mexico talk to me about all the time. I want to join the Senator in his comments and say, let's get this done. Let's see if we can get Republicans to work with us in a bipartisan way. I applaud the Senator's speech.

VA HEALTH CARE

Mr. UDALL of New Mexico. Next Monday is Memorial Day, a day when we remember the men and women who gave their lives defending our freedoms, a day to remember our solemn obligation to veterans. I rise today to speak about that obligation and about very troubling allegations that should outrage all of us, of sick veterans desperate for care, of secret scheduling lists, of mismanagement at Veterans Affairs medical centers, and of cover-ups and misuse of taxpayer funds.

If true, this is a great disservice to our veterans. This is not quality care, it is betrayal. It is unconscionable, whether it is only one facility, such as the facility in Phoenix, or more, or in

New Mexico and other facilities. For many people this story began in Phoenix, AZ, but I do not think it ends there.

I asked Secretary Shinseki on May 8 to extend the investigation to cover the entire regional network, which includes Arizona, New Mexico, and Texas. The next day Secretary Shinseki announced an audit of the VA nationwide. Today, the VA appropriations subcommittee marked up an important bill to fund the Department of Veterans Affairs and to address these allegations. I am thankful to Chairman JOHNSON and Ranking Member KIRK for including a key provision I requested to provide funding to expand the VA inspector general's investigation, and calling out New Mexico as one of the States that urgently needs the attention of the inspector general.

These secret waiting lists, according to whistleblowers, were efforts in deception and fraud, hiding management failures. They kept appointment requests out of the VA computer system in order to cover up a waiting list to see a doctor, preventing veterans from receiving necessary care.

At worst, this deception not only kept veterans waiting but may have contributed to the death of some who were very sick. There are also reports that allege these efforts to manipulate the schedule were taken to make managers look better to receive bonuses, bonuses that were supposed to have been awarded for meeting high-quality care standards, not for failing them.

If true, this is tragic and possibly a serious crime. Thankfully, the appropriations subcommittee has taken action to freeze this bonus system while the investigation continues. I hope the full Senate will move quickly to do the same, to eliminate bad incentives which hurt our veterans.

If managers hide the extent of the wait times at the VA, then Congress does not have the right information to allocate resources to address need. Lives are at stake. We are talking here about veterans' lives. VA Assistant Inspector General John Daigh testified before the House Committee on Veterans' Affairs regarding a facility in South Carolina. He said, ''Over 50 veterans had a delayed diagnosis of colon cancer, some of whom died from colon cancer.''

GAO's Director of Health Care Debra Draper also testified about ongoing and past issues with the VA causing veterans to receive delayed care and delayed appointments. The GAO cited these shortcomings in a 2013 report and also made multiple recommendations to the VA on how to address them.

Ms. Draper noted that the VA has not yet enacted their recommendations and that the VA still has work to do to fix problems spelled out in the GAO report. The GAO concluded that:

Ultimately, VHA's ability to ensure and accurately monitor access to timely medical appointments is critical to ensure quality health care to veterans, who may have medical conditions that worsen if access is delayed.

The GAO report speaks to a bigger picture, one we should not lose sight of, and that is the ongoing problem with scheduling gimmicks, with ways to game the system, first identified by the VA itself in an April 2010 memo. These practices have led to delayed appointments and care. This is not an allegation, this is a fact.

Congress and the VA need to continue to work together for transparency, for accountability, and for real solutions. The allegations being investigated are very disturbing. This is not just a failure to provide timely care—that is bad enough—but also an intentional effort to cover up that failure by creating separate scheduling lists and gimmicks and harming veterans as a result.

These allegations are serious and we take them very seriously for every veteran in this country. For every man and woman who puts their life on the line to defend this country, a full inspector general investigation is essential. In some cases a criminal investigation may also be needed. We need to find out what is truly happening at our veterans' medical centers. This investigation should be thorough. It should be exhaustive. It should uncover the truth and it should hold those responsible accountable.

I also want to commend those who brought these concerns to the public and send a clear message to them: Congress will not tolerate interference or harassment with public servants who simply are trying to get out the truth, trying to do their job, and doing the very best to serve our veterans. The Whistleblower Protection Act is very clear: If you retaliate against an employee who is trying to expose the truth, then you are in the wrong.

Congress and the President should speak with one voice: We will not tolerate actions to retaliate against VA employees or contractors who shine the light on the truth.

Similarly, no one in the VA should be destroying or hiding any evidence of these practices. Destruction of a Federal record can be a crime.

VA managers should come clean, not cover up. I urge any New Mexico VA patient, family member, current or former VA employee, to report serious management problems to the VA inspector general either directly or through my office.

To those employees who continue to provide quality care to our veterans, this is not about you. Overall, the VA does provide great health care. I have heard from veterans who have testified to this fact. Many veterans would not go anywhere else. We must act quickly and decisively to restore faith in the VA and provide the care our veterans deserve.

Today, the Appropriations Committee took a step in the right direction to expand the investigation and halt the bonus program. I look forward to continuing this work with the full Senate and also with the administration. All of us who work to support our troops and our veterans have a sacred obligation to make sure they have the care they have earned. They have been there for us; we have to be there for them.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Carolina.

BENGHAZI INVESTIGATION

Mr. GRAHAM. Mr. President, I wish to discuss the state of play in Benghazi. Senator BOXER came on the floor this morning and talked about the investigations and all the things that have been done to find out about what happened in Benghazi.

No. 1, to those serving in Libya today, you are definitely in our thoughts and prayers. My advice to the administration is get those folks out as quickly as you can, because this thing is going downhill very quickly in Libya. So let's not have another Benghazi on our hands. I feel as though the security environment in Libya is deteriorating as I speak.

Let me, if I can, set the stage for my concern. One, I think most people on this side of the aisle, rightly or wrongly, believe that if the names were changed, this whole attitude toward finding out what happened in Benghazi would be different; if it had been the Bush administration, Condoleezza Rice, not Susan Rice, that we would be on fire as a nation to find out how the President could have 2 weeks after the attack—mentioned a video as the cause of the attack—that all the information coming from the intelligence community to the White House and others, there was never a protest. If Secretary Rice had gotten on the national news or Mr. Hadley or John Bolton, the U.S. Ambassador to the United Nations had gotten on television 5 days after the attack and told the story about the level of security: We believe it was a protest caused by video, not accordingly a terrorist attack—if that had all been said by the Bush people, there would have been definitely a different approach about this issue. That to me is very sad. You may not agree with that observation, but almost everybody over here I think believes that.

Mr. Zucker today—I know him from CNN; fine man—said he would not be bullied into covering the select committee. Nobody is asking any outlet to be bullied. But I have some questions I want CNN to answer, or somebody who would answer questions that I think are very relevant.

What is the state of what? As far as the Senate goes, we have had the Senate Select Committee on Intelligence issue a report on January 15, 2014. I think they did a very good job covering their lane. They did not have jurisdiction over the State Department so their report was limited. There was a minority report inside the report by

Republicans taking some issues with some of the findings. But the bottom line was, the Senate intel committee, in a bipartisan fashion, looked at Benghazi and said it could have been prevented. So that is something to be positive about.

The Armed Services Committee has done nothing. They have not issued any reports. This is the report of the Armed Services Committee in the Senate looking at DOD's responsibility that night.

The Foreign Relations Committee—this is their report. Nothing looking at the State Department's behavior that night.

We have had hearings, but the relevant committees have not issued reports.

The Homeland Security Committee on December 30, 2012—Senators LIEBERMAN and COLLINS did a good job talking about Homeland Security's role in Benghazi, a very good report. But a lot has happened since then.

I want people in the country and the Senate to know the reason I want a select committee in the Senate. We are not the House. Two of the committees very relevant to oversight of Benghazi have not issued any reports.

The Armed Services Committee has done nothing, nor has the Foreign Relations Committee, and I think this is worthy of our time.

This is a bipartisan report issued in 2008 by the Armed Services Committee about detainee abuse. I participated in this report in the Bush administration. We had some serious system breakdowns when it came to detainees in U.S. custody.

Senator MCCAIN and I worked with Democrats to issue this report. I thought it was important to get to the bottom of system failure in the Bush administration. But I would argue that four dead Americans are worthy of a report, and we have not had one. There are a lot of things that could be done, should be done in the Senate, and have not been done.

What would I like to find out about Benghazi that we did not know? This is the Accountability Review Board, an internal investigation by the State Department. Two fine men led this investigation—appointed by Secretary Clinton. This thing has more holes in it than Swiss cheese. They missed a lot. They didn't talk to Secretary Clinton or Ambassador Rice.

In this report they talk about the reason that Ambassador Stevens was in Benghazi was that they were looking at closing the consulate in Benghazi in December. I finally got to talk to one survivor after 18 months of trying.

I found out from that survivor, the person in charge of security in Benghazi on the night of the attack, that they had renewed the lease on the consulate in July for 1 year. So that makes no sense. The report says he went there to look at closing the consulate, and they just renewed the lease in July before he went there in September. So it is not by any means an exhaustive review of Benghazi.

This is a readout on September 10, 2012, the day before the attack. This is a readout of: ''President's Meeting with Senior Administration Officials on Our Preparedness and Security Posture on the Eleventh Anniversary of September 11th.''

Apparently the President had a meeting—in the White House, I assume—with all of our national security folks talking about what we can expect on September 11 because it was the 11th anniversary of 9/11. It states:

> During the briefing today, the President and the Principals discussed specific measures we are taking in the Homeland to prevent 9/11 related attacks as well as the steps taken to protect U.S. persons and facilities abroad, as well as force protection.

I have one simple question: Did they bring up Libya? Did they talk about the security situation in Benghazi and Libya? If not, why not? Based on this statement—it is a reassuring statement to the American people that the President and his team are on top of the situation.

They were not on top of it when it came to Libya. So I want to find out if that meeting had any discussions about the deathtrap called Benghazi.

This is the security situation in Benghazi pre-9/11. On March 28 there was a request for additional security which was denied.

Our security footprint was very light. We had an agreement with a militia in Benghazi that was supposed to be our primary reaction team—a Libyan militia that proved to be less than reliable.

On April 6 an IED was thrown over the fence of the U.S. post in Benghazi. Did the President know about this? Did Secretary Clinton know about it? I assume they did, but nobody in any of these investigations ever told us that the President was aware of this.

On June 6 a large IED destroyed part of the security perimeter of the U.S. post in Benghazi, leaving a whole ''big enough for 40 men to go through.'' They commissioned a study or some kind of review. Where is it? It has been attacked in April and June. Did the President know about these attacks. They blew a hole in the wall large enough for 40 people to go through.

On June 11, 5 days later, the British Ambassador's motorcade is attacked—very close to the Benghazi facility, our facility—and U.S. personnel go help the British ambassador. After this attack, the British closed their consulate in Benghazi. Why did we leave ours open?

On July 9, there was a request from Ambassador Stevens for additional security. No response.

On July 1, Lieutenant General Neller sends an email to Under Secretary Kennedy offering additional security. Kennedy responds saying no additional DOD support is needed.

There is a 16-person Special Forces National Guard team that was ready to volunteer for an extra year to help our folks in Benghazi, and the State Department folks said: No, thanks.

On August 6, the International Committee of the Red Cross has been attacked four times. They finally close up shop and leave town on August 6. The British leave and the Red Cross leaves.

Lieutenant Colonel Wood was a National Guard soldier trying to help security doing a site security team investigation. Instead of being extended—and he volunteered to stay for 1 additional year—he was sent home in August.

On August 16—this is the most damning of all—there was a cable that was sent from Benghazi by our Ambassador telling the people in Washington that the consulate could not withstand a coordinated terrorist attack and the Al Qaeda flag is flying all over town, basically begging for additional security, letting people in Washington know: We cannot withstand a coordinated terrorist attack. Al Qaeda flags are flying all over the place.

That is the state of play. That is the background in terms of security regarding the consulate in Benghazi.

Fast forward. These are statements by the Regional Security Officer who was asking for additional security. He was so frustrated by the response he had received in Washington he said the following: ''For me the Taliban is inside the building.''

What Eric Nordstrom was talking about is that the people in Washington seemed to be completely deaf as to his needs for additional security. He thought the people in Washington were working against him, and he was very worried about what would happen if there was an attack, and he believed that one was coming.

Lieutenant Colonel Wood, a Utah National Guard Special Forces soldier who left in August, said:

> It was instantly recognizable to me as a terrorist attack. . . . Mainly because of my prior knowledge there, I almost expected the attack to come. We were the last flag flying; it was a matter of time.

This had gone up DOD channels as well as the Department of State. So that is the history of the security situation in Benghazi.

Now, to the people at CNN, to my Democratic colleagues, to anybody and everybody, please explain to me how on September 16, 5 days after the attack, Susan Rice, the U.S. Ambassador to the United Nations was chosen to appear on five Sunday talk shows to talk about the attack in Benghazi on our facilities. But I can assure you, she was very worried about what was going to happen—the questions regarding Benghazi—because we had four people killed.

This is what she said about the level of security on September 16:

> Well, first of all, we had a substantial security presence with our personnel . . . with our personnel and the consulate in Benghazi.

I have a question. Who told her that. Nothing could have been further from the truth. When you look at the history of the security footprint in

Benghazi, it was begging and pleading by the people in Libya to have more help and everything was denied. It was to the point that the person in charge of security felt like the Taliban were all inside the building in Washington. Lieutenant Colonel Wood said:

We were the last flag flying. It was a matter of time.

On August 16, before the September 11 attack, there was a cable from Ambassador Chris Stevens saying: We cannot defend this compound against a coordinated terrorist attack.

Those are the facts. This is what Susan Rice told the world:

Well, first of all, we had a substantial security presence with our personnel . . . with our personnel and the consulate in Benghazi.

I have a simple question. Who told her that, who briefed her about security in Benghazi, because the person who told her that needs to be fired because they are completely incompetent or they lied to her.

If she made this up, she needs to resign because nothing could have been further from the truth. If she just made this up to make the administration look good in light of all of the other evidence about security, then she is not an honest person when it comes to conveying national security incidents.

So, please, after all of these investigations, after all of these hearings, can somebody tell me from where Susan Rice got this information? How could she conclude, based on what we know now, that we had a substantial security presence with our personnel in the consulate in Benghazi. She went on to say: ''Well, we obviously did have a strong security presence.''

She said this on ABC and this on Fox. If you listened to her on September 16, you would believe we were well prepared for this attack and we had secured the consulate in a reasonable fashion.

If anybody had looked at the actual record—the information available to our own government in our own files—you could not have said that honestly. I am sure this was a good thing to say 6 weeks before an election. The problem is it is not remotely connected to the truth.

To this day, nobody can answer my question. Where did she receive information about the security level in Benghazi? She has never been interviewed by anybody 20 months later.

Why was she chosen? If John Bolton had taken Condoleezza Rice's place to talk about a consulate—not under his control but under her control—people would want to know where the Secretary of State was. Ambassador Rice was the U.N. Ambassador—U.S. Ambassador to the United Nations. She had no responsibility for consulate security.

The person responsible for consulate security and our footprint in Libya was Secretary Clinton. I have always wondered why they chose her. To this day, no one has answered that, but Susan Rice said on 12/13/2012:

Secretary Clinton had originally been asked by most of the networks to go on. . . . She had had an incredibly grueling week dealing with the protests around the Middle East and North Africa. I was asked. I was willing to do so. It wasn't what I had planned for that weekend originally, but I don't regret doing that.

And she further said she had no regrets about what she told the American people.

The PRESIDING OFFICER. Fifteen minutes have expired.

Mr. GRAHAM. I ask for 5 minutes more if I could.

Mr. SANDERS. Reserving the right to object, how much longer——

Mr. GRAHAM. Am I into the Senator's time? If the Senator is next, may I have 1 minute?

To be continued—I can't do this justice in 15 minutes, but this is what I am suggesting. If it is true that the Secretary of State could not go on television and talk about the consulate under her control and tell us about how four Americans died at that consulate—the first ambassador in 33 years—because she had a grueling week—if that is true—and I don't believe it is, but if it is—then we need to know because that will matter to the country as we go forth. If it is not true, why would Susan Rice say it?

To be continued—there is so much about this incident called ''Benghazi'' that we don't know and that makes no sense to me that I am not going to give up until I can tell the families what I believe to be the truth. And what I have been told is nowhere near the truth.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

NET NEUTRALITY

Mr. SANDERS. I apologize to my friend from South Carolina.

Mr. President, I want to talk about an issue that millions and millions of people all over this country are increasingly concerned about; that is, last week the FCC, the Federal Communications Commission, released a proposal in response to a recent Federal court decision that struck down the Commission's 2010 Open Internet Order. The proposal would, for the very first time, allow Internet service providers to be able to pay for priority treatment.

What this means, in point of fact, is the end of net neutrality and the end of the Internet as we know it. What net neutrality means is that everyone in our country—and, in fact, the world—has the same access to the same information. Whether you are a mom-and-pop store in Hardwick, VT, or whether you are Walmart, the largest private corporation in America, you should have the same access to your customers.

Net neutrality also means that a blogger, somebody who just blogs out his or her point of view, in a small town in America should have the same access to his or her readers as the New York Times or the Washington Post.

If the FCC allows huge corporations to negotiate ''fast-lane deals,'' then the Internet will eventually be sold to the highest bidder. Companies with the money will have the access and small businesses will be treated as second- or third-class citizens. This is grotesquely unfair and this will be a disaster for our economy and for small businesses all across our country.

I want to take this opportunity to thank Commissioners Clyburn and Rosenworcel for their strong support of net neutrality. They are doing exactly what the American people want from the Commission. During last week's hearing Commissioner Rosenworcel stated:

We cannot have a two-tiered Internet, with fast lanes that speed the traffic of the privileged and leave the rest of us lagging behind.

Commissioner Clyburn noted:

[The] free and open exchange of ideas is critical to a democratic society.

And she is, of course, absolutely right.

I have to say—and I don't mean to be particularly partisan on this issue, but the facts are the facts—that in contrast, the Republican Commissioners, Ajit Pai and Michael O'Reilly, would like to completely deregulate the Internet. Commissioner O'Reilly said, in response to the proposal:

As I've said before, the premise for imposing net neutrality rules is fundamentally flawed and rests on a faulty foundation of make-believe statutory authority. I have serious concerns that this ill-advised item will create damaging uncertainty and head the Commission down a slippery slope of regulation.

That is Republican Commissioner O'Reilly.

What does all of this mean in English? What it means is that when we talk about deregulating the Internet, we are talking about allowing money—big money—to talk, and allowing the big-money interests to once again get their way in Washington. That is very wrong. We cannot allow our democracy to once again be sold to the highest bidder.

I think all of us agree the Internet has been an enormous success in fostering innovation and enabling free and open speech across the country and throughout the world. We kind of take it for granted. But when the Presiding Officer and I were growing up, there was no Internet, and I think we can all acknowledge now what a huge advance it has been for business and for general communication. Unfortunately, these Republican Commissioners on the FCC want to fix a problem that does not exist. What they want is to change the fundamental architecture of the Internet to remove the neutrality that has been in place for decades—since the inception of the Internet—and to allow big corporations to control content online.

Let me say the American people—people in Vermont and across this

country—care very deeply about this issue. A little while ago, in advance of the FCC's vote, on the Internet I asked people in Vermont and throughout the country to share their views with me, to write to me and tell me what they thought about the attempt to do away with net neutrality, and I was blown away by the response we received. More than 19,000 people have submitted comments to my office so far, and what they are saying in statement after statement after statement is that the FCC has to defend net neutrality.

I think these 19,000 people represent the vast majority of the people in this country who understand how important net neutrality is, and I want to take this opportunity and a very few moments to share some of the comments I received through my Web site.

Anthony Drake of Moreno Valley, CA, said:

Net neutrality is vital for a free and open internet, and the economic advantages that it has brought our nation and the world. Please work to reclassify ISPs as common carriers under Title II of the Communications Act.

Stamford, VT, resident Roy Gibson concurred, telling the FCC that Internet providers ''should be treated like utilities.'' I agree with Roy Gibson.

Reg Jones of Bennington, VT, said President Obama must uphold his campaign promise to enforce net neutrality. He further said:

Net neutrality should be mandated as President Obama promised. Any attempt to allow differential speeds and access to the Internet should be squashed and those who propose it should be replaced by people who represent all of the citizens of this country. Internet access should be for the good of all, not for the select few who already have too much power and more money than they need.

William LaFrana of Versailles, KY, said:

Everyone should have equal access to the Internet. The Internet was developed with taxpayer funding, and should not be held hostage to corporate piracy.

Patricia Moriarty from Harwich Point, MA, wrote:

The Internet is the only place where we truly have freedom of speech and the ability to freely exchange new ideas around the world. Leave the Internet OPEN.

President Obama himself has long been on record supporting net neutrality. In 2007, then-Presidential candidate Obama said:

What you've been seeing is some lobbying that says that the servers and the various portals through which you're getting information over the Internet should be able to be gatekeepers and to charge differential rates to different Web sites . . . so you can get much better quality from the Fox News site and you'd be getting rotten service from the mom and pop sites. . . . And that I think destroys one of the best things about the Internet—which is that there is this incredible equality there.

That is what Barack Obama said when he was campaigning for the Presidency. Barack Obama was right when he said that, and I would very strongly urge the President to stand for what he said when he was campaigning for President and defend net neutrality.

I understand the FCC is an independent body, but the American people have spoken with a clear and unified voice that they want to maintain net neutrality. What is so frustrating for the American people is to elect a candidate—in this case President Obama—who campaigned on an issue and now see many of the FCC members he appointed moving in a different direction. It is simply not enough for the President to sit on the sidelines on this issue. We need him to speak out for net neutrality, as he did when he campaigned for President.

Let me conclude by simply saying the Commission will soon consider whether to reclassify the Internet as a so-called common carrier. Under this distinction, the Internet would be treated like other utilities. Being classified as a common carrier will mean Internet service providers must provide the same service to everyone, without discrimination. This is the only path forward to maintain an open forum, free of discrimination.

Over the next few months the public will have an opportunity to weigh in on this proposal by the FCC. Each of us—and I hope every Member of Congress—should be concerned about this issue. I encourage you to be vocal. If people want to write to my office—sanders.senate.gov—we already have 19,000 people commenting and we welcome even more. I hope the American people rally around this issue of net neutrality and that we defeat any proposal to do away with that.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. NELSON. I thank the Chair.

(The remarks of Mr. NELSON and Ms. COLLINS pertaining to the introduction of (S. 2361) are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Mr. LEVIN. I thank the Presiding Officer.

(The remarks of Mr. LEVIN pertaining to the introduction of S. 2360 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

HONORING OUR ARMED FORCES

STAFF SERGEANT JESSE WILLIAMS

Mr. DONNELLY. In recognition of Memorial Day, I would like to take a moment today to honor three Hoosier servicemembers we lost in the last year.

We remember Army SSG Jesse Williams of Elkhart, who was killed in action after his Black Hawk helicopter crashed in Zabul Province, Afghanistan, on December 17, 2013.

Staff Sergeant Williams attended Elkhart Central High School and completed basic training in 2006. He was deployed three times—once to Iraq in 2007 and twice to Afghanistan in 2010 and 2013. Staff Sergeant Williams is survived by his daughter, parents, grandparents, and siblings. His family accepted the Purple Heart on his behalf last month.

TECHNICAL SERGEANT DALE MATHEWS

We remember Air Force TSgt Dale Mathews from Rolling Prairie, IN, who died in a plane crash during a training exercise in England on January 7 of this year.

Technical Sergeant Mathews graduated from New Prairie High School in 1994. He served tours of duty in both Iraq and Afghanistan. His service in the Air Force centered on flying rescue missions and taking care of others. After serving almost 20 years, he was involved in the rescue of nearly 300 people.

Technical Sergeant Mathews is survived by his wife, his son, daughter, stepson, stepdaughter, and his parents and grandparents.

STAFF SERGEANT RANDALL LANE

We remember Army SSG Randall Lane of Indianapolis.

Staff Sergeant Lane passed away from a noncombat-related illness in Afghanistan on September 13, 2013. Staff Sergeant Lane served his country proudly in the Marines and in the Indiana Army National Guard for over 20 years. He is survived by his wife, three daughters, stepson, parents, brothers and sister, and his grandmother.

These men are all true heroes. They served their country with distinction. They made their family, friends, and all the people of Indiana and America proud. I send my continued thoughts and prayers to their families.

Like these three men, the United States has a long history of selfless warriors—men and women choosing to serve not because of the glory it brings to them but because of the freedom and safety it brings to others. When one of them makes the ultimate sacrifice by giving their life for ours, it is important that we pause and remember the true price of freedom.

I was proud to see my fellow Hoosiers come together in reflection and remembrance when we lost these three American sons, and I ask that we do the same this Memorial Day.

May God bless the United States of America.

I thank the Presiding Officer and yield the floor.

HEALTH CARE

Mr. BARRASSO. Mr. President, this week President Obama told a group of campaign donors that people who still

talk about his health care law are ''not speaking to the real concerns that people have.'' The President still does not seem to understand that Americans do have real concerns about his health care law. They are not partisan concerns, they are practical concerns. The reason Americans are worried is because the law directly impacts their personal lives, their personal health, and their personal pocketbooks.

That is why I have come to the floor week after week to talk about some of the alarming side effects of the President's health care law, and there are many alarming side effects related to the law that people are seeing and dealing with in their everyday lives. I have talked about how this law has increased premiums, how it has cut paychecks for many families, how week after week more people are realizing that they are suffering as a result of the law. They are not helped by the law but are suffering as victims of the President's law.

Today I wish to talk about another costly side effect of the law: the massive amount of taxpayer dollars that continues to be wasted under the law. For example, KMOV, a television station in St. Louis, recently reported about a call center in Missouri that processes paper applications for insurance in the State exchanges. Remember, the applications were supposed to be handled on a Web site, so they should not need a call center handling very many paper applications, but it doesn't seem to matter.

The company got a contract for $1.2 billion. According to the report, there are 1,800 employees. What are these people doing who are taking all of this money? It turns out a lot of them are not doing very much. They are being paid with hard-earned taxpayer dollars and they are not doing very much. One employee said, ''There are some weeks that a data entry person would not process an application''—weeks, and not a single application. They are just sitting there and looking at their computers. The report says some of them are playing Pictionary or 20 Questions and collecting paychecks funded by the taxpayers. Another former employee told the Associated Press: ''It was like stealing money from people.'' It was like stealing money from people.

It is not just happening in Missouri. Another TV station, KOLR, found a call center run by the same company—this one is in Arkansas—and reported that the same thing that is happening in St. Louis, MO, is happening in Arkansas. One employee told the station that he has been there 6 months—6 months and getting paid for full-time work—and has processed a total of 40 applications.

To make matters worse, we have learned of another clear way Washington is wasting taxpayer dollars while implementing the law. Over the weekend the Washington Post reported that Federal health care subsidies may be too high or to low for 1 million people. The headline says: ''Health payouts may be wrong. Subsidies too high or [too] low for 1 million. Government flags errors but can't fix them yet.'' Incredible incompetence on the part of this administration. There is mismanagement like people have never seen before in this country.

The Post reported:

> The problem means that potentially hundreds of thousands of people are receiving bigger subsidies than they deserve.

These are the subsidies some people get to help pay for their insurance in the government exchanges. It turns out that the computer system Washington built to make sure it gave the right subsidies—well, guess what. It doesn't work.

When the healthcare.gov Web site crashed last fall, the Obama administration scrambled to patch and duct tape it back together. But according to the article, behind the scenes, important aspects of the Web site remain defective or unfinished.

The article goes on:

> The government may be paying incorrect subsidies to more than 1 million Americans in the new federal insurance marketplace and has been unable so far to fix the errors, according to internal documents and three people familiar with the situation.
>
> The problem means that potentially hundreds of thousands of people are receiving bigger subsidies than they deserve.

Apparently the government can't fix it and the Web site can't be fixed. So what do they do? These people are sending in information, and, according to this article, ''piles of unprocessed 'proof' documents are sitting in a federal contractor's Kentucky office, and the government continues to pay insurance subsidies that may be too generous . . .''

> The inability to make certain the government is paying correct subsidies is a legacy of computer troubles that crippled last fall's launch of the Obama health care law.

So again we see more waste of taxpayer dollars and more reasons for Americans to have very real concerns about the law.

Just this past week the President of the United States told donors: Oh, not speaking to the real concerns that people have.

The President of the United States is wrong. The American people have real concerns about these components of the health care law. President Obama said to the Democrats in this very body: Democrats should forcefully defend and be proud of the health care law. I want to see one of the Democrats stand and defend what I have just talked about and be proud of what I just talked about. The President says you should, so where are you right now? Not one of them is here to make that defense or to stand proud about this law.

It is hard to imagine that my colleagues can possibly be proud of a law that pays people to do nothing all day long. Can they possibly be proud of a law that awards large subsidies for people who don't qualify for them? Are the Democrats who voted for this health care law ready to forcefully defend all the taxpayer dollars that continue to be wasted every day?

There is no end in sight and there is no effort to stop this. After all, how does that provide a fair shot for everyone? Isn't that what the promises of the President are? He said: I want a fair shot for everyone. How does all of this actually help with this wasted money? How does that help anybody get better health care? Millions and millions of dollars are being wasted to pay people to sit around and play computer games. Millions more are on Web sites designed in States that have been basically called broken, dysfunctional, crippled—you name it, they are not working.

The FBI is doing an investigation about some of these reports. How does that give anybody better health care—all these wasted taxpayer dollars.

The people know what they wanted with health care reform. They wanted better access to quality, affordable care. Let's think about what people want with health care reform. They want access, they want affordable care, they want choices—which they have been denied under this President's health care law—and they want quality. That is the kind of fair shot they wanted, but it is not what they got from the President's health care law.

Republicans have offered a patient-centered approach that would solve the biggest problems families face, such as access to care, cost of care, quality of care, and choice. That means ideas such as allowing small businesses to pool together in order to buy insurance more cheaply for their employees. That gives small businesses and the employees working there a fair shot. It means letting people shop for health insurance that actually works for them and their families, not what President Obama says is best for them. If I had to say who has the best chance of knowing what is best for a family, I would say it is likely the family and not President Obama and the Democrats who passed this law. People deserve a fair shot at buying a plan that is best for them and best for their families.

These are just a couple of the solutions Republicans have offered to give Americans real health care reform and a real fair shot—health care reform that gives patients the care they need from a doctor they choose at lower costs, without the ongoing harmful, expensive side effects we are seeing every day with the President's health care law.

Thank you. 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.

The PRESIDING OFFICER. The Senator from Utah.

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

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

EXECUTIVE OVERREACH

Mr. HATCH. Mr. President, I rise to discuss a critical issue facing this body and this country. The occasion for my remarks happens to be the nomination of Sylvia Mathews Burwell to head the Department of Health and Human Services. As a senior member of the HELP Committee and the ranking member on the Finance Committee, I have taken a great deal of interest in her nomination and have participated in her confirmation hearings.

I am afraid the cordial nature of our exchanges and my recognition of Ms. Burwell's impressive qualifications has allowed some ObamaCare partisans to misconstrue my approaches as an acknowledgment that somehow the Affordable Care Act is working. Let me be absolutely clear on this point. I oppose ObamaCare, and I am going to fight as long as it takes to repeal that misguided law and replace it with a system that actually works for American families.

That is why I have collaborated with several of my colleagues to unveil the framework of the Patient CARE Act, a plan that would repeal ObamaCare and replace it with commonsense, patient-centered reforms that would reduce health care costs and increase access to affordable, high-quality care. It would save the taxpayers about $1 trillion and yet have a better health care system than we have today with Obama.

Let me also be clear on another point. No matter what the administration says, the reality is that ObamaCare is not working. The President and his allies are claiming the law is a success because the administration has mostly corrected the botched rollout of healthcare.gov and has had a certain number of individuals sign up—as if forcing people into ObamaCare, under the coercive threat of government penalty, is somehow cause for celebration. In reality, the mass cancellation of insurance coverage last fall was just the first prick of pain ObamaCare will inflict on the American people.

I could talk for hours about rising premiums, growing deficits, backdoor bailouts and of course numerous other maladies, all of which threaten the quality and the enforceability of health insurance for so many Americans already struggling through the Obama economy, but the concern that motivates me to speak today goes beyond the many failures of ObamaCare as a matter of policy. Perhaps the most troubling of all has been the unlawful manner in which this administration has gone about implementing it.

When faced with the prospect of enforcing disruptive features of his signature law, the President has chosen to ignore his fundamental obligation to enforce the law and has instead sought to rewrite various provisions of ObamaCare unilaterally.

These actions form a troubling pattern of lawlessness and executive overreach by the Obama administration, one that all citizens and all Members of this esteemed body, whether Republican or Democrat, ought to condemn and resist.

The harms I will discuss today are not just a theoretical abstraction. This administration's abuse is a very real threat to our constitutional system of government and to the liberties each of us enjoys. In recent weeks, I have come to the floor on a number of occasions to speak out about the Obama administration's lawlessness in a wide variety of contexts. I will continue to do so to defend the separation of powers, the rule of law, and the legitimate prerogatives of the legislative branch and this body in particular under the Constitution.

Even in light of these serial abuses which have only accelerated under the President's new ''pen and phone'' strategy, the implementation of ObamaCare stands out as the crown jewel of executive overreach. By my count, this administration has acted unilaterally on at least 22 separate occasions to alter the law, something it does not have the right or power to do.

Through its actions, the Obama administration, in particular the current Health and Human Services Secretary, has demonstrated cavalier disregard for the constitutional obligations of the executive branch. The President and his team have shown outright contempt for the legitimate role of Congress.

Today, I wish to highlight a few of the Obama administration's most egregious acts and explain why these actions are unlawful and pose such a serious threat to our constitutional system of government. Let me begin with something most Americans unfortunately remember all too well, President Obama's now infamous promise that if you like your plan, you can keep it.

Make no mistake, this promise was the key selling point for ObamaCare, which was approved by the Senate by a razor-thin party-line vote. Without the President's assurance that Americans could keep their current health plans if they wished, the bill simply would not have passed this Chamber.

Yet it has long been clear that the White House never intended for Americans to be able to keep their plan. I do not say that lightly. It is not some unsubstantiated partisan attack. It is a well-documented fact. From the very beginning one of the key premises underlying ObamaCare's government takeover of health care was the notion that Americans could not and should not be trusted to choose their own health insurance and that instead Washington's so-called experts could be tasked with determining the sort of coverage Americans could buy.

Indeed, that is the entire point of having the minimum coverage provision the Obama administration fought so hard to include in the bill. If Americans' existing plans do not comply with some government official's specifications, then ObamaCare forces individuals off of their insurance. To put the President's promise more honestly, if he likes your plan, you can keep it.

Several respected news outlets have responded how policy aides within the Obama White House objected to the President's obviously inaccurate claim that if you like your plan you can keep it, only to be overruled by the President's appointed political advisers. Despite knowing it was false, the administration purposely perpetrated this dishonest claim.

Tragically, millions of Americans relied on the President's promise, only to face the prospect of having their health insurance plans cancelled after his reelection. To make matters worse, the administration did not settle for the natural attrition that would eventually force Americans with the plans they like to buy an additional level of coverage, one they did not want, but one that ObamaCare forced them to purchase. No. Instead the administration rushed to publish regulations that defined exactly which existing plans could be grandfathered into the new scheme. The regulatory definition was so narrow in scope that even a minor or routine change to an existing plan could disqualify it.

As the Solicitor General recently conceded to the Supreme Court, Obama administration officials knew the number of qualifying individuals would be ''very, very low, because it is to be expected that employers and insurance companies are going to make decisions that trigger the loss of the so-called grandfather status under the governing regulations.''

Given the President's broken promise and the many cancelled plans, I joined with a number of colleagues to move quickly to use our power under the Congressional Review Act to try to overturn these regulations. Unfortunately, every single one of my colleagues on the other side of the aisle voted against providing this relief.

What followed was tragic but entirely predictable. Insurers were forced to cancel policies and millions of Americans were unable to keep the plans they liked. When ObamaCare's failed social engineering became a reality in the wake of millions of cancellation notices that went out last fall, even staunch supporters felt the intensity of the inevitable public outrage. Many in this body were eager to support legislation that offered relief to constituents suffering from this latest dose of the ObamaCare plan.

The House of Representatives passed legislation with the bipartisan support of more than three dozen Democrats that would have allowed insurers to continue to offer the plans that millions of Americans had chosen to purchase. Yet once the chorus of public outrage got so loud that even President Obama could no longer ignore

ObamaCare's destructive effects, what did he do? Did he try to work with a bipartisan majority in Congress to provide relief to the hard-working Americans injured by ObamaCare's forced cancellations, did he move to rescind the administration's aggressive regulations, or did he bite the bullet and enforce the law as written, demonstrating that he was willing to endure the unpopularity in order to live up to his obligations under the Constitution?

Unfortunately, President Obama chose none of these legitimate approaches. Instead, his Department of Health and Human Services simply acted unilaterally to cancel and then rewrite the minimum coverage requirements in the statute. After doing so, HHS simply cited the vague notion of transitional relief as the only possible suggestion of where the administration could find executive authority to refuse to enforce clear statutory law.

In reality, this action represents a shocking and radical abuse of power by this administration. Let me offer some background to contextualize how extreme the Obama administration's claimed authority is in this instance. In the enforcement of this Nation's tax laws, the IRS has for some time claimed the authority to adjust how a new tax is phased into operation, providing a slight delay in enforcement to ease the administrative burden imposed by the new tax.

The IRS has engaged in this practice to adjusting enforcement timing with some regularity through the use of this asserted authority, which tends to be narrow, for example, by delaying the retroactive enforcement of an aviation fuel excise tax by just 16 days. The Obama administration's attempts to fix the failed bailout from the ''if you like your plan you can keep it'' lie does not even involve tax law, nor does it involve the IRS's past practice or its claimed legal authority.

The Department of Health and Human Services simply invoked the claimed powers of the IRS in a wholly distinct context, a context in which it could not point to statutory authority or a similar history of past practice. In the absence of clear authority to alter or cancel enforcement, the President remains constitutionally obligated to take care that the laws be faithfully executed.

In this case, the Obama administration does not have a leg to stand on. The sort of transitional relief here is nothing like a minor 16-day delay. The failure to enforce the minimum coverage provisions will now drag on for 3 full years past the required statutory deadline. The administration's fix is different in kind from prior examples of transitional relief, because in this case the government did not actually face enforcement difficulties. Insurance companies had already complied with the statute by canceling millions of plans, as the law required them to do.

In fact, precisely the opposite was true. What finally motivated the administration to act was, instead, the public backlash generated from proper compliance with the law.

No matter how much the Obama administration may want to mitigate the disastrous effects of its own signature law, neither HHS nor any other part of the executive branch has legitimate authority, in the form of prosecutorial discretion or otherwise, to ignore or rewrite a Federal statute.

In the words of the Justice Department's longstanding position: The President may not ''refuse to enforce a statute he opposes for policy reasons.'' But that is precisely what the Obama administration has done in this case. The whole idea of administrative transitional relief is premised on the notion that such action is properly derived from, or at the very at least is consistent with, relevant statutory authorities. Here, the administration's action directly contradicts the plain language of the statute, which obligates insurance companies to offer only plans compliant with the statute's requirements and which obligates State and Federal governments to enforce those requirements.

A generic brand of regulatory authority cannot provide the executive branch with unilateral power to rewrite effective dates made explicit in the statute. This is especially true of ObamaCare, since, as we were told repeatedly during the debate over the law, the precise effective dates for various intertwined provisions were deemed central to the effectiveness of the entire statutory scheme.

All this is to say that the Obama administration's actions in this area far exceed any transitional relief authority the President might rightfully claim and instead amount to a vast illegitimate use and abuse of power by the executive branch. The Constitution obligates the President to follow the law. It also commands him to ''take care that the laws be faithfully executed,'' meaning he must ensure that others subject to his authority comply with the law.

In this case, President Obama has not only rejected his own obligation to follow and enforce the law, but he is also permitting, even urging, States to disobey their obligations to enforce ObamaCare. He is likewise actively encouraging insurance companies to offer plans that violate the company's explicit obligation under the minimum coverage requirements. He is encouraging consumers to participate in and rely on this lawlessness by purchasing what are, in fact, unlawful policies.

Such executive lawlessness should be troubling to all Americans regardless of political stripe or partisan affiliation. It is the Constitution, the political institutions it established, the legal framework it enshrines, the checks and balances it requires, that ensures we remain a government of law and not of men. Absent these essential restraints, we will all become subject to increasing arbitrary rule, a government that knows no bounds and seeks to regulate and control virtually every aspect of our lives.

Sadly, this is just one example of the administration's lawlessness in implementing ObamaCare. It gets worse, though. Consider the individual mandate. I firmly believe the individual mandate constitutes an unprecedented and unconstitutional overreach that, in the words of Supreme Court Justice Anthony Kennedy, ''changes the relationship of the Federal Government to the individual in a very fundamental way.''

But even as we seek to repeal and replace ObamaCare, for now the individual mandate is the law of the land. The President who fought so hard to impose this terrible burden on the American people through the legislative process and in the courts, is bound to enforce it.

Yet when it came time to implement the individual mandate, which the administration long argued was the linchpin of the entire ObamaCare scheme and ''essential to creating effective health insurance markets,'' the administration simply decided that enforcing that provision as written in law no longer suited their interests.

Again, I ask, did the Obama administration work with Congress to relieve this burdensome mandate? Of course not.

As has become his habit, the President once again chose to act unilaterally, stretching his statutory and constitutional authority to the breaking point in an effort to avoid engaging in the legislative process, the only legitimate means of revising the individual mandate.

Let me reiterate that I abhor ObamaCare's individual mandate. I want to repeal it, along with the rest of the Affordable Care Act, so that it no longer infringes on the liberties of any American. But either implementing or repealing the individual mandate must be done lawfully, not by executive fiat.

The administration sought to justify its unilateral actions to delay application of the individual mandate on the basis of ObamaCare's hardship exemption. But in announcing the delay, the administration determined it would exempt anyone who simply completes a hardship form, indicates that their current insurance policy is being cancelled, and considers other available policies unaffordable. Such a standard is the very definition of lawlessness, and it contradicts the letter of the law. Indeed, the White House and its supporters in Congress drafted exceptions to the individual mandate very narrowly to make it as universal as possible.

Although the statute gives the HHS Secretary some flexibility in granting hardship exemptions, the plain text of the law specifies precisely when a health plan is unaffordable, when it costs 8 percent or more of household

income. By granting an exemption to anyone who subjectively thinks that available coverage is unaffordable, HHS has made a mockery of the mandate, not to mention completely ignoring the affordability exemption's objective standard.

In doing so, the Obama administration has stretched beyond recognition the limited regulatory authority it does possess, simply in order to frustrate enforcement of its prized individual mandate.

The administration's unwillingness to enforce the individual mandate, which lies at the very core of ObamaCare, demonstrates not only how the bill has failed to live up to its lofty promises, more fundamentally it shows how irresponsible the President has been in failing to live up to his constitutional obligation to take care that the laws—his signature law, no less—be faithfully executed.

But the administration's lawlessness does not end with the individual mandate. Once again, it only gets worse. In a massive law chock-full of burdensome requirements, the administration has found it necessary to ignore mandates of all shapes and sizes.

Take also the employer mandate. Perhaps less public attention is focused on the administration's effort to dictate coverage requirements backed by stiff penalties to every American business with more than 50 employees. But this employer mandate would have devastating effects, first, by discouraging small businesses from hiring and thereby leaving millions unemployed; second, by forcing employers to cut their employees' work hours, limiting takehome pay for millions of current workers struggling to get by; and, third, by discouraging many employers from even providing health insurance to their workers, leaving millions of Americans to fend for themselves.

As the statutory deadline for implementing the employer mandate approached, even ObamaCare supporters feared these consequences, and the administration once again unilaterally suspended its enforcement of the law.

The first clue that the Obama administration was up to something illegitimate came when HHS announced its total suspension of the employer mandate in a blog post euphemistically and ironically entitled ''Continuing to Implement the ACA in a Careful, Thoughtful Manner.''

That such a significant announcement was made using insidiously innocuous language, that it was made via such an informal medium, came as little surprise given this administration's propensity toward flippant and frequently unaccountable governance by blog post, hashtag, and selfie.

In this case, the announcement did not bother to identify any legal basis for suspending the employer mandate and merely made passing reference to the limited concept of so-called transition relief.

Upon subsequent scrutiny, it became clear that the logic of transition relief simply doesn't apply here because Congress and the President, in passing the bill into law, enacted an explicit statutory requirement detailing when the employer mandate must be implemented. By acting in direct contravention of this explicit statutory deadline, the power of the Obama administration's authority was, as the Supreme Court explained, ''at its lowest ebb,'' with the President authorized to act only if Congress has no constitutional power to act. But in this case Congress's power to lay and collect tax is clearly enumerated in article 1, section 8 of the Constitution.

In other words, the Obama administration's unilateral action to suspend the employer mandate was lawless by any definition, including of the Supreme Court.

It did not have to be that way, and it should not have been that way. A broad bipartisan majority in the House of Representatives acted to provide lawful statutory relief from the employer mandate. The House bill was strictly limited to changing the statutory deadlines for the employer mandate and its reporting requirements, and the bill changed those dates to match the timeline on which the administration announced it intended to begin enforcement. In other words, the House bill gave the administration the precise employer mandate delay it wanted and the bill contained none of the other policy changes that most Republicans favor.

When offered the opportunity to delay the employer mandate in a lawful manner, what did President Obama do? He threatened to veto it. By doing so, the President conveyed in unmistakable fashion that his priority lies in political gamesmanship and that he has no respect for his constitutional obligations.

I wish I could say the Obama administration's reckless and unlawful unilateralism in refusing to enforce the employer mandate ended there. Sadly, it does not.

A few months later, the administration essentially rewrote the employer mandate, announcing it would delay enforcement for years—and, in some cases, permanently—well beyond the precedence of past enforcement delays.

But it still gets worse. Rather than simply offer another blanket delay of the employer mandate, the Obama administration went much farther. Officials announced that the mandate would only be enforced for businesses with 50 to 99 employees if those businesses failed to comply with a new onerous maintenance-of-workforce regulations. That regulation prevents businesses from reducing the size of their workforce or the overall hours of service of their employees unless they have a bona fide business reason acceptable to government bureaucrats.

For businesses with more than 100 employees, the Obama administration likewise suspended enforcement of the employer mandate until 2015, at which time executive officials will replace the statutory requirement requiring coverage for all employees with a new administrative formula for determining how many employees must be offered coverage.

I could stand here all day criticizing the backward logic and terrible consequences of having Federal bureaucrats police the employment practices of our Nation's small businesses. There are so many reasons why the employer mandate is bad policy, but I have come to the floor today to highlight the sheer lawlessness of these unilateral executive actions.

In the case of the employer mandate, the law itself dictates when that mandate should be enforced. HHS has not suggested that it lacks sufficient resources to enforce the mandate, nor can it have considered the equity of enforcement in individual cases when it sweeps up every single business subject to this mandate and categorically refuses to enforce this law.

Instead, the Obama administration has simply abdicated its duty to enforce the law. Even worse, it has usurped legislative authority by devising a wholly different scheme—a wholly different enforcement scheme—with its own conditions, goals, and timeline inconsistent with those prescribed in the statute.

Sadly, the executive abuses of this administration in implementing ObamaCare extend beyond the minimum coverage requirements and the individual and employer mandates.

Consider the unilateral use of a so-called demonstration project to divert attention from ObamaCare's cuts to Medicare Advantage. By providing seniors an alternative to traditional Medicare that takes advantage of market-based competition to enhance patient choice, quality of care, and cost-effectiveness, Medicare Advantage has proven an extraordinary success. I am pleased to have played a role in its creation.

In advancing President Obama's now-broken promise that his health care plan wouldn't add one dime to our deficits, the final ObamaCare bill mandated more than $300 billion—with a B—in cuts to Medicare Advantage over 10 years.

But the Obama administration has had to grapple with yet another inconvenient fact. Medicare Advantage has become increasingly popular with each passing year. As of last year, nearly 3 in 10 Medicare beneficiaries chose it over traditional Medicare. In my home State of Utah, one in three beneficiaries receives coverage from Medicare Advantage.

Rather than acknowledge his blunder and ask Congress to reverse ObamaCare's unwise and unpopular Medicare Advantage cuts, the President has once again taken unilateral action that makes a mockery of his signature law.

His administration used a minor provision, one that allows the administration to demonstrate different bonus

payment models in pilot programs as a thinly veiled guise for delaying Medicare Advantage cuts ahead of an election. Never mind the clear conflict between awarding the bonuses across the board and the statutory purpose of such demonstration projects to determine if the payment changes produced efficiency and economy. Never mind the obvious absurdity of pretending to use pseudodemonstration authority to delay the Medicare Advantage cuts unilaterally, when such a demonstration is at least seven times larger than any other Medicare demonstration conducted since 1995 and is greater than the budgetary impact of all those previous demonstrations combined. And never mind that the statutory authority for the demonstrations calls for budget neutrality.

When I first learned of the Obama administration's clear abuse of this narrow statutory authority, I asked GAO to investigate. GAO's report confirmed that the administration had indeed exceeded its legal authority and recommended canceling the program because it wasted taxpayer money. Still, the administration pressed forward, simply ignoring its obligations and usurping Congress's constitutional power of the purse.

I wish I could say this move was surprising, but through a repeated pattern of such actions, President Obama and his administration have earned a reputation for executive arrogance and constitutional abuse.

The list of fundamentally illegal actions by this administration in implementing ObamaCare goes on and on. For now, let me mention one more example where President Obama has completely disregarded his obligation to enforce the law and yet again sought to usurp Congress's power to make taxing and spending decisions through the constitutionally ordained legislative process.

The ObamaCare provision at issue in this instance is remarkably simple. It provides tax subsidies for individuals to purchase health coverage through an exchange ''established by the State under section 1311.''

Section 1311 is the provision of ObamaCare that allows States the option to create their own exchanges, but section 1311 is not the provision that authorizes the creation of the Federal exchange to operate where the States choose not to act. That is section 1321.

I can't imagine how this provision could be any clearer. The law only authorizes subsidies in connection with State exchanges, not the Federal exchange, and this is no accident. ObamaCare incorporated the principle of so-called cooperative federalism—a polite term for thinly veiled Federal coercion and commandeering of the sovereign States. Indeed, this figleaf hiding Federal dominance was critically important to rounding up 60 votes to pass ObamaCare in the Senate.

As my friend, the former Senate from Montana—now Ambassador to China and a principal author of the ObamaCare text—noted during the Finance Committee markup of the bill, conditioning tax credits in this way was the only means by which our committee could establish jurisdiction to demand rewriting State insurance laws, as ObamaCare requires, but in the end, the Federal Government's own exchange ended up covering the majority of States.

As written, the law does not permit subsidies in connection with the Federal exchange. Given these circumstances, did the administration choose to enforce the legislative compromises to which President Obama agreed by signing the bill into law? Did the White House seek to work with Congress to address this disparity? Of course not.

Yet again, HHS chose to ignore the clear statutory restrictions and instead authorized billions of dollars in illegal subsidies through the Federal exchange in direct conflict with the plain text of the law.

This obvious abuse has been challenged in court, and after hearing the judges' deep skepticism of the administration's case, I am confident the U.S. Court of Appeals for the DC Circuit will roundly reject the Obama administration's radical arguments seeking to justify this lawlessness. I hope the court will hold the administration accountable for its deliberate and unmistakable violation of the law and that it will do so despite the effort by President Obama and his allies to fill the DC Circuit with compliant judges who might overlook the administration's executive abuses, but whatever that or any other court determines as a matter of specific legal principle, the fact remains that Obama administration officials—and in particular the HHS Secretary—have repeatedly and purposefully sought to undermine Congress, usurp legislative power, and become a law unto themselves.

President Obama came into office promising the most transparent and accountable Presidential administration in history. The Obama administration has ended up being transparently lawless.

Today I have discussed only five examples of the administration's lawlessness in implementing ObamaCare. I will save for another day the significant legal concerns surrounding the administration's abusive handling of high-risk pools, its actions involving the small business exchange, its sweetheart deals granting unauthorized exemptions for labor unions, and many other similarly problematic actions.

But even in the five examples I have mentioned today, the overriding point is clear: the tenure of President Obama has amounted to an unmistakable pattern of executive abuse. Time and again his administration has flouted its constitutional responsibilities, exceeded its legitimate authority, ignored duly enacted law, and sought to escape any accountability for its executive overreach.

Such executive abuse cannot stand. Whether Republican or Democratic, each of us has a sworn obligation to defend the Constitution, and each of us has the responsibility to defend the rightful prerogatives of the legislative branch. I have long argued that ObamaCare unconstitutionally intrudes on our most basic liberties, but those liberties cannot be secured when the executive branch defies legal bounds and ignores its constitutional obligations.

The continued well-being of our Nation, the legitimacy of our republican self-government, and the basic liberties of our fellow citizens depend on ensuring the exercise of executive prerogative is properly kept within lawful bounds. Doing so requires continual vigilance—by the courts, by Congress, and by the American people—especially in the face of such reckless lawlessness by the current administration.

Our Nation needs new leadership. Ultimately, we need to elect a new President in 2016, one who will respect the Constitution and seek to protect the rights of its citizens, but until then we need an HHS Secretary who will uphold the law and respect the rightful prerogatives of the legislative branch.

That is why I pressed Ms. Burwell during her confirmation hearing last week about the administration's illegitimate and lawless actions and about the need for a different approach. No matter how cordial our debate may be, no matter her impressive qualifications, my overriding concern is that she be accountable to Congress, to the law, and to the Constitution.

I suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

Mr. REED. Madam 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—H.R. 3080

Mr. REED. Madam President, I ask unanimous consent that if the Senate receives the papers with respect to the conference report to accompany H.R. 3080, the Water Resources Reform and Development Act, by Thursday, May 22, at a time to be determined by the majority leader with the concurrence of the Republican leader, but no later than Thursday, May 22, the Chair lay before the body the conference report to accompany H.R. 3080, and the Senate proceed to vote on adoption of the conference report; that the vote on adoption be subject to a 60-affirmative-vote threshold; further, that no motions or points of order be in order to the conference report.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

NOMINATION OF DANA J. HYDE TO BE CHIEF EXECUTIVE OFFICER, MILLENNIUM CHALLENGE CORPORATION

NOMINATION OF SUSAN McCUE TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE MILLENNIUM CHALLENGE CORPORATION

NOMINATION OF MARK GREEN TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE MILLENNIUM CHALLENGE CORPORATION

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nominations which the clerk will report.

The assistant legislative clerk read the nominations of Dana J. Hyde, of Maryland, to be Chief Executive Officer, Millennium Challenge Corporation; Susan McCue, of Virginia, to be a Member of the Board of Directors of the Millennium Challenge Corporation; and Mark Green, of Wisconsin, to be a Member of the Board of Directors of the Millennium Challenge Corporation.

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate, equally divided in the usual form, prior to a vote on the Hyde nomination.

Mr. REED. Madam President, I ask unanimous consent that all time be yielded back on the nominations.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

VOTE ON HYDE NOMINATION

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the nomination of Dana J. Hyde, of Maryland, to be Chief Executive Officer, Millennium Challenge Corporation?

The nomination was confirmed.

VOTE ON MCCUE NOMINATION

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the nomination of Susan McCue, of Virginia, to be a Member of the Board of Directors of the Millennium Challenge Corporation?

The nomination was confirmed.

VOTE ON GREEN NOMINATION

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the nomination of Mark Green, of Wisconsin, to be a Member of the Board of Directors of the Millennium Challenge Corporation?

The nomination was confirmed.

NOMINATION OF GREGG JEFFREY COSTA TO BE UNITED STATES CIRCUIT JUDGE FOR THE FIFTH DISTRICT

The PRESIDING OFFICER. Under the previous order, the clerk will report the Costa nomination.

The assistant legislative clerk read the nomination of Gregg Jeffrey Costa, of Texas, to be United States Circuit Judge for the Fifth Circuit.

The PRESIDING OFFICER. There will now be 2 minutes of debate, equally divided in the usual form.

The Senator from Rhode Island.

Mr. REED. Madam President, I ask unanimous consent that all time for debate be yielded back.

The PRESIDING OFFICER. All time is yielded back.

Mr. REED. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second.

The question is, Will the Senate advise and consent to the nomination of Gregory Jeffrey Costa, of Texas, to be United States Circuit Judge for the Fifth Circuit?

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Arkansas (Mr. BOOZMAN), the Senator from Indiana (Mr. COATS), and the Senator from Kentucky (Mr. MCCONNELL).

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

The result was announced—yeas 97, nays 0, as follows:

[Rollcall Vote No. 158 Ex.]

YEAS—97

Alexander	Graham	Murray
Ayotte	Grassley	Nelson
Baldwin	Hagan	Paul
Barrasso	Harkin	Portman
Begich	Hatch	Pryor
Bennet	Heinrich	Reed
Blumenthal	Heitkamp	Reid
Blunt	Heller	Risch
Booker	Hirono	Roberts
Boxer	Hoeven	Rockefeller
Brown	Inhofe	Rubio
Burr	Isakson	Sanders
Cantwell	Johanns	Schatz
Cardin	Johnson (SD)	Schumer
Carper	Johnson (WI)	Scott
Casey	Kaine	Sessions
Chambliss	King	Shaheen
Coburn	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	Walsh
Durbin	McCaskill	Warner
Enzi	Menendez	Warren
Feinstein	Merkley	Whitehouse
Fischer	Mikulski	Wicker
Flake	Moran	Wyden
Franken	Murkowski	
Gillibrand	Murphy	

NOT VOTING—3

Boozman	Coats	McConnell

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.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Stanley Fischer, of New York, to be a Member of the Board of Governors of the Federal Reserve System.

Harry Reid, Tim Johnson, Thomas R. Carper, Richard J. Durbin, Tom Udall, Angus S. King, Jr., Mark Begich, Elizabeth Warren, Martin Heinrich, Patty Murray, Tom Harkin, Robert Menendez, Patrick J. Leahy, Benjamin L. Cardin, Charles E. Schumer, Heidi Heitkamp, Mark R. Warner.

The PRESIDING OFFICER. There will be 2 minutes of debate equally divided.

Mrs. MURRAY. We yield back all time.

The PRESIDING OFFICER. Without objection, all time has been yielded back.

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

The question is, Is it the sense of the Senate that debate on the nomination of Stanley Fischer, of New York, to be a Member of the Board of Governors of the Federal Reserve System, shall be brought to a close?

The yeas and nays are mandatory under the rules.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Arkansas (Mr. BOOZMAN), the Senator from Indiana (Mr. COATS), and the Senator from Kentucky (Mr. MCCONNELL).

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

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

[Rollcall Vote No. 159 Ex.]

YEAS—62

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

NAYS—35

Barrasso	Graham	Portman
Blunt	Grassley	Risch
Burr	Heller	Roberts
Chambliss	Hoeven	Rubio
Coburn	Inhofe	Scott
Cochran	Isakson	Sessions
Cornyn	Johanns	Shelby
Crapo	Johnson (WI)	Thune
Cruz	Lee	Toomey
Enzi	McCain	Vitter
Fischer	Moran	Wicker
Flake	Paul	

NOT VOTING—3

Boozman	Coats	McConnell

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

Pursuant to the provisions of S. Res. 15 of the 113th Congress, there will be up to 8 hours postcloture consideration of the nomination equally divided in the usual form.

The Senator from Florida.

D-DAY

Mr. NELSON. Madam President, I wish to call to the attention of the Senate the fact that there is a three-dimensional film I had the pleasure of seeing at the Air and Space Museum theater about one of the largest and obviously most successful military invasions in the history of the planet, and that was 70 years ago on June 6, 1944, what is known as D-day. The film is narrated by Tom Brokaw. He is a natural because he is well known for having written the book ''The Greatest Generation'' about the people who fought in World War II.

The timeliness of this documentary film is fitting in that as we go from one generation to the next, the stories told by grandfathers and great-grandfathers to their children are not necessarily being told to the next and younger generation. This film captivates in 3–D the plans, the operation, the logistics, and the enormity of the task of taking back continental Europe from Hitler's armies and how we drove that by going onto the beaches at Normandy with our partners, the Canadians, the Brits, the French, and how it was done painfully, with a lot of loss of life, particularly on Omaha Beach—there was a lot less resistance on Utah Beach—and how the participants with us from those other nations met similar and withering fire, as they stormed on the beaches as well the night before the paratroopers dropped.

I remember when I was a young Congressman sitting at the knee of Congressman Sam Gibbons of Tampa, FL, and he would tell us about the little clickers called crickets as the paratroopers dropped in, many of them because of a mistaken landing where they landed and drowned in areas that had been flooded by the Germans.

But those who survived and then tried to regroup in the dark of night, you would determine when you ran into somebody in the dark if they were friend or foe by this little clicker. We call them crickets. You click it and it sounds like a cricket. If they clicked two times and the response was back, they knew they were friends; otherwise, they had to protect their life.

Those are the stories that are not made up. They are real. These are the stories of the British pilots in gliders. How in the world, in the dark of night, could they bring those gliders in, landing them safely, getting out with those troops to go and secure the Pegasus Bridge which was a critical crossing point that had to be taken from the Germans?

Story after story, how next to Omaha Beach where the fires were, bloody, how to the south of it was this cliff rising straight out with these enormous German guns on top of it, and how the U.S. Army Rangers scaled those rock cliffs straight up and then took on and silenced the German guns.

These are the stories we do not want to lose from one generation to another. So this film in 3–D, narrated by Tom Brokaw, I want to commend to the Senate family. It will be shown around the country now that it has opened on the west coast and here. It is a wonderful educational lesson of American history, of how we turned back an invader that was trying to change the world. Therefore, we were able to keep America free, as well as our allies. I commend it to the Senate.

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

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

MORNING BUSINESS

Mr. NELSON. Madam President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

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

MORENO CONFIRMATION

Mrs. FEINSTEIN. Madam President, I come to the floor to congratulate Justice Carlos Moreno on his confirmation as U.S. Ambassador to Belize.

Justice Moreno has served on the Federal district court in Los Angeles and the California Supreme Court with distinction. I am confident he will continue to proudly serve his country as our Nation's representative to Belize.

I have strongly supported Justice Moreno's nomination because I know him very well. He has a powerful intellect. He has a good heart, and he has sound judgment.

The son of Mexican immigrants, Justice Moreno grew up in East Los Angeles. He was the first in his family to graduate from college, attending Yale on a scholarship and graduating in 1979. He earned his law degree from Stanford Law School in 1975.

He then worked at the city attorney's office, in private practice, and as a judge at two levels of our State's judicial system.

In 1997, I recommended him to President Clinton for appointment to the district court in Los Angeles.

I knew then that he was a ''ten,'' and I was very proud to introduce him to my colleagues on the Judiciary Committee and to support his nomination on the floor of the Senate at that time.

In fact, I was not the only member to speak on Justice Moreno's behalf on the floor. Senator HATCH did so. Senator LEAHY did so. And he was confirmed 96–0.

The reason is, to quote a letter from then-Los Angeles County Sherriff Sherman Block, that Justice Moreno ''is an extremely hard working individual of impeccable character and integrity.''

In 2001, Justice Moreno was appointed by Governor Gray Davis to serve on the Supreme Court of California.

I was sorry to see him leave the Federal district court, but I knew Governor Davis had chosen an outstanding individual to serve on our State's highest court.

Anyone who has followed California law since then knows that Justice Moreno served with great distinction, writing with a clarity and passion that served as an inspiration to our State.

In 2008, I invited him to serve on my bipartisan Judicial Advisory Committee in Los Angeles. I use these committees to advise me on whom to recommend to the President for seats on the U.S. district courts.

Over the last 6 years, I have come to rely on Justice Moreno's fine judgment and sound advice in making these important appointments.

Unfortunately, his nomination to be an ambassador meant that that Justice Moreno had to leave my Judicial Advisory Committee behind.

I will miss his advice on judicial appointments a great deal. But I believe very strongly that Justice Moreno's record shows he has the intellect, judgment, compassion, and temperament to serve our Nation very well as an ambassador.

I am very pleased my colleagues agreed to confirm Moreno's nomination. He is certain to make us very proud.

MARSHWOOD HIGH SCHOOL

Ms. COLLINS. Madam President, I rise today to recognize the impressive performance of students from Marshwood High School in South Berwick, ME, at the 27th annual ''We the People: The Citizen and the Constitution'' National Finals. These students, who are members of Marshwood's Advanced Placement U.S. Government and Politics class, earned first place for the Northeast Region during this competition that tested their knowledge of the Constitution and the Bill of Rights. I am so proud of them as I know how

hard they worked to achieve this ranking.

Under the direction of their dedicated and talented teacher, Mr. Matt Sanzone, the class spent the school year studying the history and principles of American democracy in preparation for the competition. Each student developed a broad understanding of the Constitution. The class also divided into smaller units to analyze in depth specific constitutional concepts.

The Marshwood team met its first challenge in March when it won the State-level competition and earned the right to represent Maine in the National Finals. Through simulated Congressional hearings, they demonstrated their knowledge of the Constitution before a panel of Maine Supreme Judicial Court justices, constitutional scholars, lawyers, and public officials.

The team's keen interest in our democracy serves as an example to other students in Maine and around the country. I know that these students will use the lessons they have learned in the classroom and in competition to guide them throughout their lives, to inspire others, and to be grateful for the rights and freedoms we enjoy as Americans. I congratulate these talented students from Maine on their extraordinary achievement.

TRIBUTE TO EDWARD BLAU

Mrs. MURRAY. Madam President, I rise along with my colleague, the ranking member of the Budget Committee, Senator SESSIONS, to pay tribute to Edward Blau, who is retiring at the end of this month after more than 32 years of distinguished service to the Congress at the Congressional Budget Office.

Since joining CBO's Scorekeeping Unit in 1982, Mr. Blau has worked side by side with the Budget Committee, helping us keep track of the status of legislation and committee allocations. As an all around expert on budget process and the Congress, Mr. Blau has been invaluable in helping the Budget Committee execute our responsibilities to the Senate.

Mr. Blau is well-regarded by both Democrats and Republicans for his tireless and diligent work—as well as his patient and easygoing manner. His attention to detail includes reviewing each and every Congressional Record to ensure that the database he maintains to help us with managing the Senate budget process is up-to-date at all times. It is an incredibly important task and one that we are grateful to Mr. Blau for his help in overseeing the past three decades.

In short, Mr. Blau exemplifies CBO's high standard of professionalism, objectivity, and nonpartisanship. In fact, he twice has received the CBO Director's Award, the agency's highest recognition for outstanding performance.

As chairman, I greatly appreciate the sacrifice that Mr. Blau has made in assisting the Budget Committee and the Congress. I wish him well in his future endeavors, including, as I understand it, a plan to spend more time following in person his beloved Nationals—the other Washington baseball team.

I would like to now turn to my colleague, Senator SESSIONS, for his remarks.

Mr. SESSIONS. I thank Chairman MURRAY and join her in commending Mr. Blau for his many years of dedicated and outstanding service to CBO, the Congress, and the American people. We wish him all the best in his well-deserved retirement.

We hope our colleagues will join us in thanking Mr. Blau—and really all of the hardworking employees at the Congressional Budget Office—for his and their service.

BROWN V. BOARD OF EDUCATION ANNIVERSARY

Mrs. MURRAY. Madam President, on May 17, 1954, U.S. Supreme Court Chief Justice Earl Warren delivered the unanimous ruling in the landmark civil rights case Brown v. Board of Education of Topeka, Kansas. The Court declared segregation of public schools unconstitutional under the equal protection guaranteed by the 14th amendment. In delivering the opinion, Chief Justice Warren stated that ''in the field of public education the doctrine of 'separate but equal' has no place. Separate educational facilities are inherently unequal.'' May 17, 2014, marks the 60th anniversary of the Supreme Court's landmark decision. This historic ruling began our great Nation down a path toward providing all children with equal access to education.

Education is a basic human right, and all students deserve equal access to education. I would like to acknowledge the courageous students who attended desegregated schools during the years following the ruling on Brown v. Board of Education of Topeka, Kansas. African-American students in the South endured verbal and physical abuse just for attending school. Their actions to attend desegregated schools not only demonstrate their remarkable bravery but also the importance of education.

Equal protection under the law is a fundamental right in our country. No one should suffer discrimination because of their race, religion, national origin, age, sex, disability, sexual orientation, or gender identity. Whether applying for a job, finding a home, eating in a restaurant, or attending school, we must ensure all citizens are treated fairly and equally. To me, the fight for equality is a fight for what it means to be American. That is why the 60th anniversary of the Brown v. Board of Education of Topeka, Kansas, decision is so important. May 17, 1954, was a momentous day for the civil rights movement and moved America a step closer toward justice and equality for all.

Sixty years later, thanks to the Supreme Court's decision, students from all walks of life are guaranteed equal access to public schools. Yet there is still more work to be done. Although 60 years have passed since the Court declared separate is never equal, many schools across our country remain divided by race and socioeconomic status. A child's access to a world-class education should not be determined by their ZIP code or parents' income. So, as our country reflects on the historic importance of the decision in Brown v. Board of Education of Topeka, Kansas, we must also look to the future, to continue the fight to ensure all children, regardless of race, have equal access to high quality education.

STRONG START FOR AMERICA'S CHILDREN ACT

Mr. ALEXANDER. Madam President, the question is not whether but how best to make early childhood education available to the largest number of children.

The approach that I am offering is quite different than the Democratic proposal.

Last year this time around, the Senate HELP Committee held a markup on another bill which was the Senate Democrats' proposal to reauthorize No Child Left Behind.

I said then that over the last decade, the combination of No Child Left Behind, Race to the Top, and the Obama administration's use of waivers has created a congestion of Federal mandates and rules that amount, in effect, to a national school board for elementary and secondary education.

The proposal that the HELP committee approved last year on a partisan vote would have ''doubled down'' on those mandates by setting performance standards, giving the Secretary of Education the authority to tell 100,000 public schools what their standards and tests should look like, how to measure their students' progress, and how to evaluate their teachers. And I said, then too, that if we wanted anyone to serve as chairman of the national school board, Arne Duncan would be a terrific one but Congress has said repeatedly that we don't want a national school board.

Unfortunately, the bill that Senate Democrats are proposing today has a familiar ring to it. It would, in effect, create a national school board for 3- and 4-year-olds.

It would spend $27 billion in new funding over 5 years with Washington making the decisions about how States should run their preschool programs.

For example, it includes a lot of requirements for States that I don't think the Federal Government has ever even attempted with elementary and secondary education, such as: determining teacher salaries—that all preschool teachers be paid at a rate that is comparable to K–12 school teachers; class sizes, student-teacher ratios—class sizes can't be larger than 20 children, the ratio of students to teachers may be no higher than 10 to 1; length of

the school day—a minimum of 5 hours or as long as a typical day in the K–12 system.

Never before, not even in No Child Left Behind, has the Federal Government told school districts in Maryville or Murfreesboro or Memphis how to run their schools in such detail.

The bill also includes requirements that sound a lot like what hasn't worked so well under No Child Left Behind, Race to the Top, and waivers, such as: that States must ensure that preschool teachers have a bachelor's degree in early childhood education—sounds a lot like the Highly Qualified Teacher provision; that States must establish early learning and development standards and age appropriate standardized tests aligned to the State's academic standards under No Child Left Behind, which for more than 40 States now means Common Core.

Furthermore, that these standards, curriculum, and tests must be: developmentally-appropriate; culturally and linguistically appropriate; address all domains of school readiness, including physical well-being, et cetera.

Then there are an assortment of vague requirements on States, which will depend on the Department of Education issuing hundreds of pages of regulations and guidance of histories to define and implement, such things as: vision, dental, and health services; mandatory family engagement such as parent conferences; nutritious meals and snack options—what they consist of; physical activity programs that are evidence-based according to guidelines; evidence-based health and safety standards; regular classroom observations and coaching for teachers.

Finally, the bill also includes new maintenance of effort standards. We know what happened with those in Medicaid, during the last 5 or 6 years.

As State economies tumbled, States were forced to continue to spend more on Medicaid by maintenance of effort requirements. And that resulted in less money for higher education and driving up tuition rates.

Washington would pay 90 percent of the program's cost for the first year for the Democratic proposal, but the required share of State spending will increase each year, eventually half the bill to Governors after 8 years. And that also has a familiar ring.

Sounds a lot like Medicaid, where the State average is about 43 percent and most of the rules are Federal, even though the States pay nearly half.

What has happened with that model? Well, when I was Governor in the 1980s in Tennessee, Medicaid was 8 percent of the State budget. Today it's 30 percent of the State budget.

Americans don't want a national school board. We'd like to move in a different direction. I'd like to take, as an example of why we should, the testimony of a witness at a HELP Committee hearing on this issue.

Superintendent John White of Louisiana testified that the ''greatest barrier to achieving these conditions that we want in early childhood education—no less than financial resources themselves—is the fragmentation of our country's early childhood education system.''

He went on to say: ''You can't claim to be providing full access and full choice when you have separate centers, separate funding streams, separate sets of regulations that literally require no coordination in the offering of seats, even within the same neighborhood.''

That's the situation in Louisiana, and the Government Accountability Office says it's true around the country.

Forty-five different programs support early education and child care. Thirty-three of those permit the use of funds to provide support or related services to children from birth through 5. Twelve programs have the explicit purpose to provide childhood and preschool or child care services.

Then there are 5 tax provisions that subsidize private expenditures in the area of early childhood and preschool programs.

This year, Congress appropriated roughly $15 billion for the 12 programs explicitly focused on early childhood, Head Start, Race to the Top, Individuals with Disabilities Education Act, and the Child Care and Development Block Grant.

And then there's another $3 billion in tax credits.

An earlier witness before our committee estimated that when you add up the 33 programs, the total Federal spending in this area is now about $22 billion.

So, we believe a better way to give all children the best early learning experience is to provide States with the flexibility to use some or all of the more than $22 billion in Federal money that we already spend and allow States to use it in the way that best suits their needs.

Under my proposal, Superintendent White would be able to take Louisiana's share of the $22 billion that the Federal Government spends on early childhood and preschool programs—about $300 million—and do just that. In Tennessee, we'd have about $440 million a year.

If we were given this kind of flexibility, we could increase the vouchers for child care from 39,000 to 139,000; or the State-funded voluntary preschool program, from 18,000 4-year-olds to 109,000. Or we could expand Head Start, from 17,000 children to 56,000 or some combination of that. We could create Centers of Excellence and otherwise leave to Tennessee to figure out what works best for Tennesseans.

So, the question is not whether, but how best to make early childhood education available to the largest possible number of children. The answer to that question is to not create a national school board for 3- and 4-year-olds to go along with the one we've effectively established for K–12 education.

That is why I opposed the Democratic proposal and instead offered a proposal to enable States to take responsibility for developing the early learning systems that best meet their needs and to use up to $22 billion of existing federal dollars to help fund that.

BELARUS

Mr. MENENDEZ. Madam President, the 2014 Ice Hockey World Championship began on May 9 in Minsk, Belarus, one of the last vestiges of authoritarianism in Europe. By hosting a global sports competition that promotes integrity and observes uniform regulations, Belarus should take this opportunity to show the international community that it will follow suit and support the fundamental rights and freedoms of its citizens.

This year also marks the 20th year of President Lukashenka's iron-fisted Presidency whose elections have been marred by the detention of political opponents and civil society actors, as well as the lack of an open and free press. During his rule, he has eliminated all political opposition, eroded the rule of law, and curtailed the freedoms of expression, assembly, and association.

President Lukashenka, the international community calls on you to support the right of every Belarusian citizen to be free. We call on you to take decisive steps towards making Belarus an open and democratic country where the rules of politics, as well as those of sports, are governed by free and fair standards.

NATIONAL TOURETTE SYNDROME AWARENESS MONTH

Mr. MENENDEZ. Madam President, I wish to recognize National Tourette Syndrome Awareness Month, which runs from May 15, 2014, through June 15, 2014. This annual observance is an opportunity for us to help the many Americans affected by Tourette syndrome by raising awareness and encouraging expanded investments in research.

Tourette syndrome, or TS, is a neurological disorder that typically develops during childhood. TS is characterized by repetitive, stereotyped, involuntary movements and vocalizations called tics, which can range from mild to severe and disabling. The National Institutes of Health, NIH, estimates that 200,000 Americans have the most severe form of TS and as many as 1 in 100 Americans exhibit milder symptoms such as chronic motor or vocal tics. Additionally, people with TS often have other co-occurring mental or behavior health conditions. A child diagnosed with TS has a 79-percent chance of being diagnosed with another condition such as attention deficit hyperactivity disorder, ADHD, Obsessive Compulsive Disorder, OCD, anxiety or depression.

An often misunderstood and stigmatizing disorder, TS can have a profound and negative impact on the quality of life of those affected. Research indicates that TS may be hereditary and that abnormal signaling between brain circuits plays a casual role, but the cause of the disorder remains unknown. Treatments for TS are also limited, although several agents have proven effective in mitigating tics and improving social functioning.

Expanding our national research efforts on TS can help us to identify the cause, discover new treatments, and find a cure. Last session, I introduced the Collaborative Academic Research Efforts, CARE, for Tourette Syndrome Act, which builds upon our national research efforts in two major ways. First, the bill expands and intensifies data collection on the prevalence of TS and the availability of medical and social services for those with TS and their families. Second, the bill establishes centers of excellence to conduct in depth, multidisciplinary research into the causes, treatments, diagnosis, and prevention of TS.

National Tourette Syndrome Awareness Month, which runs from May 15 to June 15, presents us with an opportunity to advocate for the passage of the Collaborative Academic Research Efforts, CARE, for Tourette Syndrome Act (S. 637). We must provide the NIH with the tools necessary to further our understanding of TS. Through greater awareness, expanded information, and enhanced therapies and treatments, it is my hope that we will improve the quality of life for all people touched by TS.

HARRISBURG REGIONAL CHAMBER ANNIVERSARY

Mr. TOOMEY. Madam President, I wish to recognize the Harrisburg Regional Chamber on its 100th anniversary.

The Harrisburg Regional Chamber was established in 1914 by a group of local businessmen whose goal was to promote and grow Harrisburg's manufacturing and distribution industries. Since then, the Harrisburg Regional Chamber has been a catalyst for smart public policy, job creation, and business growth in central Pennsylvania. Starting with 200 initial members, the Harrisburg Regional Chamber has grown to represent 1,300 members who employ nearly 100,000 people in the capital city region.

Over the course of its 100 years, the Harrisburg Regional Chamber has played a key role in the planning and development of numerous construction and infrastructure projects in the region. Without the chamber's assistance, historic structures such as the Penn-Harris Hotel may not have ever been built. The chamber was also instrumental in developing the region's first airport in 1930. Additionally, the chamber backed U.S. military construction projects at Olmstead Army Air Depot in Middletown, the U.S. Army General Depot at New Cumberland Army Depot, and at Carlisle Barracks.

Since 2001, the Harrisburg Regional Chamber has completed 355 projects, which have had an overall economic impact of $416 million and assisted businesses throughout the region create and retain over 12,500 jobs.

The Harrisburg Regional Chamber is dedicated to the success of the community and the members it represents. It continues to strive toward the fulfillment of its core mission by adhering to a set of fundamental values: excellence, leadership, inclusion, innovation, and fun.

Today, I want to recognize the significant contributions that the Harrisburg Regional Chamber makes to the Commonwealth of Pennsylvania. I wish the chamber all the best as it continues its efforts to lead by example with a vision for a better future for all and as it continues to grow and serve central Pennsylvania. Thank you.

ADDITIONAL STATEMENTS

TRIBUTE TO TECHNICAL SERGEANT MICHELE L. JONES

● Mr. BLUMENTHAL. Madam President, I wish to recognize TSgt Michele L. Jones, originally from Pawcatuck, CT, on the occasion of her retirement from the U.S. Air Force. Since enlisting in the Air Force on December 17, 1992, she has served honorably all over the world—Iraq, Japan, Qatar, Saudi Arabia, and Korea—while participating in and directly supporting Operation Iraqi Freedom and Operation Enduring Freedom.

Technical Sergeant Jones started her career as an information management apprentice at Offutt Air Force Base in Omaha, NE. Following that post, she was transferred in 1995 to Kunsan Air Force Base in the Republic of Korea, the first of many demanding overseas assignments. She then served at Maxwell Air Force Base in Alabama from 1997 to 1999.

Continuing her rise through the ranks, Technical Sergeant Jones served again in the Republic of Korea, at Osan Air Force Base, from 1999 to 2000. This was immediately followed by a 7-year tour in Japan with the 35th Civil Engineer Squadron at Misawa Air Force Base, where she served in the Big Sister Program and the Special Olympics.

As a noncommissioned officer, Technical Sergeant Jones was recognized as a top leader and expeditionary airman. While in Japan, she deployed to Saudi Arabia and Iraq and distinguished herself while serving with the Civilian Police Assistance Training Team in Baghdad. During this tour, she earned high praise from LTG David Petraeus, then the commanding general of Multi-National Security Transition Command—Iraq. In addition to the personal recognition she has received, Technical Sergeant Jones' hard work and leadership helped her units earn awards as top commands in Japan and the Air Force.

Following these demanding operational tours, Technical Sergeant Jones transferred to Nellis Air Force Base in Nevada in 2007. Assigned as the 563rd Rescue Group's information manager, she once again deployed to Iraq in 2008, serving as the noncommissioned officer-in-charge, Task Force 134 in Baghdad, Iraq. She returned to Nellis Air Force Base and served in the 53rd Test and Evaluation Group before deploying in 2010 to Qatar. There, she served as the noncommissioned officer in charge of protocol at Al Udeid Air Base, supporting Operations Enduring Freedom and New Dawn.

Finally, during Technical Sergeant Jones' long and exemplary career, she has interacted regularly with Congress. While deployed to MacDill Air Force Base, where she supported U.S. Central Command, or CENTCOM, Technical Sergeant Jones coordinated Congressional delegation visits to the CENTCOM Area of Responsibility, which included Iraq and Afghanistan. The able travel assistance she offered to Members of Congress and senior Defense Department leaders earned personal recognition from the Secretary of Defense, Secretary of State, and Vice President of the United States. Since 2012, Technical Sergeant Jones has provided additional outstanding support through her service in the Office of the Assistant Secretary of Defense for Legislative Affairs.

I am delighted to commend Technical Sergeant Jones for her more than two decades of distinguished service to our Nation. I wish her the best as she begins the next chapter of her life.●

TRIBUTE TO GIBB STEELE

● Mr. COCHRAN. Madam President, I am pleased to commend Mr. Gibb Steele of Longwood, MS, for his service and contributions to the State of Mississippi while serving as the 78th president of the Delta Council. On May 30, 2014, Mr. Steele will conclude his term as president. I am grateful for his leadership and dedication to improving the quality of life in the Mississippi Delta and the entire State. Since 1935, Delta Council has played an important role in the promotion of agriculture, flood control, and economic development in the delta, which is one of the most productive agricultural regions in the world.

Mr. Steele's tenure as council president coincided with the development and eventual enactment of the 2014 farm bill. Throughout that process, he provided beneficial input from Southern rice, cotton, corn, soybean, and catfish producers, which helped Congress craft a new, 5-year agriculture policy bill. He was committed to meeting the diverse needs of producers from various regions of the country who face different risks when providing food and

fiber for the Nation. Mississippi has a rich agricultural history, and agriculture and related businesses support the livelihoods of thousands of Mississippi families and communities. Mr. Steele's leadership over the past year contributed to the overall success of the farm bill endeavor, and I appreciate his advice and counsel related to serving the interests of our State.

In addition to his role as president of Delta Council, Mr. Steele himself farms rice, soybeans, corn, and wheat on several thousand acres scattered throughout Washington County. He also holds leadership positions with the Mississippi Rice Promotion Board, the Mississippi Rice Council, and the USA Rice Federation, and is a commissioner of the Washington County Drainage Commission and past president of the Hollandale Rotary Club.

Mr. Steele grew up on a small sheep farm in Greenwood. After earning a degree from Mississippi State University, he began farming with his father in Hollandale in 1973. Their farming operation has grown 20 times the size of the roughly 500 acres they first cultivated in the early 1970s. Gibb Steele has achieved great success in agriculture, and his willingness to give back to the Delta region by serving as president of Delta Council is commendable. I applaud Mr. Steele for his service to Mississippi, and share this appreciation with his wife Pam, his son Gibson, and his two grandchildren.●

CONGRATULATING RAYMONDE FIOL

● Mr. HELLER. Madam President, I wish to congratulate Mrs. Raymonde Fiol for being named the 2014 Nevada Senior Citizen of the Year, an honor that is well deserved by this truly remarkable Nevadan.

Every year in May, Nevada celebrates Older Americans Month to recognize senior citizens for their contributions to our communities and to bring awareness on ways to continue a healthy, safe, and mobile lifestyle. Thirteen percent of Nevada's population is over the age of 65, and these individuals like Mrs. Fiol, who are dedicated to strengthening our communities, are why our State has much to celebrate this month.

The Nevada Delegation of the National Silver Haired Congress, in partnership with the Aging Services Directors Organization, established this award in 2013 to honor individuals who have selflessly worked to improve their community. Given Mrs. Fiol's remarkable life story and dedication during her many years of work to preserve the memory of the Holocaust, it is easy to see why she has been chosen. At the age of 3 years old, she was saved and sheltered when the Nazis invaded Paris. Both of her parents were murdered at the concentration camp in Auschwitz. Against all odds, Mrs. Fiol is now living in Las Vegas, NV, and using her days to spread a message of tolerance through her role as the president of the Holocaust Survivors Group of Southern Nevada and board member of the Governor's Advisory Council on Education Relating to the Holocaust. She also serves on the Coordinating Council of Generations of the Shoah International, the largest Holocaust survivor family organization in the world, and works to arrange social events for the Las Vegas community survivors.

When she is not volunteering on these boards, you can find Mrs. Fiol in the classroom sharing her story with Nevada's youth or with UNLV's documentary filmmakers capturing her life and story, all with the noble goal of ensuring that the world will never again turn a blind eye to state-operated genocide of a culture. Mrs. Fiol is dedicated to making this world a better place and educating our youth about the hardships that people have had to endure and about a time in our world's history that we must never forget. Her strength serves as an example not only to the Silver State but to the entire Nation.

Mrs. Fiol's mission and commitment to helping all of those who were affected by the Holocaust and to educating Nevada's youth about one of the darkest times in international history is commendable, and I am both honored and humbled to congratulate her today. She is a remarkable woman who deserves our utmost praise and respect. It is with great honor that I ask my colleagues to join me in congratulating this extraordinary Nevadan.●

TRIBUTE TO KAY SCHALLENKAMP

● Mr. JOHNSON of South Dakota. Madam President, today I wish to pay tribute to Dr. Kay Schallenkamp for her well-deserved retirement. For the past 8 years she has served as the president of Black Hills State University, BHSU, and for the past four decades she has devoted her career to higher education.

Originally from Salem, SD, Dr. Schallenkamp began her career in higher education at Northern State University, NSU. Here, she started as an instructor of communication disorders and eventually served as dean of Graduate Studies and Research. Following her time at NSU she served as provost and vice chancellor for Academic Affairs at the University of Wisconsin-Whitewater and then as provost at Chadron State College in Nebraska.

Following these out-of-State experiences, Dr. Schallenkamp moved back to South Dakota and began working at BHSU. She spent the next 17 years dedicated to the university and in July of 2006 she became BHSU's ninth president and first female president.

During her tenure as president at BHSU, she has managed the expansion and upgrade of the university's infrastructure and curriculum and has continued to enhance the university's already well-known and well-regarded reputation in the State, region, nation and world. Under her guidance, she has continued to aggressively promote the school's mission as an institution of excellence in teaching and learning, support and enhance research opportunities and maintain an impressive array of high-quality undergraduate and graduate programs.

Dr. Schallenkamp has also been actively involved in the higher education community nationwide. She is an active member of the American College & University Presidents' Climate Commitment Steering Committee and the board of directors for the Council for the Accreditation of Educator Preparation.

I commend Dr. Schallenkamp's lifetime of work and congratulate her on her success in numerous leadership positions. It is an honor for me to share Dr. Schallenkamp's accomplishments with my colleagues and publicly commend her for her hard work and many years of dedication. I wish Kay a happy and healthy retirement with her husband Ken and their four children and four grandchildren.●

GOLDEN LIVING 50 YEARS OF SERVICE

● Mr. PRYOR. Madam President, today I wish to recognize Golden Living for its 50 years of service to senior citizens.

Golden Living is a family of companies that specializes in recovery care with its mission to help people recover health and improve quality of life through a network of health care services. The Golden Living family of companies includes Golden Living Centers, Aegis Therapies, AseraCare, and 360 Healthcare Staffing.

Since the first facility opened its doors in 1964, Golden Living has helped to meet the health care needs of nearly 4 million patients and residents. Today that includes serving more than 60,000 patients per day. Golden Living has over 300 centers in 21 States and offers assisted living services in more than 40 locations. The 41,000 men and women employed by Golden Living provide quality health care day in and day out with passion, skill, commitment, and foresight.

Golden Living has succeeded for five decades because of its commitment to innovation. When the company began, it focused only on providing skilled nursing care to seniors. Golden Living now serves people of all ages with complex medical needs as well as providing skilled nursing services for seniors.

I want to offer my congratulations and thanks to Golden Living for its 50 years of service and wish them another 50 years of success.●

REMEMBERING CHARLES JORDAN

● Mr. WYDEN. Madam President, on April 4 of this year, Oregon, and the Nation, lost a champion of racial equality and environmental justice—

and I lost a good friend. For more than four decades, Charles Jordan was the gold standard for civic participation. He was an inspired public servant, a determined community leader and a stalwart advocate for parks and what they mean to the quality of life in our cities.

As the first African American elected to the Portland City Council and later as the city's parks and recreation director, Charles was a tireless advocate for diversity and inclusion. His work to protect community landmarks and Portland's prized natural areas earned him national recognition, including being appointed by President Ronald Reagan to the President's Commission on Americans Outdoors and by President Bill Clinton to the American Heritage Rivers Initiative Advisory Committee. Charles also served on the board of The Conservation Fund for 20 years, and became the first African American to lead a national environmental organization when he served as chairman of the organization's board of directors.

Like me, Charles Jordan was a tall guy who went to school on a basketball scholarship but found his calling in public service. His passion for equality, fairness and positive change improved the lives of many. Under Charles' tenure, the Portland Parks and Recreation Department increased the impact that parks had on everyone's lives, particularly children. Thanks to his leadership, the number of parks and natural areas in the City of Portland increased from 184 to 228, creating the opportunity for more and more families of all income levels to enjoy the outdoors. His innovative work led to Portland's award of the National Gold Medal in 2011 as the best parks system in the Nation from the American Academy for Park and Recreation Administration and the National Recreation and Park Association, the Nation's leading public park and recreation organizations.

His dedication to providing open spaces for children to play, along with safe community centers for families to gather, were the result of his inherent belief that all people must be treated with respect and dignity. In 2012, one of Portland's most popular community centers was renamed the Charles Jordan Community Center, a fitting tribute to the advice he gave to many kids:

Model the way. You never know who is watching and wanting to be just like you.

In addition to all his hard work I have already mentioned, Charles also served as my go-to person on senior issues. His insight and advice always helped me see the right path forward. For that, and many other reasons, his loss has left a void.

Oregon commemorates his leadership in parks, conservation, providing access to the outdoors for all Americans, civic involvement and civil rights. My thoughts are with his wife Esther, his son Dion, and his daughter Trish. Charles was a true giant of our State, and he will be deeply missed.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, 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 and a treaty which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceeding.)

MESSAGE FROM THE HOUSE

At 4:20 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 309. An act to award a Congressional Gold Medal to the World War II members of the Civil Air Patrol.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 685. An act to award a Congressional Gold Medal to the American Fighter Aces, collectively, in recognition of their heroic military service and defense of our country's freedom throughout the history of aviation warfare.

H.R. 1209. An act 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.

H.R. 1726. An act to award a Congressional Gold Medal to the 65th Infantry Regiment, known as the Borinqueneers.

H.R. 2203. An act to provide for the award of a gold medal on behalf of Congress to Jack Nicklaus, in recognition of his service to the Nation in promoting excellence, good sportsmanship, and philanthropy.

H.R. 2939. An act to award the Congressional Gold Medal to Shimon Peres.

H.R. 3658. An act to grant the Congressional Gold Medal, collectively, to the Monuments Men, in recognition of their heroic role in the preservation, protection, and restitution of monuments, works of art, and artifacts of cultural importance during and following World War II.

H.R. 4268. An act to amend title 23, United States Code, with respect to United States Route 78 in Mississippi, and for other purposes.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 2203. An act to provide for the award of a gold medal on behalf of Congress to Jack Nicklaus, in recognition of his service to the Nation in promoting excellence, good sportsmanship, and philanthropy; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 4268. An act to amend title 23, United States Code, with respect to United States Route 78 in Mississippi, and for other purposes; to the Committee on Environment and Public Works.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 2363. A bill to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–5800. A communication from the Associate Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Irish Potatoes Grown in Washington; Modification of the Handling Regulations for Yellow Fleshed and White Type of Potatoes'' (Docket No. AMS–FV–14–0026; FV14–946–1 IR) received in the Office of the President of the Senate on May 14, 2014; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5801. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Amine salts of alkyl (C8-C24) benzenesulfonic acid (dimethylaminopropylamine, isopropylamine, mono-, di-, and triethanolamine); Exemption from the Requirement of a Tolerance'' (FRL No. 9909–17) received in the Office of the President of the Senate on May 14, 2014; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5802. A communication from the Director of Congressional Activities (Intelligence), Office of the Under Secretary of Defense, transmitting, pursuant to law, a report of a delay in submission of a report relative to data mining; to the Committee on Armed Services.

EC–5803. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General Eric E. Fiel, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–5804. A communication from the Secretary of Commerce, transmitting, pursuant to law, a report relative to the continuation of a national emergency declared in Executive Order 13222 with respect to the lapse of the Export Administration Act of 1979; to the Committee on Banking, Housing, and Urban Affairs.

EC–5805. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Luxembourg; to the Committee on Banking, Housing, and Urban Affairs.

EC–5806. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Quality Assurance Requirements for Continuous Opacity Monitoring Systems at Stationary Sources'' ((RIN2060–AH23) (FRL No. 9909–98–OAR)) received in the Office of the President of the Senate on May 14, 2014; to the Committee on Environment and Public Works.

EC–5807. 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; State of Iowa; Ambient Air Quality Standards, and Controlling Pollution'' (FRL No. 9910–69–Region 7) received in the Office of the President of the Senate on May 14, 2014; to the Committee on Environment and Public Works.

EC–5808. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revisions to the California State Implementation Plan; Ventura County Air Pollution Control District; Reasonably Available Control Technology for Ozone'' (FRL No. 9910–85–Region 9) received in the Office of the President of the Senate on May 14, 2014; to the Committee on Environment and Public Works.

EC–5809. 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; State of Iowa'' (FRL No. 9910–67–Region 7) received in the Office of the President of the Senate on May 14, 2014; to the Committee on Environment and Public Works.

EC–5810. 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; State of Florida: New Source Review—Prevention of Significant Deterioration'' (FRL No. 9909–91–R04) received in the Office of the President of the Senate on May 14, 2014; to the Committee on Environment and Public Works.

EC–5811. 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; Massachusetts; Reasonably Available Control Technology for the 1997 8-Hour Ozone Standard'' (FRL No. 9908–52–Region 1) received in the Office of the President of the Senate on May 14, 2014; to the Committee on Environment and Public Works.

EC–5812. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Interim Final Determination to Defer Sanctions, State of California, Los Angeles-South Coast Air Basin'' (FRL No. 9911–06–Region 9) received in the Office of the President of the Senate on May 14, 2014; to the Committee on Environment and Public Works.

EC–5813. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revisions to the California State Implementation Plan, Ventura County Air Pollution Control District'' (FRL No. 9909–71–Region 9) received in the Office of the President of the Senate on May 14, 2014; to the Committee on Environment and Public Works.

EC–5814. A communication from the Assistant Secretary for Legislative Affairs, Department of the Treasury, transmitting, pursuant to law, a report relative to material violations or suspected material violations of regulations relating to Treasury auctions and other Treasury securities offerings for the period of January 1, 2013 through December 31, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC–5815. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 13405 of June 16, 2006 with respect to Belarus; to the Committee on Banking, Housing, and Urban Affairs.

EC–5816. A communication from the Senior Vice President and Chief Financial Officer, Federal Home Loan Bank of San Francisco, transmitting, pursuant to law, the Bank's 2013 Management Report; to the Committee on Banking, Housing, and Urban Affairs.

EC–5817. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Update for Weighted Average Interest Rates, Yield Curves, and Segment Rates'' (Notice 2014–34) received in the Office of the President of the Senate on May 13, 2014; to the Committee on Finance.

EC–5818. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Tax Treatment of Qualified Plan Payment of Accident or Health Insurance Premiums'' ((RIN1545–BG12)(TD 9665)) received in the Office of the President of the Senate on May 13, 2014; to the Committee on Finance.

EC–5819. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled ''HHS Secretary's Efforts to Improve the Quality of Health Care for Adults Enrolled in Medicaid''; to the Committee on Finance.

EC–5820. A communication from the Chief of the Trade and Commercial Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''United States-Panama Trade Promotion Agreement'' (RIN1515–AD93) received in the Office of the President of the Senate on May 14, 2014; to the Committee on Finance.

EC–5821. A communication from the Executive Analyst, Office of the Secretary, Department of Health and Human Services, transmitting, pursuant to law, a report relative to a vacancy in the position of Secretary of Health and Human Services; to the Committee on Finance.

EC–5822. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled ''Medicare National Coverage Determinations for Fiscal Year 2013''; to the Committee on Finance.

EC–5823. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled ''Finalizing Medicare Rules under Section 902 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (MMA) for Calendar Year (CY) 2013''; to the Committee on Finance.

EC–5824. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Revenue Procedure: Procedures for Automatic Change in Method of Accounting for Sales-Based Royalties and Sales-Based Vendor Chargebacks'' (Rev. Proc. 2014–33) received during adjournment of the Senate in the Office of the President of the Senate on May 16, 2014; to the Committee on Finance.

EC–5825. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Revenue Ruling: Retiree Health Benefits Provided Through Employer's Wholly-Owned Subsidiary'' (Rev. Rul. 2014–15) received during adjournment of the Senate in the Office of the President of the Senate on May 16, 2014; to the Committee on Finance.

EC–5826. A communication from the Chief of the Trade and Commercial Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''African Growth and Opportunity Act (AGOA) and Generalized System of Preferences and Trade Benefits under AGOA'' (RIN1515–AD47 (formerly RIN1505–AB26) and RIN1515-AD50 (formerly RIN1505–AB38)) received during adjournment of the Senate in the Office of the President of the Senate on May 16, 2014; to the Committee on Finance.

EC–5827. A communication from the Assistant Secretary of Legislative Affairs, Department of the Treasury, transmitting, pursuant to law, the annual report of the National Advisory Council on International Monetary and Financial Policies; to the Committee on Foreign Relations.

EC–5828. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 14–056); to the Committee on Foreign Relations.

EC–5829. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 14–012); to the Committee on Foreign Relations.

EC–5830. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13–189); to the Committee on Foreign Relations.

EC–5831. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 14–034); to the Committee on Foreign Relations.

EC–5832. 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 2014–0054—2014–0070); to the Committee on Foreign Relations.

EC–5833. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the Financial Report for the Prescription Drug User Fee Act (PDUFA) for fiscal year 2013; to the Committee on Health, Education, Labor, and Pensions.

EC–5834. A communication from the General Counsel, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled ''Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits'' (29 CFR Part 4022) received during adjournment of the Senate in the Office of the President of the Senate on May 19, 2014; to the Committee on Health, Education, Labor, and Pensions.

EC–5835. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, reports entitled ''The National Healthcare Quality Report 2013'' and ''The National Healthcare Disparities Report 2013''; to the Committee on Health, Education, Labor, and Pensions.

EC–5836. A communication from the Director, Office of General Counsel and Legal Policy, Office of Government Ethics, transmitting, pursuant to law, the report of a rule entitled ''Technical Updating Amendments to Executive Branch Financial Disclosure and Standards of Ethical Conduct Regulations'' (RIN3209–AA00 and RIN3209–AA04) received in the Office of the President of the Senate on May 14, 2014; to the Committee on Homeland Security and Governmental Affairs.

EC–5837. A communication from the Chairman, Merit Systems Protection Board, transmitting, pursuant to law, a report entitled ''Sexual Orientation and the Federal Workplace: Policy and Perception''; to the Committee on Homeland Security and Governmental Affairs.

EC–5838. A communication from the President, Inter-American Foundation, transmitting, pursuant to law, the Foundation's fiscal year 2013 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC–5839. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled ''Visas: Documentation of Immigrants Under the Immigration and Nationality Act, as Amended'' (RIN1400–AD52) received during adjournment of the Senate in the Office of the President of the Senate on May 19, 2014; to the Committee on the Judiciary.

EC–5840. A communication from the Federal Liaison Officer, Patent and Trademark Office, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Revisions to Implement the Patent Term Adjustment Provisions of the Leahy-Smith America Invents Act Technical Corrections Act'' (RIN0651–AC84) received in the Office of the President of the Senate on May 14, 2014; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ROCKEFELLER, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 2086. A bill to address current emergency shortages of propane and other home heating fuels and to provide greater flexibility and information for Governors to address such emergencies in the future (Rept. No. 113–162).

By Mr. MENENDEZ, from the Committee on Foreign Relations, with amendments and with an amended preamble:

S. Res. 412. A resolution reaffirming the strong support of the United States Government for freedom of navigation and other internationally lawful uses of sea and airspace in the Asia-Pacific region, and for the peaceful diplomatic resolution of outstanding territorial and maritime claims and disputes.

By Mr. MENENDEZ, from the Committee on Foreign Relations, without amendment and with a preamble:

S. Res. 421. A resolution expressing the gratitude and appreciation of the Senate for the acts of heroism and military achievement by the members of the United States Armed Forces who participated in the June 6, 1944, amphibious landing at Normandy, France, and commending them for leadership and valor in an operation that helped bring an end to World War II.

By Mr. MENENDEZ, from the Committee on Foreign Relations, with an amendment and with an amended preamble:

S. Res. 426. A resolution supporting the goals and ideals of World Malaria Day.

By Mr. MENENDEZ, from the Committee on Foreign Relations, without amendment and with a preamble:

S. Res. 451. A resolution recalling the Government of China's forcible dispersion of those peaceably assembled in Tiananmen Square 25 years ago, in light of China's continued abysmal human rights record.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. MENENDEZ for the Committee on Foreign Relations.

Michael Anderson Lawson, of California, for the rank of Ambassador during his tenure of service as Representative of the United States of America on the Council of the International Civil Aviation Organization.

Paige Eve Alexander, of Virginia, to be an Assistant Administrator of the United States Agency for International Development.

Michael W. Kempner, of New Jersey, to be a Member of the Broadcasting Board of Governors for a term expiring August 13, 2015.

Nina Hachigian, of California, to be Representative of the United States of America to the Association of Southeast Asian Nations, with the rank and status of Ambassador Extraordinary and Plenipotentiary.

Nominee: Nina Hachigian.

Post: U.S. Representative to ASEAN, rank of Ambassador.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, Amount, Date, and Donee:

Self: $2,500, 5/15/12, Clyde Williams for Congress (full $2,500 refunded on 6/30/12); $30,950, 6/30/12, Obama Victory Fund; $5,000, 4/15/11, Obama Victory Fund; $10,000, 6/14/11, Obama Victory Fund; $20,650, 9/23/11, Obama Victory Fund; $2,500, 12/20/11, Clyde Williams for Congress; $9,200, 12/26/1, Swing State Victory Fund.

Spouse: None.

Children and Spouses: None.

Parents: Jack Hachigian—deceased: $500, 10/9/12, Romney for President: $250, 10/29/10, Carly for California; Margarete Hachigian—deceased; None.

Grandparents: All deceased for decades; None.

Brothers and Spouses: Garo Hachigian; $1500, 10/02/12, Obama Victory Fund.

Sisters and Spouses: No sisters.

Mileydi Guilarte, of the District of Columbia, to be United States Alternate Executive Director of the Inter-American Development Bank.

Cassandra Q. Butts, of the District of Columbia, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Commonwealth of The Bahamas.

Nominee: Cassandra Q. Butts.

Post: The Bahamas (Commonwealth)

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, donee:

1. Self: $250.00, 2004, Barack Obama (Senator); $200.00, 2006, DCCC.

2. Spouse: N/A.

3. Children and Spouses: N/A.

4. Parents: Mae A. Karim, $500.00, 2008, Barack Obama.

5. Grandparents: N/A.

6. Brothers and Spouses: N/A.

7. Sisters and Spouses: Frank & Deidra Abbott, $200.00, 2008, Barack Obama.

Matthew T. McGuire, of the District of Columbia, to be United States Executive Director of the International Bank for Reconstruction and Development for a term of two years.

Mark Sobel, of Virginia, to be United States Executive Director of the International Monetary Fund for a term of two years.

Andrew H. Schapiro, of Illinois, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Czech Republic.

Nominee: Andrew H. Schapiro.

Post: U.S. Ambassador to the Czech Republic.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: $1,000, 1/15/10, Martha Coakley for Senate Cmte; $2,000, 1/29/10, (Michael) Bennet for Colorado; $500, 2/25/10, Gillibrand for Senate; $250, 5/5/10, Mark Critz for Congress Cmte; $250, 6/7/10, Bill Foster for Congress; $2,400, 6/30/10, Alexi (Giannoulias) for Illinois; $250, 8/4/10, (Michael) Bennet for Colorado; $15,000, 8/4/10, DNC Services Corporation; $500, 9/20/10, (Tom) Perriello for Congress; $2,400, 9/21/10, Alexi (Giannoulias) for Illinois; $500, 10/19/10, Friends for Harry Reid; $500, 10/19/10, Chris Coons for Delaware; $1,000, 3/30/11, Friends for (John) Atkinson; $5,000, 4/13/11, Obama Victory Fund 2012; $1,500, 5/18/11, (Tim) Kaine for Virginia; $1,000, 6/30/11, Obama Victory Fund 2012; $1,000, 9/1/11, (Tim) Kaine for Virginia; $5,000, 9/19/11, Obama Victory Fund 2012; $10,000, 12/13/11, Obama Victory Fund 2012; $750, 2/28/12, McCaskill for Missouri; $10,000, 3/6/12, Obama Victory Fund 2012; $10,000, 3/19/12, Obama Victory Fund 2012; $2,500, 4/16/12, Elizabeth (Warren) for MA; $1,000, 5/14/12, Tammy Baldwin for Senate; $10,000, 6/14/12, Obama Victory Fund 2012; $5,000, 7/31/12, Obama Victory Fund 2012; $500, 8/2/12, (Kathryn) Boockvar for Congress; $2,500, 917/12, Obama Victory Fund 2012; $2,500, 9/11/12, Obama Victory Fund 2012; $1,000, 10/10/12, Obama Victory Fund 2012; $250, 10/29/12, (Shelly) Berkley for Senate; $1,000, 3/15/13, Cory Booker for Senate; $1,000, 4/15/13, Chris Coons for Delaware.

2. Spouse: Tamar S. Newberger: $250, 6/8/10, Melissa Bean for Congress; $2,400, 6/30/10, Alexi (Giannoulias) for Illinois; $2,400, 10/11/10, Alexi (Giannoulias) for Illinois; $250, 6/8/12, Friends of David Gill; $10,000, 8/7/12, Obama Victory Fund 2012; $250, 6/30/13, (Brad) Schneider for Congress; $1,000, 7/10/13, (Jan) Schakowsky for Congress; $10,000, 9/9/13, DNC Services Corporation.

3. Children and Spouses: Alexander (age 10): None; Galia (age 13): None.

4. Parents: Raya C. Schapiro (deceased): None; Joseph S. Schapiro (deceased): $250, 10/23/10, DNC Services Corporation; $1,000, 5/23/12, Obama Victory Fund 2012; $1,000, 9/7/12, Obama Victory Fund 2012; $300, 10/22/12, Obama Victory Fund 2012.

5. Grandparents: Harry Schapiro (deceased): None; Bess Schapiro (deceased): None; Max Czerner (deceased): None; Irma Czerner (deceased): None.

6. Brothers and Spouses: None.

7. Sisters and Spouses: Tamar B. Schapiro: $1,000, 9/7/12, Obama Victory Fund 2012; $1,000, 11/13/13, DNC Services Corporation.

Thomas P. Kelly III, 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 Djibouti.

Nominee: Thomas Patrick Kelly, III.

Post: Djibouti.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, donee:

1. Self: Thomas P. Kelly, III, None.
2. Spouse: Elsa Amaya-Kelly, None.
3. Children and Spouses: Sean Patrick Kelly, None;
4. Parents: Thomas P. Kelly, Jr., Virginia Therese Kelly, $200, 2012, Democratic National Committee; $200, 2012, DCCC; $200, 2012, DSCC; $100, 2010, DNC; $100, 2010, DCCC; $100, 2010, DSCC.
5. Grandparents: Thomas P. Kelly, Sr., None—deceased; Edna Kelly, None—deceased; Rose Gertrude Burns, None—deceased; Clarence Joseph Burns, None—deceased.
6. Brothers and Spouses: Joseph J. Kelly (Spouse Diana Kelly): $200.00, 11/16/13, ''Yes on Proposition 5'' Campaign (Texas); $150, 1/24/13, Jeb Hensarling; $100–200, 2012, Leonard Lance; $100–200, 2012, Republican National Committee; $100–200, 2012, Romney for President Campaign; $200, 2011, Michael Webb (CA–36); $100–200, 2012, Leonard Lance; $100–200, 2012, Republican National Committee; John Christopher Kelly: None; James Matthew Kelly (Spouse Lynn Hobson): None; William Frederick Kelly (Spouse Fannie Willms Kelly): None.
7. Sisters and Spouses: Regina Ann Kelly: None; Elizabeth Therese Barone (Spouse Philip Barone): None.

Sunil Sabharwal, of California, to be United States Alternate Executive Director of the International Monetary Fund for a term of two years.

Alice G. Wells, of Washington, 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 Hashemite Kingdom of Jordan.

Nominee: Alice Gordon Wells.

Post: Ambassador to the Hashemite Kingdom of Jordan.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: None.
2. Spouse: None.
3. Children: Helen Anne Amend: Isabel Eneida Amend; Phoebe Wesson Amend: None.
4. Parents: Macon Wesson Wells; Heidi Goddard Wells: None.
5. Grandparents: Gordon Marshall Wells; Helen Wesson Wells; Gertrud Goddard: Philip Rohleder: Deceased.
6. Brothers and Spouses: Thomas Wesson Wells; Paula Bartholomew Wells: None.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

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. CARPER:

S. 2354. A bill to improve cybersecurity recruitment and retention; to the Committee on Homeland Security and Governmental Affairs.

By Ms. AYOTTE:

S. 2355. A bill to amend the Internal Revenue Code of 1986 to exclude certain compensation received by public safety officers and their dependents from gross income; to the Committee on Finance.

By Mr. HELLER (for himself, Mr. REID, and Mrs. FEINSTEIN):

S. 2356. A bill to adjust the boundary of the Mojave National Preserve; to the Committee on Energy and Natural Resources.

By Ms. MURKOWSKI:

S. 2357. A bill to provide for improvements in the consistency of data collection, reporting, and assessment in connection with the suicide prevention efforts of the Department of Defense; to the Committee on Armed Services.

By Mr. UDALL of Colorado (for himself and Mrs. MCCASKILL):

S. 2358. A bill to amend title 10, United States Code, to authorize additional leave for members of the Armed Forces in connection with the birth of a child; to the Committee on Armed Services.

By Mr. FRANKEN (for himself, Mr. ROBERTS, Mr. HARKIN, and Mr. BARRASSO):

S. 2359. A bill to amend title XVIII of the Social Security Act to protect and preserve access of Medicare beneficiaries in rural areas to health care providers under the Medicare program, and for other purposes; to the Committee on Finance.

By Mr. LEVIN (for himself, Mr. WHITEHOUSE, Mr. ROCKEFELLER, Mr. CARDIN, Mrs. BOXER, Mr. NELSON, Mr. JOHNSON of South Dakota, Mrs. FEINSTEIN, Mr. KAINE, Ms. HIRONO, Mr. KING, Ms. STABENOW, Mr. SCHATZ, Ms. WARREN, Mr. REED, Mr. HARKIN, Mr. FRANKEN, Mr. DURBIN, Mr. WALSH, and Ms. KLOBUCHAR):

S. 2360. A bill to amend the Internal Revenue Code of 1986 to modify the rules relating to inverted corporations; to the Committee on Finance.

By Mr. NELSON (for himself, Ms. COLLINS, Mr. CARPER, Mr. GRASSLEY, and Mr. CASEY):

S. 2361. A bill to amend title XVIII of the Social Security Act to crack down on fraud in the Medicare program to protect seniors, people with disabilities, and taxpayers; to the Committee on Finance.

By Mrs. FISCHER (for herself and Mr. BURR):

S. 2362. A bill to prohibit the payment of performance awards in fiscal year 2015 to employees in the Veterans Health Administration, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. HAGAN (for herself, Ms. MURKOWSKI, Mr. PRYOR, Mr. HELLER, Mr. TESTER, Mr. HOEVEN, Mr. BEGICH, Mr. PORTMAN, Ms. LANDRIEU, Mr. BOOZMAN, Mr. MANCHIN, Mr. VITTER, Mr. UDALL of Colorado, Mr. CHAMBLISS, Mr. HEINRICH, Mr. ISAKSON, Ms. KLOBUCHAR, Mr. RUBIO, Mr. WARNER, Mr. GRAHAM, Mrs. MCCASKILL, Ms. AYOTTE, Mr. WALSH, Mr. BURR, Mr. DONNELLY, Mrs. FISCHER, Mr. FRANKEN, Mr. ROBERTS, Mr. BENNET, Mr. MCCAIN, Mr. KING, Mr. THUNE, Mr. KAINE, and Mr. RISCH):

S. 2363. A bill to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes; read the first time.

By Mr. BLUMENTHAL (for himself, Mr. GRAHAM, Mr. LEAHY, Mr. WHITEHOUSE, and Mr. MARKEY):

S. 2364. A bill to amend chapter 111 of title 28, United States Code, relating to protective orders, sealing of cases, disclosures of discovery information in civil actions, and for other purposes; to the Committee on the Judiciary.

By Ms. KLOBUCHAR:

S. 2365. A bill to prohibit the long-term storage of rail cars on certain railroad tracks unless the Surface Transportation Board has approved the rail carrier's rail car storage plan; to the Committee on Commerce, Science, and Transportation.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. REID (for himself and Mr. MCCONNELL):

S. Res. 452. A resolution to authorize testimony, documents, and representation in City of Lafayette v. Bryan Benoit; considered and agreed to.

ADDITIONAL COSPONSORS

S. 160

At the request of Mr. MERKLEY, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 160, a bill to exclude from consumer credit reports medical debt that has been in collection and has been fully paid or settled, and for other purposes.

S. 162

At the request of Mr. FRANKEN, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 162, a bill to reauthorize and improve the Mentally Ill Offender Treatment and Crime Reduction Act of 2004.

S. 226

At the request of Mr. TESTER, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 226, a bill to amend the Family and Medical Leave Act of 1993 to provide leave because of the death of a son or daughter.

S. 254

At the request of Mr. MENENDEZ, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 254, a bill to amend title III of the Public Health Service Act to authorize and support the creation of cardiomyopathy education, awareness, and risk assessment materials and resources by the Secretary of Health and Human Services through the Centers for Disease Control and Prevention and the dissemination of such materials and resources by State educational agencies to identify more at-risk families.

S. 360

At the request of Mr. WALSH, his name was added as a cosponsor of S. 360, a bill to amend the Public Lands Corps Act of 1993 to expand the authorization of the Secretaries of Agriculture, Commerce, and the Interior to provide service opportunities for young Americans; help restore the nation's natural, cultural, historic, archaeological, recreational and scenic resources; train a new generation of public land managers and enthusiasts; and promote the value of public service.

S. 381

At the request of Mr. BROWN, the name of the Senator from Montana

(Mr. WALSH) 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. 398

At the request of Ms. COLLINS, the names of the Senator from Hawaii (Mr. SCHATZ) and the Senator from Virginia (Mr. KAINE) were added as cosponsors of S. 398, a bill to establish the Commission to Study the Potential Creation of a National Women's History Museum, and for other purposes.

S. 403

At the request of Mr. CASEY, the name of the Senator from Virginia (Mr. WARNER) 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. 539

At the request of Mrs. SHAHEEN, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 539, a bill to amend the Public Health Service Act to foster more effective implementation and coordination of clinical care for people with pre-diabetes and diabetes.

S. 917

At the request of Mr. CARDIN, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 917, a bill to amend the Internal Revenue Code of 1986 to provide a reduced rate of excise tax on beer produced domestically by certain qualifying producers.

S. 1033

At the request of Mr. HARKIN, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1033, a bill to authorize a grant program to promote physical education, activity, and fitness and nutrition, and to ensure healthy students, and for other purposes.

S. 1040

At the request of Mr. PORTMAN, the names of the Senator from Delaware (Mr. CARPER) and the Senator from Maryland (Mr. CARDIN) were added as cosponsors of S. 1040, a bill to provide for the award of a gold medal on behalf of Congress to Jack Nicklaus, in recognition of his service to the Nation in promoting excellence, good sportsmanship, and philanthropy.

S. 1066

At the request of Mrs. GILLIBRAND, the names of the Senator from New Jersey (Mr. BOOKER) and the Senator from Hawaii (Mr. SCHATZ) were added as cosponsors of S. 1066, a bill to allow certain student loan borrowers to refinance Federal student loans.

S. 1174

At the request of Mr. BLUMENTHAL, the names of the Senator from Colorado (Mr. UDALL), the Senator from Kansas (Mr. ROBERTS) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 1174, a bill to award a Congressional Gold Medal to the 65th Infantry Regiment, known as the Borinqueneers.

S. 1232

At the request of Mr. LEVIN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1232, a bill to amend the Federal Water Pollution Control Act to protect and restore the Great Lakes.

S. 1235

At the request of Mr. TOOMEY, the name of the Senator from Wisconsin (Mr. JOHNSON) was added as a cosponsor of S. 1235, a bill to restrict any State or local jurisdiction from imposing a new discriminatory tax on cell phone services, providers, or property.

S. 1256

At the request of Mrs. FEINSTEIN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1256, a bill to amend the Federal Food, Drug, and Cosmetic Act to preserve the effectiveness of medically important antimicrobials used in the treatment of human and animal diseases.

S. 1332

At the request of Ms. COLLINS, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1332, a bill to amend title XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program.

S. 1387

At the request of Mr. REED, the names of the Senator from Oklahoma (Mr. INHOFE) and the Senator from Montana (Mr. WALSH) were added as cosponsors of S. 1387, a bill to establish a pilot program to authorize the Secretary of Housing and Urban Development to make grants to nonprofit organizations to rehabilitate and modify homes of disabled and low-income veterans.

S. 1406

At the request of Ms. AYOTTE, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 1406, a bill to amend the Horse Protection Act to designate additional unlawful acts under the Act, strengthen penalties for violations of the Act, improve Department of Agriculture enforcement of the Act, and for other purposes.

S. 1462

At the request of Mr. THUNE, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 1462, a bill to extend the positive train control system implementation deadline, and for other purposes.

S. 1622

At the request of Ms. HEITKAMP, the names of the Senator from Colorado (Mr. UDALL), the Senator from Montana (Mr. WALSH) and the Senator from Washington (Ms. CANTWELL) were added as cosponsors of S. 1622, a bill to establish the Alyce Spotted Bear and Walter Soboleff Commission on Native Children, and for other purposes.

S. 1691

At the request of Mr. TESTER, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 1691, a bill to amend title 5, United States Code, to improve the security of the United States border and to provide for reforms and rates of pay for border patrol agents.

S. 1700

At the request of Mr. MARKEY, the name of the Senator from Montana (Mr. WALSH) was added as a cosponsor of S. 1700, a bill to amend the Children's Online Privacy Protection Act of 1998 to extend, enhance, and revise the provisions relating to collection, use, and disclosure of personal information of children, to establish certain other protections for personal information of children and minors, and for other purposes.

S. 1759

At the request of Mr. SANDERS, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 1759, a bill to reauthorize the teaching health center program.

S. 1823

At the request of Mr. RUBIO, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 1823, a bill to amend part E of title IV of the Social Security Act to better enable State child welfare agencies to prevent human trafficking of children and serve the needs of children who are victims of human trafficking, and for other purposes.

S. 2009

At the request of Mr. UDALL of New Mexico, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 2009, a bill to improve the provision of health care by the Department of Veterans Affairs to veterans in rural and highly rural areas, and for other purposes.

S. 2013

At the request of Mr. RUBIO, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 2013, a bill to amend title 38, United States Code, to provide for the removal of Senior Executive Service employees of the Department of Veterans Affairs for performance, and for other purposes.

S. 2036

At the request of Mr. HARKIN, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 2036, a bill to protect all school children against harmful and life-threatening seclusion and restraint practices.

S. 2037

At the request of Mr. ROBERTS, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 2037, a bill to amend title XVIII of the Social Security Act to remove the 96-hour physician certification requirement for inpatient critical access hospital services.

S. 2082

At the request of Mr. MENENDEZ, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 2082, a bill to provide for the development of criteria under the Medicare program for medically necessary short inpatient hospital stays, and for other purposes.

S. 2087

At the request of Mr. PRYOR, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 2087, a bill to protect the Medicare program under title XVIII of the Social Security Act with respect to reconciliation involving changes to the Medicare program.

S. 2126

At the request of Mrs. BOXER, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 2126, a bill to launch a national strategy to support regenerative medicine through the establishment of a Regenerative Medicine Coordinating Council, and for other purposes.

S. 2132

At the request of Mr. BARRASSO, the name of the Senator from Montana (Mr. WALSH) was added as a cosponsor of S. 2132, a bill to amend the Indian Tribal Energy Development and Self-Determination Act of 2005, and for other purposes.

S. 2156

At the request of Mr. VITTER, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 2156, a bill to amend the Federal Water Pollution Control Act to confirm the scope of the authority of the Administrator of the Environmental Protection Agency to deny or restrict the use of defined areas as disposal sites.

S. 2169

At the request of Mrs. GILLIBRAND, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 2169, a bill to amend the Internal Revenue Code of 1986 to reduce the rate of tax regarding the taxation of distilled spirits.

S. 2244

At the request of Mr. SCHUMER, the names of the Senator from Maryland (Ms. MIKULSKI), the Senator from Indiana (Mr. DONNELLY), the Senator from Georgia (Mr. CHAMBLISS) and the Senator from Massachusetts (Mr. MARKEY) were added as cosponsors of S. 2244, a bill to extend the termination date of the Terrorism Insurance Program established under the Terrorism Insurance Act of 2002, and for other purposes.

S. 2270

At the request of Ms. COLLINS, the names of the Senator from Missouri (Mr. BLUNT) and the Senator from North Carolina (Mr. BURR) were added as cosponsors of S. 2270, a bill to clarify the application of certain leverage and risk-based requirements under the Dodd-Frank Wall Street Reform and Consumer Protection Act.

S. 2273

At the request of Mr. UDALL of Colorado, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 2273, a bill to improve energy savings by the Department of Defense, and for other purposes.

S. 2276

At the request of Mr. BLUNT, the names of the Senator from Colorado (Mr. UDALL) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of S. 2276, a bill to amend title 10, United States Code, to improve access to mental health services under the TRICARE program.

S. 2282

At the request of Mr. ROBERTS, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 2282, a bill to prohibit the provision of performance awards to employees of the Internal Revenue Service who owe back taxes.

S. 2291

At the request of Mrs. SHAHEEN, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 2291, 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. 2292

At the request of Ms. WARREN, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 2292, a bill to amend the Higher Education Act of 1965 to provide for the refinancing of certain Federal student loans, and for other purposes.

S. 2302

At the request of Mrs. SHAHEEN, the names of the Senator from New York (Mr. SCHUMER), the Senator from South Dakota (Mr. THUNE), the Senator from Oklahoma (Mr. INHOFE), and the Senator from Georgia (Mr. ISAKSON) were added as cosponsors of S. 2302, a bill to provide for a 1-year extension of the Afghan Special Immigrant Visa Program, and for other purposes.

S. 2309

At the request of Mr. TOOMEY, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 2309, a bill to amend title 18, United States Code, to authorize the Director of the Bureau of Prisons to issue oleoresin capsicum spray to officers and employees of the Bureau of Prisons.

S. 2316

At the request of Mr. THUNE, the names of the Senator from Wyoming (Mr. ENZI), the Senator from Oklahoma (Mr. INHOFE) and the Senator from Kansas (Mr. ROBERTS) were added as cosponsors of S. 2316, a bill to require the Inspector General of the Department of Veterans Affairs to submit a report on wait times for veterans seeking medical appointments and treatment from the Department of Veterans Affairs, to prohibit closure of medical facilities of the Department, and for other purposes.

S. 2333

At the request of Mrs. MURRAY, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 2333, a bill to amend title 10, United States Code, to provide for certain behavioral health treatment under TRICARE for children and adults with developmental disabilities.

S. 2339

At the request of Mr. BARRASSO, the names of the Senator from Nebraska (Mrs. FISCHER) and the Senator from South Carolina (Mr. GRAHAM) were added as cosponsors of S. 2339, a bill to amend the Patient Protection and Affordable Care Act to require States with failed American Health Benefit Exchanges to reimburse the Federal Government for amounts provided under grants for the establishment and operation of such Exchanges.

S. 2349

At the request of Mr. SANDERS, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 2349, a bill to establish a grant program to enable States to promote participation in dual enrollment programs, and for other purposes.

S. 2352

At the request of Mr. CORNYN, the names of the Senator from Illinois (Mr. KIRK) and the Senator from Kansas (Mr. ROBERTS) were added as cosponsors of S. 2352, a bill to re-impose sanctions on Russian arms exporter Rosoboronexport.

S.J. RES. 19

At the request of Mr. UDALL of New Mexico, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S.J. Res. 19, a joint resolution proposing an amendment to the Constitution of the United States relating to contributions and expenditures intended to affect elections.

S. RES. 410

At the request of Mr. MENENDEZ, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. Res. 410, a resolution expressing the sense of the Senate regarding the anniversary of the Armenian Genocide.

S. RES. 412

At the request of Mr. MENENDEZ, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. Res. 412, a resolution reaffirming the strong support of the United States Government for freedom of navigation and other internationally lawful uses of sea and airspace in the Asia-Pacific region, and for the peaceful diplomatic resolution of outstanding territorial and maritime claims and disputes.

S. RES. 421

At the request of Mr. ISAKSON, his name was added as a cosponsor of S. Res. 421, a resolution expressing the gratitude and appreciation of the Senate for the acts of heroism and military achievement by the members of the United States Armed Forces who

participated in the June 6, 1944, amphibious landing at Normandy, France, and commending them for leadership and valor in an operation that helped bring an end to World War II.

At the request of Mr. RUBIO, his name was added as a cosponsor of S. Res. 421, supra.

At the request of Ms. LANDRIEU, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. Res. 421, supra.

At the request of Mr. SHELBY, his name was added as a cosponsor of S. Res. 421, supra.

S. RES. 445

At the request of Mrs. FEINSTEIN, the names of the Senator from Ohio (Mr. BROWN), the Senator from Maine (Ms. COLLINS), the Senator from Illinois (Mr. DURBIN), the Senator from Maine (Mr. KING), the Senator from Kansas (Mr. MORAN), the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Hawaii (Mr. SCHATZ) were added as cosponsors of S. Res. 445, a resolution recognizing the importance of cancer research and the contributions of scientists, clinicians, and patient advocates across the United States who are dedicated to finding a cure for cancer, and designating May 2014 as ''National Cancer Research Month''.

S. RES. 451

At the request of Mr. BARRASSO, the names of the Senator from Florida (Mr. RUBIO) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. Res. 451, a resolution recalling the Government of China's forcible dispersion of those peaceably assembled in Tiananmen Square 25 years ago, in light of China's continued abysmal human rights record.

AMENDMENT NO. 3073

At the request of Mr. ROBERTS, the names of the Senator from Arizona (Mr. FLAKE), the Senator from New Hampshire (Ms. AYOTTE), the Senator from Missouri (Mr. BLUNT), the Senator from North Carolina (Mr. BURR), the Senator from Kentucky (Mr. MCCONNELL), the Senator from Georgia (Mr. ISAKSON), the Senator from Maine (Ms. COLLINS), the Senator from Tennessee (Mr. ALEXANDER) and the Senator from Idaho (Mr. CRAPO) were added as cosponsors of amendment No. 3073 intended to be proposed to H.R. 3474, a bill to amend the Internal Revenue Code of 1986 to allow employers to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of the employer mandate under the Patient Protection and Affordable Care Act.

AMENDMENT NO. 3119

At the request of Mr. HARKIN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of amendment No. 3119 intended to be proposed to H.R. 3474, a bill to amend the Internal Revenue Code of 1986 to allow employers to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of the employer mandate under the Patient Protection and Affordable Care Act.

AMENDMENT NO. 3144

At the request of Mr. BARRASSO, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of amendment No. 3144 intended to be proposed to H.R. 3474, a bill to amend the Internal Revenue Code of 1986 to allow employers to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of the employer mandate under the Patient Protection and Affordable Care Act.

AMENDMENT NO. 3165

At the request of Mr. HATCH, the names of the Senator from Kentucky (Mr. MCCONNELL), the Senator from South Dakota (Mr. THUNE), the Senator from New Hampshire (Ms. AYOTTE), the Senator from Missouri (Mr. BLUNT), the Senator from North Carolina (Mr. BURR) and the Senator from Arizona (Mr. FLAKE) were added as cosponsors of amendment No. 3165 intended to be proposed to H.R. 3474, a bill to amend the Internal Revenue Code of 1986 to allow employers to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of the employer mandate under the Patient Protection and Affordable Care Act.

AMENDMENT NO. 3166

At the request of Mr. HATCH, the names of the Senator from Missouri (Mr. BLUNT), the Senator from North Carolina (Mr. BURR) and the Senator from Arizona (Mr. FLAKE) were added as cosponsors of amendment No. 3166 intended to be proposed to H.R. 3474, a bill to amend the Internal Revenue Code of 1986 to allow employers to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of the employer mandate under the Patient Protection and Affordable Care Act.

AMENDMENT NO. 3169

At the request of Mr. ENZI, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of amendment No. 3169 intended to be proposed to H.R. 3474, a bill to amend the Internal Revenue Code of 1986 to allow employers to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of the employer mandate under the Patient Protection and Affordable Care Act.

AMENDMENT NO. 3177

At the request of Mr. CARDIN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of amendment No. 3177 intended to be proposed to H.R. 3474, a bill to amend the Internal Revenue Code of 1986 to allow employers to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of the employer mandate under the Patient Protection and Affordable Care Act.

AMENDMENT NO. 3203

At the request of Mr. CARDIN, the names of the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Rhode Island (Mr. REED) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors of amendment No. 3203 intended to be proposed to H.R. 3474, a bill to amend the Internal Revenue Code of 1986 to allow employers to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of the employer mandate under the Patient Protection and Affordable Care Act.

AMENDMENT NO. 3214

At the request of Ms. KLOBUCHAR, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of amendment No. 3214 intended to be proposed to H.R. 3474, a bill to amend the Internal Revenue Code of 1986 to allow employers to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of the employer mandate under the Patient Protection and Affordable Care Act.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. MURKOWSKI:

S. 2357. A bill to provide for improvements in the consistency of data collection, reporting, and assessment in connection with the suicide prevention efforts of the Department of Defense; to the Committee on Armed Services.

Ms. MURKOWSKI. Mr. President I have come to the floor today to introduce a piece of legislation that I feel is timely and critically necessary, the Department of Defense Suicide Tracking Act of 2014. As our Nation winds down involvement in the longest war in our history, it is incumbent on all of us to ensure that the men and women who have carried the burden of combat in Iraq, Afghanistan, and other parts of the world, as well as their family members, are taken care of to the fullest extent possible. That means we must address the tragic suicide epidemic in our military. While the services have focused on this problem for years, there still appears to be significant gaps, especially in reserve component and dependent tracking and analysis. This is a complex issue with no obvious solutions, but I intend to work with my colleagues in the Senate to develop comprehensive, meaningful ways to address this problem.

The DoD recently released its 2012 DoD Suicide Event Report, which concluded that there were a total of 319 active component suicides and 203 reserve

component suicides in 2012. That equates to 22.7 and 24.2 for every 100,000 service members, respectively. Additionally, there were a total of 841 attempted suicides in 2012. While preliminary data suggests that 2013 had an 18 percent drop in suicides, this is still a significant and tragic problem in the military that we need to tackle head-on. The report doesn't include any data for dependent suicide or attempted suicide, because currently only the U.S. Army even tries to track that information, so there is no comprehensive assessment of how years of combat and readiness have impacted military dependents in that way.

The purpose of the DoD Suicide Tracking Act is to establish programs to consistently track and analyze information regarding suicides involving members of the reserve components and dependents of regular and reserve component members. Specifically, the bill would improve consistency in reserve component suicide prevention and resiliency programs by requiring the Secretary of Defense to develop a standard method for collecting, reporting, and assessing suicide data and suicide attempt data involving members of the National Guard and Reserves. Alaskans are extremely proud of the contributions of our National Guard and Reserve members, both home and abroad. They have endured the stress of readiness, deployments and combat like the active component, making us all very proud. As such, it is time that we ensure the Department of Defense is tracking and addressing their mental well-being just like every other military member.

According to an annual survey by the Blue Star Families military family advocacy group, of 5,100 military family members surveyed in 2012, 9 percent of military spouses reported that they had considered suicide. Of those, nearly a quarter said they had not sought help. This bill would establish a Department of Defense suicide prevention program for military dependents that requires each service to implement programs to track, report and analyze information regarding suicides. We often talk about the burden placed on military family members, but when it comes to suicide we have simply cut them out of the conversation. This bill would ensure the DoD finally focuses on the hardship and emotional stress born by military dependents and keeps them in the picture when evaluating the problem and working towards a solution. Our military family members have endured countless deployments, cared for injured service members, and picked up the pieces when heroes have made the ultimate sacrifice. I intend to make sure our government cares for them and gives them options beyond suicide to recover from their pain and emotional stress.

Suicide among the active military, reserve and veteran populations continues to be a problem that doesn't appear to be improving. Sadly, the problem will likely get worse before it improves as the war in Afghanistan winds down and the services downsize, sending veterans with complex mental issues into the private sector without the military for support. That is why we need to improve our efforts now to proactively identify and care for these service members and their families as soon as possible and with the full resourcing of the Department of Defense. Our military men and women, and their families, have endured years of conflict across the world. They embody the proud tradition of selfless service to our Nation and I cannot thank them enough for everything they do. I call on all of my colleagues in the Senate to help those who have dedicated their lives to helping others and who, day in and day out, make the ultimate sacrifice in the defense of our freedoms.

I would like to thank Representative NIKI TSONGAS for her leadership on this issue and introduction of the House companion bill, H.R. 4504.

By Mr. LEVIN (for himself, Mr. WHITEHOUSE, Mr. ROCKEFELLER, Mr. CARDIN, Mrs. BOXER, Mr. NELSON, Mr. JOHNSON of South Dakota, Mrs. FEINSTEIN, Mr. KAINE, Ms. HIRONO, Mr. KING, Ms. STABENOW, Mr. SCHATZ, Ms. WARREN, Mr. REED, Mr. HARKIN, Mr. FRANKEN, Mr. DURBIN, Mr. WALSH, and Ms. KLOBUCHAR):

S. 2360. A bill to amend the Internal Revenue Code of 1986 to modify the rules relating to inverted corporations; to the Committee on Finance.

Mr. LEVIN. Mr. President, along with 16 cosponsors, I have introduced and am introducing today the Stop Corporate Inversions Act of 2014.

This legislation is designed to address a loophole which, unless we close it, will be used to unleash a flood of corporate tax avoidance that threatens to shove billions of dollars in tax burden from profitable multinational corporations onto the backs of their American competitors and other American taxpayers.

The issue we seek to address is known technically as corporate inversion. The details of inversion sound complex, but the principle is not. Inversion means avoiding potentially billions of dollars of U.S. taxes by changing a corporation's address for tax purposes to an offshore location. What we have is a tax avoidance scheme, an enormous loophole that allows companies to avoid billions in taxes without any significant change in where they operate, where their profits are generated, or where the location is of the executives who manage and control these corporations.

A recent prominent example involves Pfizer, a U.S. drug company, and AstroZeneca, a U.K.-based company. This proposed corporate takeover, which Pfizer makes abundantly clear is all about avoiding U.S. taxes, has gotten a lot of attention, and for good reason. It would cost the United States about $1 billion a year in tax revenue. But this is not just about two companies. This is not just about one merger, even a merger that could shove billions of dollars of tax burden on other U.S. taxpayers. The Pfizer-AstroZeneca deal is the latest example of abusive inversion deals. You cannot pick up a newspaper's business section these days without reading about what Reuters calls ''a wave of tax-driven overseas deal-making.'' Some companies that believe they are meeting their tax obligations are under competitive pressure to invert. It is clear dozens, perhaps scores, of companies are preparing to file their change-of-address cards and in doing so avoid billions in U.S. taxes. That burden doesn't just go away. Either our remaining constituents must pick up the tab or the loss of Treasury revenue adds to the Federal deficit.

We tightened the rules regarding inversion schemes in 2004, and we did so promptly and on a bipartisan basis, but recent events show an enormous loophole remains, and so our bill seeks to address that loophole, and I hope once again we can do so promptly and on a bipartisan basis.

Essentially the problem we have today is that a U.S.-based multinational can file a change-of-address card with the IRS simply by acquiring an offshore company that is much smaller than the U.S. company. Our bill would ensure that any inversion would meet a much more stringent test.

Under current law, companies can pull off an inversion with a fraction of their stock, just over 20 percent, in the hands of the new stockholders overseas. Our bill would raise that threshold to 50 percent or more. In addition, it would stop tax-avoiding inversions in cases where management and control remain in the United States.

President Obama's 2014 budget included a similar proposal which one expert told the New York Times ''essentially eliminates inversions as we know them.''

Our bill provides for a 2-year moratorium of tax avoidance through the use of inversions. Why a 2-year moratorium? This is in response to a number of our colleagues who say this is an issue which should wait for comprehensive tax reform. We all believe in comprehensive tax reform—or most of us do—but it is going to take time and it is uncertain. These corporate inversions represent an immediate threat. Our Treasury is bleeding from these inversions and from other loopholes which corporations use to avoid paying taxes. This bill is first aid for the Tax Code. A 2-year moratorium on inversions that do not meet our tougher standard stops the bleeding while we debate the comprehensive tax reform that most of us believe is desirable.

As of this moment, however, there is no comprehensive tax reform legislation pending in either Chamber of Congress. There is no debate scheduled.

There is, in fact, not a single comprehensive tax reform proposal that has been formally introduced as legislation. That is not because no one in Congress cares about tax reform; nearly everybody does. But broadly reforming taxes is a complicated and time-consuming process.

But we simply cannot wait. Multinationals are exploiting this loophole today. Meanwhile, hard-working American taxpayers and small business owners and even large corporations that have to compete with the tax avoiders but believe that inversion is wrong for their companies and for America see their tax burden rise while our national debt grows. How do we look them in the eye and say, ''We had a way to halt this gimmick, but we decided to wait for comprehensive reform that may or may not ever materialize?''

This is similar to what Congress did on a bipartisan basis a decade ago. Then Senators Baucus and GRASSLEY jointly declared they were working on legislation to stop abusive tax inversions. The bill, along with Chairman WYDEN's announcement 2 weeks ago, should make clear to companies that considering tax inversion is now a mistake, because they are now on notice that it is not going to gain anything if a bill that prohibits tax avoidance through tax inversion passes, because the chairman of the Finance Committee has made it clear such a bill is going to be effective as of May 8 of this year, regardless of when the bill passes.

So companies are on notice. There is no use rushing to the door to invert, or leaving the country to invert. It won't do them any good if the Finance Committee chairman has his way with either of these bills or other bills that set an appropriate date, such as May 8, to pass the Congress.

These multinational companies benefit from the safety and security the U.S. Government provides. Our troops protect them. Our intellectual property rights protections allow them to profit from their innovation. They benefit from federally funded research. They claim tax subsidies for their research and development. They raise capital in U.S. securities markets that are the envy of the world, thanks to the rule of law this government protects.

In the last 4 years, one of the companies at the center of this debate, Pfizer, received more than $4.4 billion in taxpayer money for federal contracts. Last month the Centers for Disease Control and Prevention awarded Pfizer a $1.1 billion contract.

Yet that company and others are now poised to shortchange Uncle Sam by billions of dollars simply by changing their address for tax purposes. I am sure most of our constituents wish they could do that. Michigan taxpayers cannot reduce their tax bill with the stroke of a pen. Michigan small businesses cannot pretend they are based offshore for tax purposes. There is no pretense that any of these corporate inversions make sense from any standpoint other than avoiding U.S. taxes. That is their motivation and these companies aren't shy about saying so. They will continue to operate in the United States. The executives who manage them will continue to live and work in the United States. They will live under the umbrella of protection that our men and women in uniform provide, at the same time that we are cutting support to those same men and women because of the deficit these tax avoidance schemes have helped to create.

Few even try to defend these inversions on principle. They are simply tax avoidance. Even the corporate executives who engineer them make little pretense as to any other purpose. So let us reform the Tax Code, yes. But while we craft and debate that reform, let us stop these transactions that add massively to our deficit and to the burden America's working families and small businesses must carry.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2360

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Stop Corporate Inversions Act of 2014''.

SEC. 2. MODIFICATIONS TO RULES RELATING TO INVERTED CORPORATIONS.

(a) IN GENERAL.—Subsection (b) of section 7874 of the Internal Revenue Code of 1986 is amended to read as follows:

''(b) INVERTED CORPORATIONS TREATED AS DOMESTIC CORPORATIONS.—

''(1) IN GENERAL.—Notwithstanding section 7701(a)(4), a foreign corporation shall be treated for purposes of this title as a domestic corporation if—

''(A) such corporation would be a surrogate foreign corporation if subsection (a)(2) were applied by substituting '80 percent' for '60 percent', or

''(B) such corporation is an inverted domestic corporation.

''(2) INVERTED DOMESTIC CORPORATION.—For purposes of this subsection, a foreign corporation shall be treated as an inverted domestic corporation if, pursuant to a plan (or a series of related transactions)—

''(A) the entity completes after May 8, 2014, and before May 9, 2016, the direct or indirect acquisition of—

''(i) substantially all of the properties held directly or indirectly by a domestic corporation, or

''(ii) substantially all of the assets of, or substantially all of the properties constituting a trade or business of, a domestic partnership, and

''(B) after the acquisition, either—

''(i) more than 50 percent of the stock (by vote or value) of the entity is held—

''(I) in the case of an acquisition with respect to a domestic corporation, by former shareholders of the domestic corporation by reason of holding stock in the domestic corporation, or

''(II) in the case of an acquisition with respect to a domestic partnership, by former partners of the domestic partnership by reason of holding a capital or profits interest in the domestic partnership, or

''(ii) the management and control of the expanded affiliated group which includes the entity occurs, directly or indirectly, primarily within the United States, and such expanded affiliated group has significant domestic business activities.

''(3) EXCEPTION FOR CORPORATIONS WITH SUBSTANTIAL BUSINESS ACTIVITIES IN FOREIGN COUNTRY OF ORGANIZATION.—A foreign corporation described in paragraph (2) shall not be treated as an inverted domestic corporation if after the acquisition the expanded affiliated group which includes the entity has substantial business activities in the foreign country in which or under the law of which the entity is created or organized when compared to the total business activities of such expanded affiliated group. For purposes of subsection (a)(2)(B)(iii) and the preceding sentence, the term 'substantial business activities' shall have the meaning given such term under regulations in effect on May 8, 2014, except that the Secretary may issue regulations increasing the threshold percent in any of the tests under such regulations for determining if business activities constitute substantial business activities for purposes of this paragraph.

''(4) MANAGEMENT AND CONTROL.—For purposes of paragraph (2)(B)(ii)—

''(A) IN GENERAL.—The Secretary shall prescribe regulations for purposes of determining cases in which the management and control of an expanded affiliated group is to be treated as occurring, directly or indirectly, primarily within the United States. The regulations prescribed under the preceding sentence shall apply to periods after May 8, 2014.

''(B) EXECUTIVE OFFICERS AND SENIOR MANAGEMENT.—Such regulations shall provide that the management and control of an expanded affiliated group shall be treated as occurring, directly or indirectly, primarily within the United States if substantially all of the executive officers and senior management of the expanded affiliated group who exercise day-to-day responsibility for making decisions involving strategic, financial, and operational policies of the expanded affiliated group are based or primarily located within the United States. Individuals who in fact exercise such day-to-day responsibilities shall be treated as executive officers and senior management regardless of their title.

''(5) SIGNIFICANT DOMESTIC BUSINESS ACTIVITIES.—For purposes of paragraph (2)(B)(ii), an expanded affiliated group has significant domestic business activities if at least 25 percent of—

''(A) the employees of the group are based in the United States,

''(B) the employee compensation incurred by the group is incurred with respect to employees based in the United States,

''(C) the assets of the group are located in the United States, or

''(D) the income of the group is derived in the United States,

determined in the same manner as such determinations are made for purposes of determining substantial business activities under regulations referred to in paragraph (3) as in effect on May 8, 2014, but applied by treating all references in such regulations to 'foreign country' and 'relevant foreign country' as references to 'the United States'. The Secretary may issue regulations decreasing the threshold percent in any of the tests under such regulations for determining if business activities constitute significant domestic business activities for purposes of this paragraph.''.

(b) CONFORMING AMENDMENTS.—

(1) Clause (i) of section 7874(a)(2)(B) of such Code is amended by striking ''after March 4, 2003,'' inserting ''after March 4, 2003, and before May 9, 2014, or after May 8, 2016,''.

(2) Subsection (c) of section 7874 of such Code is amended—

(A) in paragraph (2)—

(i) by striking ''subsection (a)(2)(B)(ii)'' and inserting ''subsections (a)(2)(B)(ii) and (b)(2)(B)(i)'', and

(ii) by inserting ''or (b)(2)(A)'' after ''(a)(2)(B)(i)'' in subparagraph (B),

(B) in paragraph (3), by inserting ''or (b)(2)(B)(i), as the case may be,'' after ''(a)(2)(B)(ii)'',

(C) in paragraph (5), by striking ''subsection (a)(2)(B)(ii)'' and inserting ''subsections (a)(2)(B)(ii) and (b)(2)(B)(i)'', and

(D) in paragraph (6), by inserting ''or inverted domestic corporation, as the case may be,'' after ''surrogate foreign corporation''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years ending after May 8, 2014.

By Mr. NELSON (for himself, Ms. COLLINS, Mr. CARPER, Mr. GRASSLEY, and Mr. CASEY):

S. 2361. A bill to amend title XVIII of the Social Security Act to crack down on fraud in the Medicare program to protect seniors, people with disabilities, and taxpayers; to the Committee on Finance.

Mr. NELSON. Mr. President, I am joined today by my colleague Senator COLLINS to introduce legislation aimed at strengthening the government's hand in stopping Medicare fraud. Senator COLLINS and I have tried to offer some decent leadership to the Senate Special Committee on Aging and in the process we have heard a lot about Medicare and Medicaid fraud. I want to thank Senators CARPER, GRASSLEY, and CASEY for partnering with us to sponsor this legislation we are introducing today.

Earlier in the year Senator COLLINS and I convened a hearing of the aging committee to examine what government was doing to prevent Medicare fraud. The committee heard from law enforcement that despite the recent increase in prosecutions, Medicare fraud continues to run rampant. It is especially true in my State of Florida, where South Florida remains, unfortunately, ground zero for Medicare fraud.

We also heard from the Medicare organization itself about what the program is doing to try to better detect and prevent con artists from defrauding the system.

Then we heard from victims such as Patricia Gresko, a former schoolteacher from Michigan. She testified about this unbelievable scam where her doctor talked her into spending thousands of dollars for treatments for an illness she later discovered she didn't have. These treatments caused her to have chest pains and forced her to endure intravenous infusions that took hours.

Her doctor was arrested for bilking $225 million from Medicare. This is what he did: falsely telling patients they had cancer—if you can believe that, that they had cancer—so he could bill for expensive chemotherapy treatments. Ms. Gresko did not have cancer, but she had to endure all of that.

Today we are losing about $60 billion to $90 billion a year in Medicare fraud. Just last week, Federal agents arrested 90 people—50 of them, you guessed it, from Miami—on charges they had stolen $260 million from the Medicare Program. Fortunately, when we passed the Affordable Care Act, we put in provisions—some, I might say, at my insistence, because of ground zero being in my State—such as background checks, site visits for prospective Medicare providers and suppliers, and another one being stronger criminal and civil penalties, with the authority to withhold payment in law where there is a credible allegation of fraud. Those are just a few of the weapons in law as a result of the ACA.

This recent set of arrests of 90 people on charges of Medicare fraud tells us something else: We have to stop playing the game of Whac-A-Mole with Medicare criminals in trying to stamp out the fraud one bad actor at a time. You know what Whac-A-Mole is. You whack this creature on a table, and once you have whacked it, it pops right back up. So naturally, we talked to Sylvia Burwell, the President's nominee for Secretary of HHS. She echoed that last week at her confirmation hearing in the Finance Committee. She stated that we need to move away from the pay-and-chase model—which is what has happened. You have to chase them down. If you catch them, they pop back up again. So we need a better strategy.

While we are making strides by more aggressively pursuing this kind of fraud, obviously more needs to be done. That is why today Senator COLLINS and I are introducing the Stop SCAMS Act. It will require Medicare to verify that those wishing to bill Medicare have not owned a company that previously defrauded the government. It is going to also allow private insurers and Medicare to share information about the potential fraudulent operators in the system.

The bill also anticipates problems CMS may face in the future. It doesn't delay the rollout of the 10 new medical codes in any way—or shall I say what they refer to as the ICD–10 medical codes; there are a lot more of those medical codes—but it takes some lessons learned from the costly delays that have occurred with these codes and uses them to make the process better in the future. The legislation also requires, for the new medical coding systems after the ICD–10, that the agency assess the impact on fraud-prevention systems and do appropriate testing.

Combating this fraud will continue to be one of the core missions of our Committee on Aging. We have taken a look at many types of fraud scams—Jamaican phone scams, identity theft, Social Security fraud, payday lending—and now we are continuing to focus on Medicare fraud and will continue to examine additional issues.

Every day, Senator COLLINS and I hear from seniors about scams, and they let us know on our committee's hotline. I remind everybody: This hotline is there for you to report these scams—1–855–303–9470—and we are going to keep this committee going after these scams.

In the meantime, Senator COLLINS and I hope our colleagues will join us in support of this legislation to try to further clamp down on Medicare fraud. I am so happy to have the partner I have in helping lead the Committee on Aging, Senator COLLINS.

In closing, I would say that we really have a broad array of folks supporting us on this legislation: the National Health Care Anti-Fraud Association, America's Health Insurance Plans, Blue Cross and Blue Shield Association, the National Coalition Against Insurance Fraud, the National Insurance Crime Bureau, and Humana Insurance Company. They are all supporters of this legislation.

Mr. President, I await the comments of my colleague.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I am delighted to join my friend, the chairman of the Senate Committee on Aging, Senator NELSON, in introducing legislation to help combat fraud in the Medicare Program. We are introducing the Stop Schemes and Crimes Against Medicare and Seniors Act, or the Stop SCAMS Act.

As Senator NELSON has described, at our hearings earlier this year we heard absolutely appalling testimony from a woman who had to endure painful, 7-hour-long series of infusions for a disease she did not have just because her doctor was bilking the Medicare Program.

Imagine a physician who would do that, who would subject a vulnerable patient to the anxiety of thinking she had a disease she did not have and then treat her for a disease she did not have just to collect Medicare dollars. It really was appalling.

For decades the Government Accountability Office—GAO—has identified Medicare as being at high risk for improper payments, abuse, and fraud. In the year 2012 Medicare reported that it had lost more than $44 billion in improper payments due to waste, fraud, abuse, and mismanagement—and that estimate may well be too low. Think what we could do with $44 billion to improve the quality of health care and the coverage we are providing to our seniors or to reduce our unsustainable national debt. This is simply unacceptable.

The loss of these funds not only compromises the financial integrity and increases the costs of the Medicare Program, but it also undermines our ability to provide needed health care services to the more than 54 million older and disabled Americans who depend on this vital program.

Back in the late 1990s when I was chairman of the Permanent Subcommittee on Investigations, we held a series of hearings to examine fraud in

the Medicare Program. We identified the dangerous trend of an increasing number of completely bogus providers entering the system with the sole and explicit purpose of robbing it. One of our witnesses actually testified that he went into Medicare fraud because it was easier and safer than dealing in drugs; he could make a lot more money at far less risk of being caught.

Our hearings led to the adoption of some safeguards and better internal controls. But many years later what our continuing hearings have demonstrated is that unscrupulous individuals are always adopting and seeking out new ways to rip off the system. They seem to be always one step ahead of the authorities.

I do wish to emphasize an extremely important point; that is, the vast majority of medical professionals are caring, dedicated health care providers whose top priority is the welfare of their patients.

When we were investigating Medicare fraud in the late 1990s, what we found were a whole lot of individuals posing as health care providers who had no medical training whatsoever. I remember one memorable case where, had there been a site visit, it would have been discovered that this bogus provider had an office in the middle of the runway of the Miami airport. But, unfortunately, back then there were no site visits.

Health care providers—the true professionals—are the ones who are most appalled by the unscrupulous bandits who take advantage of weaknesses in the Medicare Program to bleed billions of dollars from the program.

As I indicated, we have made some progress over the years in the battle against Medicare fraud since I chaired those hearings. Unfortunately, however, there is no line item in the budget titled ''waste, fraud, and abuse'' that we can simply strike to eliminate this problem and solve it once and for all.

The task of ferreting out wasteful and fraudulent spending is made all the more difficult by the ingenuity of the scam artists, who continually adopt new methods of ripping off both the Medicare and the Medicaid Programs.

It is clear, as my distinguished chairman indicated, that we must do more than shift from a pay-and-chase strategy to combat Medicare fraud to one that prevents the harm from ever occurring in the first place. That is what the bipartisan bill we are introducing today would do.

Among other provisions, our legislation would require Medicare to verify health care provider ownership interests using other databases before new health care providers are allowed to enroll in the program. That is an upfront control that we can and should implement. Currently, Medicare relies on self-reported information. As a consequence, providers who previously had an ownership interest in an organization that defrauded Medicare can potentially get back into the program by simply using different names and failing to disclose their interest in the previous organization or practice.

Our legislation would also allow private insurers to share information about potentially fraudulent providers with Medicare and with each other to prevent further health care fraud.

It would also allow the Medicare Payment Advisory Commission to make recommendations to us regarding fraud prevention, and our bill would require the Medicare Program to develop a strategy for more accurately and reliably estimating how many dollars are lost each year to fraud.

As the chairman indicated, our legislation is endorsed by a wide variety of organizations, including the National Health Care Anti-Fraud Association, the Blue Cross and Blue Shield Association, Humana, America's Health Insurance Plans, and the Coalition Against Insurance Fraud.

I urge all of my colleagues on both sides of the aisle to join us in cosponsoring this important bill—legislation that I believe really can make a difference. I hope this is a bill we can move quickly. It is a commonsense bill. It will save taxpayer and beneficiary dollars, and it will help to curb the excessive fraud, the unacceptable fraud that is depleting dollars from a program—the Medicare Program—that is already under financial strain.

So let's move this bill. Let's send it to the House and on to the President for his signature as soon as possible.

Mr. President, I again commend the Senator from Florida for his leadership. It has been a great pleasure to work with him on this important issue.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 452—TO AUTHORIZE TESTIMONY, DOCUMENTS, AND REPRESENTATION IN CITY OF LAFAYETTE V. BRYAN BENOIT

Mr. REID (for himself and Mr. MCCONNELL) submitted the following resolution; which was considered and agreed to:

S. RES. 452

Whereas, in the case of City of Lafayette v. Bryan Benoit, Case No. CC201303991, pending in City Court in Lafayette, Louisiana, the prosecution has requested the production of testimony from two current employees in the Lafayette, Louisiana office of Senator David Vitter, and one former employee of that office;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. §§ 288b(a) and 288c(a)(2), the Senate may direct its counsel to represent current and former employees of the Senate with respect to any subpoena, order, or request for testimony relating to their official responsibilities;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial or administrative process, be taken from such control or possession but by permission of the Senate; and

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

Resolved, That Nicole Hebert and Kathy Manuel, current employees in the Office of Senator David Vitter, and Thomas Hebert, a former employee of that office, and any other employee of the Senator's office from whom relevant evidence may be necessary, are authorized to produce documents and provide testimony in the case of City of Lafayette v. Bryan Benoit, except concerning matters for which a privilege should be asserted.

SEC. 2. The Senate Legal Counsel is authorized to represent current and former employees of Senator Vitter's office in connection with the production of evidence authorized in section one of this resolution.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3225. Ms. AYOTTE submitted an amendment intended to be proposed by her to the bill H.R. 3474, to amend the Internal Revenue Code of 1986 to allow employers to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of the employer mandate under the Patient Protection and Affordable Care Act; which was ordered to lie on the table.

SA 3226. Ms. AYOTTE submitted an amendment intended to be proposed to amendment SA 3060 proposed by Mr. WYDEN to the bill H.R. 3474, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3225. Ms. AYOTTE submitted an amendment intended to be proposed by her to the bill H.R. 3474, to amend the Internal Revenue Code of 1986 to allow employers to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of the employer mandate under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE ____—OTHER PROVISIONS

SEC. __01. EXCLUSION OF CERTAIN COMPENSATION RECEIVED BY PUBLIC SAFETY OFFICERS AND THEIR DEPENDENTS.

(a) IN GENERAL.—Subsection (a) of section 104 is amended by striking ''and'' at the end of paragraph (4), by striking the period at the end of paragraph (5) and inserting ''; and'', and by inserting after paragraph (5) the following new paragraph:

''(6) amounts received pursuant to—

''(A) section 1201 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796); or

''(B) a program established under the laws of any State which provides monetary compensation for surviving dependents of a public safety officer who has died as the direct and proximate result of a personal injury sustained in the line of duty.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to amounts received after the date of the enactment of this Act.

SA 3226. Ms. AYOTTE submitted an amendment intended to be proposed to

amendment SA 3060 proposed by Mr. WYDEN to the bill H.R. 3474, to amend the Internal Revenue Code of 1986 to allow employers to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of the employer mandate under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE ___—OTHER PROVISIONS

SEC. __01. EXCLUSION OF CERTAIN COMPENSATION RECEIVED BY PUBLIC SAFETY OFFICERS AND THEIR DEPENDENTS.

(a) IN GENERAL.—Subsection (a) of section 104 is amended by striking ''and'' at the end of paragraph (4), by striking the period at the end of paragraph (5) and inserting ''; and'', and by inserting after paragraph (5) the following new paragraph:

''(6) amounts received pursuant to—

''(A) section 1201 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796); or

''(B) a program established under the laws of any State which provides monetary compensation for surviving dependents of a public safety officer who has died as the direct and proximate result of a personal injury sustained in the line of duty.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to amounts received after the date of the enactment of this Act.

NOTICE OF HEARING

COMMITTEE ON INDIAN AFFAIRS

Mr. TESTER. Mr. President, I would like to announce that the Committee on Indian Affairs will meet during the session of the Senate on Wednesday, May 21, 2014, in room SD–628 of the Dirksen Senate Office Building, at 2:30 p.m., to conduct business meeting to consider the following bills: S. 1474, to encourage the State of Alaska to enter into intergovernmental agreements with Indian tribes in the State relating to the enforcement of certain State laws by Indian tribes, to improve the quality of life in rural Alaska, to reduce alcohol and drug abuse, and for other purposes; S. 1603, to reaffirm that certain land has been taken into trust for the benefit of the Match-E-Be-Nash-She-Wish Band of Pottawatami Indians, and for other purposes; S. 1622, to establish the Alyce Spotted Bear and Walter Soboleff Commission on Native Children, and for other purposes; S. 1818, to ratify a water settlement agreement affecting the Pyramid Lake Paiute Tribe, and for other purposes; S. 2040, to exchange trust and fee land to resolve land disputes created by the realignment of the Blackfoot River along the boundary of the Fort Hall Indian Reservation, and for other purposes; S. 2132, to amend the Indian Tribal Energy Development and Self-Determination Act of 2005, and for other purposes; H.R. 2388, to take certain Federal lands located in El Dorado County, California, into trust for the benefit of the Shingle Springs Band of Miwok Indians, and for other purposes. Those wishing additional information may contact the Indian Affairs Committee at (202) 224–2251.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mrs. BOXER. 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 May 20, 2014, at 10:15 a.m. in room SD–366 of the Dirksen Senate Office Building in Washington, DC.

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

COMMITTEE ON FOREIGN RELATIONS

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on May 20, 2014, at 2:15 p.m.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, on May 20, 2014, at 2:30 p.m. in room SD–430 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Economic Security for Working Women: A Roundtable Discussion.''

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

COMMITTEE ON THE JUDICIARY

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on May 20, 2014, at 10 a.m. in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Judicial Nominations.''

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

SELECT COMMITTEE ON INTELLIGENCE

Mrs. BOXER. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on May 20, 2014, at 2:30 p.m.

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

SUBCOMMITTEE ON AIRLAND

Mrs. BOXER. Mr. President, I ask unanimous consent that the Subcommittee on Airland of the Committee on Armed Services be authorized to meet during the session of the Senate on May 20, 2014, at 9:30 a.m.

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

SUBCOMMITTEE ON EMERGING THREATS AND CAPABILITIES

Mrs. BOXER. Mr. President, I ask unanimous consent that the Subcommittee on Emerging Threats and Capabilities of the Committee on Armed Services be authorized to meet during the session of the Senate on May 20, 2014, at 5 p.m.

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

SUBCOMMITTEE ON READINESS AND MANAGEMENT SUPPORT

Mrs. BOXER. Mr. President, I ask unanimous consent that the Subcommittee on Readiness and Management Support of the Committee on Armed Services be authorized to meet during the session of the Senate on May 20, 2014, at 3:30 p.m.

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

SUBCOMMITTEE ON SEAPOWER

Mrs. BOXER. Mr. President, I ask unanimous consent that the Subcommittee on Seapower of the Committee on Armed Services be authorized to meet during the session of the Senate on May 20, 2014, at 11 a.m.

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

SUBCOMMITTEE ON STRATEGIC FORCES

Mrs. BOXER. Mr. President, I ask unanimous consent that the Subcommittee on Strategic Forces of the Committee on Armed Services be authorized to meet during the session of the Senate on May 20, 2014, at 2 p.m.

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

PRIVILEGES OF THE FLOOR

Mr. REID. Mr. President, on behalf of Senator JOHNSON of South Dakota, I ask unanimous consent that Krishna Patel and Dan Fichtler, detailees on the Banking Committee, be granted floor privileges for the duration of today's session.

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

Mr. NELSON. Mr. President, I ask unanimous consent that Dr. Andrea Buck, who is one of our detailees from the Department of HHS, the Office of Inspector General, be granted the privilege of the floor during the pendency of this session of Congress.

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

AWARDING CONGRESSIONAL GOLD MEDALS

Mr. NELSON. Madam President, I ask unanimous consent that the Senate proceed to the following bills to award Congressional Gold Medals en bloc, which were received from the House and are at the desk: H.R. 2939, H.R. 1209, H.R. 3658, and H.R. 685.

The PRESIDING OFFICER. Without objection, the Senate will proceed to consider the measures en bloc.

Mr. NELSON. Madam President, I ask unanimous consent the bills be read three times and passed en bloc, and the motions to reconsider be laid upon the table en bloc, with no intervening action or debate.

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

The bills (H.R. 2939, H.R. 1209, H.R. 3658, and H.R. 685) were ordered to a third reading, were read the third time, and passed.

AUTHORIZING LEGAL REPRESENTATION

Mr. NELSON. Madam President, I ask unanimous consent the Senate proceed to the consideration of S. Res. 452 which was submitted earlier today.

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

The legislative clerk read as follows:

A resolution (S. Res. 452) to authorize testimony, documents, and representation in City of Lafayette v. Bryan Benoir.

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

Mr. REID. Mr. President, this resolution concerns a request for testimony in a criminal misdemeanor action pending in City Court in Lafayette, LA. In this action, the defendant is charged with disturbing the peace arising out of his appearance at Senator DAVID VITTER's Lafayette, LA office. A trial is scheduled for May 28, 2014.

The prosecution has sought testimony from two current employees of Senator VITTER's office, and one former employee of that office, who were witnesses to the charged event. Senator VITTER would like to cooperate by providing relevant testimony, and, if necessary, documents from his office. This resolution would authorize those current and former employees, and any other employee of the Senator's office from whom relevant evidence may be necessary, to testify and produce documents in this action, with representation by the Senate Legal Counsel.

Mr. NELSON. Madam President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table, with no intervening action or debate.

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

The resolution (S. Res. 452) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

MEASURE READ THE FIRST TIME—S. 2363

Mr. NELSON. Madam President, I understand that S. 2363, introduced earlier today by Senator HAGAN, is at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The legislative clerk read as follows:

A bill (S. 2363) to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes.

Mr. NELSON. I now ask for its second reading and object to my own request.

The PRESIDING OFFICER. Objection is heard. The bill will be read for the second time on the next legislative day.

REMOVAL OF INJUNCTION OF SECRECY—TREATY DOCUMENT NO. 113–5

Mr. NELSON. Madam President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from the following treaty transmitted to the Senate on May 20, 2014, by the President of the United States: Convention on Taxes with the Republic of Poland, Treaty Document No. 113–5.

I further ask that the treaty be considered as having been read for the first time; that it be referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed; and that the President's message be printed in the RECORD.

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

The message of the President is as follows:

To the Senate of the United States:

I transmit herewith, for the advice and consent of the Senate to its ratification, the Convention between the United States of America and the Republic of Poland for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income, signed on February 13, 2013, at Warsaw (the ''proposed Convention''). I also transmit for the information of the Senate the report of the Department of State, which includes an overview of the proposed Convention.

The proposed Convention replaces the existing Convention, signed in 1974, and was negotiated to bring United States-Poland tax treaty relations into closer conformity with current U.S. tax treaty policies. For example, the proposed Convention contains provisions designed to address ''treaty shopping,'' which is the inappropriate use of a tax treaty by residents of a third country, that the existing Convention does not. Concluding the proposed Convention with Poland has been a top priority for the tax treaty program at the Department of the Treasury.

I recommend that the Senate give early and favorable consideration to the proposed Convention and give its advice and consent to its ratification.

BARACK OBAMA.

THE WHITE HOUSE, *May 20, 2014.*

ORDERS FOR WEDNESDAY, MAY 21, 2014

Mr. NELSON. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Wednesday, May 21, 2014; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate be in a period of morning business until 12:15 p.m., with the time equally divided and controlled between the two leaders or their designees; and that at 12:15 p.m. the Senate proceed to executive session, as provided for under the previous order.

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

PROGRAM

Mr. NELSON. Madam President, there will be one vote at 12:15 p.m. on the confirmation of the Fischer nomination. Following that vote, the Senate will recess until 2 p.m. to allow for the Republican caucus meeting. There will be up to five rollcall votes related to nominations at 2:10 p.m. The first vote in the series will be a rollcall vote, and we expect the remaining votes to be voice votes.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. NELSON. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 6:50 p.m., adjourned until Wednesday, May 21, 2014, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

THE JUDICIARY

GEOFFREY W. CRAWFORD, OF VERMONT, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF VERMONT, VICE WILLIAM K. SESSIONS, III, RETIRING.

IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COLONEL FRANCIS M. BEAUDETTE
COLONEL PAUL BONTRAGER
COLONEL GARY M. BRITO
COLONEL SCOTT E. BROWER
COLONEL PATRICK W. BURDEN
COLONEL JOSEPH R. CALLOWAY
COLONEL PAUL T. CALVERT
COLONEL WELTON CHASE, JR.
COLONEL BRIAN P. CUMMINGS
COLONEL EDWIN J. DEEDRICK, JR.
COLONEL JEFFREY W. DRUSHAL
COLONEL RODNEY D. FOGG
COLONEL ROBIN L. FONTES
COLONEL KAREN H. GIBSON
COLONEL DAVID C. HILL
COLONEL MICHAEL D. HOSKIN
COLONEL KENNETH D. HUBBARD
COLONEL JAMES B. JARRARD
COLONEL SEAN M. JENKINS
COLONEL MITCHELL L. KILGO
COLONEL RICHARD C. S. KIM
COLONEL WILLIAM E. KING IV
COLONEL RONALD KIRKLIN
COLONEL JOHN S. KOLASHESKI
COLONEL DAVID P. KOMAR
COLONEL VIET X. LUONG
COLONEL PATRICK E. MATLOCK
COLONEL JAMES J. MINGUS
COLONEL JOSEPH W. RANK
COLONEL ERIC L. SANCHEZ
COLONEL CHRISTOPHER J. SHARPSTEN
COLONEL CHRISTIPHER L. SPILLMAN
COLONEL MICHAEL J. TARSA
COLONEL FRANK W. TATE
COLONEL RICHARD M. TOY
COLONEL WILLIAM A. TURNER
COLONEL BRIAN E. WINSKI

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. DAVID H. BERGER

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 captain

ADDIE ALKHAS
CALLIOPE E. ALLEN
JOSEPH P. BARRION
ROBERT V. BARTHEL
RAYMOND R. BATZ
LYNELLE M. BOAMAH
DOUGLAS E. BROWN
KEVIN J. BROWN
RACHEL A. BURKE
RALPH E. BUTLER
HYUNMIN W. CHO
VINCENT L. DECICCO
ANDREA B. DONALTY
FRANK M. DOSSANTOS
JAMES E. DUNCAN
REGINALD S. EWING III
MAUREEN E. FARRELL
JEFFREY H. FEINBERG
MARK E. FLEMING
DAVID P. GALLUS
KATERINA M. GALLUS
AMY R. GAVRIL
RICHARD S. GIST
GREGORY H. GORMAN
FRANCIS X. HALL
DOUGLAS G. HAWK
TUAN N. HOANG
SUEZANE L. HOLTZCLAW
ROBERT T. HOWARD
SCOTT L. ITZKOWITZ
TERENCE E. JOHNSON
MICHAEL P. KEITH
JAMES O. LESPERANCE
HENRY LIN
JEFFREY H. MCCLELLEN
JAMES M. MCKEE
GEORGE W. MIDDLETON
KESHAV R. NAYAK
TIFFANY S. NELSON
KENNETH J. ORTIZ
SAYJAL J. PATEL
DENISE L. PEET
THEODORE C. PRATT
JAMES J. REEVES
CAROLYN C. RICE
MARK S. RIDDLE
PAUL B. ROACH
CARLOS J. RODRIGUEZ
JOHN R. ROTRUCK
KATHERINE I. SCHEXNEIDER
DANIEL F. SEIDENSTICKER
RICHARD P. SERIANNI
SUNG W. SONG
JEFFERY A. STONE
ROBERT G. STRANGE, JR.
SALLY G. TAMAYO
KENNETH A. TERHAAR
TRACY T. THOMPSON
KIMBERLY P. TOONE
SAM O. WANKO
MICHAEL W. WENTWORTH
JAMES C. WEST
TIMOTHY J. WHITMAN
CRAIG M. WOMELDORPH
JOHN D. YORK
PATRICK E. YOUNG

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 captain

JEFFREY G. ANT
LEWIS T. CARPENTER
DAVID F. CHACON
ALLISON A. CRAIN
JOSEPH N. DEHOOGH
LOUIS H. DELAGARZA
JAY GEISTKEMPER
GEORGE M. GUISE
STEVEN P. HERNANDEZ
SUSAN D. JOHNSON
JEFF B. JORDEN
GRACE L. KEY
JOHN F. LEUNG
PATRICK E. MCGROARTY
JOHN P. MOON
JOSE G. PEDROZA
KOICHI SAITO
DENNIS G. SAMPSON
GEORGE D. SELLOCK
FRANCISCO X. VERAY
SAM J. WESTOCK
DONNA M. 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 captain

PAUL J. BROCHU
MATTHEW CASE
GREGORY W. COOK
SIDNEY G. FOOSHEE
KEITH R. GIVENS
THOMAS C. HERZIG
DAVID C. HICKS
SHANNON J. JOHNSON
MARTIN W. KERR
KAREN P. LEAHY
MARK G. LIEB
KEVIN J. MCGOWAN
DOUGLAS M. MONETTE
SHERI B. PARKER
JOE T. PATTERSON III
PAUL W. PRUDEN
DOUGLAS E. PUTTHOFF
CYRUS N. RAD
SHAWN A. RICKLEFS
VALERIE J. RIEGE
FREDRIK D. SCHMITZ
JASON S. SPILLMAN
RAYMOND D. STIFF
MARK A. SWEARNGIN
ERIC R. TIMMENS
EDWARD G. VONBERG
GARY D. WEST

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 captain

BRADLEY A. APPLEMAN
TODD C. HUNTLEY
PETER R. KOEBLER
MARGARET A. LARREA
ROBERT J. PASSERELLO
WARREN A. RECORD
JOSEPH ROMERO

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 captain

JEFFREY W. BLEDSOE
STACIA L. FRIDLEY
ROBERT J. HAWKINS
CAROL B. HURLEY
JEFFERY S. JOHNSON
SHARI F. JONES
MICHELE A. KANE
JEANA M. KANNE
SHARI D. KENNEDY
DEBORAH A. KUMAROO
JEAN L. P. LORD
BETH A. MOVINSKY
ANDREA C. PETROVANIE
NICOLE K. POLINSKY
DALE D. RAMIREZ
MICHAEL J. A. SERVICE
SUSAN A. UNION

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 captain

KRISTIN ACQUAVELLA
BRIAN R. BALDUS
JASON A. BRIDGES
PATRICK S. BROWN
CHAD B. BURKE
ANDREW R. DARNELL
DANIEL D. DAVIDSON
JUSTIN D. DEBORD
BRADLEY E. EMERSON
DION D. ENGLISH
BRIAN J. GINNANE
PAUL A. HASLAM
CODY L. HODGES
ROBERT A. KEATING
ERIC A. MORGAN
HARRY X. NICHOLSON IV
WILLIAM J. PARRISH
JEFFREY W. RAGGHIANTI
NICKOLAS L. RAPLEY
COLLEEN C. SALONGA
BRIAN G. SCHORN
EDWARD L. STEVENSON
PAMELA S. THEORGOOD
ROGELIO L. TREVINO
JOSHUA L. TUCKER
JEROME R. WHITE

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 captain

CHRISTOPHER G. ADAMS
MATTHEW J. ANDERSON
KEITH W. BARTON
DONALD R. BRUS
FRANK C. CERVASIO
KEVIN K. JUNTUNEN
JEFFREY J. KILIAN
GILBERT B. I. MANALO
SCOTT P. RAYMOND
BRIAN L. WEINSTEIN
NICOLAS D. I. YAMODIS

CONFIRMATIONS

Executive nominations confirmed by the Senate May 20, 2014:

MILLENNIUM CHALLENGE CORPORATION

DANA J. HYDE, OF MARYLAND, TO BE CHIEF EXECUTIVE OFFICER, MILLENNIUM CHALLENGE CORPORATION.

SUSAN MCCUE, OF VIRGINIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE MILLENNIUM CHALLENGE CORPORATION FOR A TERM OF THREE YEARS.

THE JUDICIARY

GREGG JEFFREY COSTA, OF TEXAS, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FIFTH CIRCUIT.

MILLENNIUM CHALLENGE CORPORATION

MARK GREEN, OF WISCONSIN, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE MILLENNIUM CHALLENGE CORPORATION FOR A TERM OF TWO YEARS.