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House of Representatives

The House was not in session today. Its next meeting will be held on Tuesday, April 1, 2014, at 12 p.m.

Senate

MONDAY, MARCH 31, 2014

The Senate met at 2 p.m. and was called to order by the Honorable CHRISTOPHER MURPHY, a Senator from the State of Connecticut.

PRAYER

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

Eternal God, You have withheld nothing we need. Today, continue to meet the needs of our lawmakers. Give them so much more than they expect or merit that they will sing praises for Your goodness. In these days of challenges and opportunities, empower them with faith, courage, and goodwill to make the world a better place. Lord, use them as Your servants to bring healing to our Nation and world. Today, we also pray for the ill, the bereaved, the infirm, the discouraged, the lonely and the homeless.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

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

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, March 31, 2014.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable CHRISTOPHER MURPHY, a Senator from the State of Connecticut, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

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

RECOGNITION OF THE MAJORITY LEADER

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

SCHEDULE

Mr. REID. Mr. President, following my remarks and those of the Republican leader, we will proceed to H.R. 4302, Protecting Access to Medicare Act of 2014, with the time until 5 p.m. equally divided and controlled between the two leaders or their designees.

At 5 p.m. the Senate will proceed to executive session to consider the nomination of John Owens to be U.S. circuit judge for the Ninth Circuit, posteloture.

At 5:30 p.m. there could be up to four rollcall votes: First, on confirmation of the Owens nomination; then, if a Budget Act point of order is raised on the SGR bill, there will be a vote on the motion to waive the point of order; then passage of the SGR bill; and finally, on the motion to proceed to H.R.

3979, the legislative vehicle for the unemployment insurance bill.

HEALTH CARE

Mr. REID. Mr. President, I wish a happy baseball opening day to everyone. Actually, it started last night, not today, but it sounds better to do it during the daytime.

Although it is opening day for Major League Baseball, it also happens to be the last day for Americans to sign up for ObamaCare, the Affordable Care Act.

To date there are over 10 million newly-insured Americans benefiting from the health care law now in effect, and there are millions more who have changed their insurance because of this legislation. So it is clear Americans are signing up for this quality health care in record numbers—and that is an understatement.

I also am very happy we have been able to come to an agreement on the Medicare physician payment system. It is a 12-month fix. We need to take action on this to ensure that Medicare patients will be able to see their doctors. But the fact remains this legislation is not perfect. It is not ideal. I wish we could have followed the chairman of the Finance Committee, Senator WYDEN, who came in kind of late. Most of the work was done by Ambassador Baucus before he came in. But he worked really hard, and he wants to pay for it in a way I think is appropriate—to use the unspent money we have from the wars in Iraq and Afghanistan, called OCO, the Overseas Contingency Operations fund. But at this

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



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S1839

stage it doesn't appear it is now going to happen.

This legislation wasn't some last-minute deal. Senator Baucus worked on this for months, and it is the basis for what we are going to do here today. There were tough negotiations. Unfortunately, the parties could not come to an agreement on what a permanent fix should be. I said that I believe a permanent fix should be what Chairman WYDEN suggested and continues to suggest.

But House Republicans, though, chose to pass a partisan bill and increase the number of uninsured Americans and raised the cost of premiums. I believe we should repeal the defective payment system without increasing costs and without limiting access to quality health care. We need to restore sanity to the Medicare payment system without cutting benefits to seniors and without shifting the financial burden to hospital and other providers. We have done enough of that already. But right now we don't have the votes to do what would be the better thing to do.

So for millions of elderly Americans and their doctors, this fix is good news. It means the promise of accessible, quality health care to our Nation's seniors is being honored again—this time for another year. So while I am pleased with this temporary patch, I hope it is our last patch.

In the meantime, I extend my appreciation to Senator WYDEN, the chairman of the Finance Committee, for his work to bring stability to the Medicare payment system. From the moment he assumed the gavel to become chairman of that committee, he hit the ground running on this issue, as well as reforming the entire Tax Code. As we speak he is also doing some good work on the so-called tax extenders. It is my understanding he is meeting with his committee members today.

UNEMPLOYMENT EXTENSION

After confirming this long-awaited judge for the Ninth Circuit and approving a patch for the Medicare payment program, the Senate will turn to a long overdue extension of benefits for the long-term unemployed. This is a matter of really significant importance to millions of Americans. We have waited 3 months since Republicans first filibustered a bill to restore emergency benefits. More importantly, unemployed Americans have waited even longer. Since that filibuster, nearly 1 million more Americans have lost their benefits. That is 300,000 people a month who have been thrust into poverty not knowing how they will pay their bills.

I received a letter recently from a Nevadan named Jane who pleaded for Congress to extend benefits for the long-term unemployed. She is what we would call an older American, an older Nevadan. She didn't make the plea for herself. It was for her son. She said:

Please do all in your power to get this matter resolved. . . . My son has been looking since May of last year. He held his last job for 26 years and doesn't have a lot of ex-

perience in other fields. I cannot continue to help him. I lost my husband last July and lost his Social Security. I only have mine now. Please do what you can to help those who are in this position.

So imagine an elderly woman, a widow, so desperate to assist her middle-aged son that she is using her meager Social Security check to help him get by. Now her own financial situation is in jeopardy.

Jane and her son have already seen what happens when much-needed unemployment benefits don't get extended. For Nevadans struggling to pay their rent, to keep the lights on or to feed the kids, they have waited long enough. But we know why Republicans prefer to wait. For many of my colleagues across the aisle, waiting means doing nothing. So the fact is the majority of Republicans here in Congress are simply opposed to helping the long-term unemployed. Most won't say so, but that is the truth.

One GOP Congressman from California even said that an extension of unemployment benefits "will encourage unemployment." That is a tough one to follow. This elected Congressman believes that the half million people in the State of California who had their unemployment benefits terminated actually prefer to be jobless. I don't think so.

Here in the Senate last Thursday only 10 out of 45 Republicans voted to help Democrats break the 3-month filibuster. In fact, the GOP Senators from the State with the third-highest population of eligible long-term unemployed—Texas—both voted to block an extension of benefits. It is as if they simply don't care that some of their own constituents are teetering on the verge of indigence.

Notwithstanding this opposition to extending unemployment benefits, I am confident we will pass this bipartisan legislation in the Senate this week here. Then, hopefully, the Republicans in the House will have soft hearts and strong minds and allow this to pass over there. It is in their hands.

We hope they will be considerate to the roughly 2.8 million long-term unemployed across the country. Perhaps then these struggling Americans will finally get the relief they deserve.

RESERVATION OF LEADER TIME

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

PROTECTING ACCESS TO MEDICARE ACT OF 2014

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to consideration of H.R. 4302, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 4302) to amend the Social Security Act to extend Medicare payments to physicians and other provisions of the Medicare and Medicaid programs, and for other purposes.

The ACTING PRESIDENT pro tempore. Under the previous order the time until 5 p.m. will be equally divided and controlled between the two leaders or their designees.

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

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

Mr. REID. I would now suggest the absence of a quorum and have the time divided equally between both sides.

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

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CORNYN. 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.

THE ECONOMY

Mr. CORNYN. Mr. President, America's top priority is the same today as it was last year, the year before that, and the year before that: unemployment, jobs, and how to get this economy growing again.

Of course, these are concerns which transcend any kind of partisan affiliation. They transcend geographic and demographic boundaries. They are shared, of course, by Republicans, Democrats, Independents—everyone—people from all parts of our country.

But the sad fact is it has been almost 5 years since America's official economic recovery began and still too many people who want to work can't find a job. There are still 3.8 million people who have been unemployed for more than 6 months, and the labor force participation rate remains stuck at 63 percent. Of course, those are the people who don't even show up on the unemployment statistics because they have given up looking for work. This is what we talk about when we are talking about the labor participation rate—the lowest number since 30 years ago.

Since the current President took office, the average amount of time the unemployed have been without a job has almost doubled, from less than 20 weeks to more than 37 weeks. This is a shocking statistic.

So since President Obama has been in office, the average time people have been unemployed—have been out of work—went from less than 20 weeks to now 37 weeks, and the number of people on food stamps has increased from 32.2 million to nearly 46.8 million people.

As for median household income, it is now more than \$2,400 lower than it was at the end of the recession in June of 2009. The President talks a lot about

income inequality, but the problem is, it has gotten worse since he has been in office, not better.

We should be focused like a laser on things we might be able to do to set the stage to help the economy start growing again, because only when the economy grows do we see the unemployment numbers go down, do we see the labor participation rate go up, and we see regular American families have the opportunity to provide for themselves and to pursue their dreams. But right now that American dream is somewhat cloudy. Many people feel as though it is starting to pass them by, and that is the American tragedy. So you would think that at a time when there is a bipartisan consensus we need to get the economy moving again, we need to get people back to work so they can provide for their families, that there would be bipartisan agreement here in the Senate that anybody with a good idea ought to step up, offer it, debate it, and let's vote on it.

Well, unfortunately, the majority leader has a different point of view. He is refusing to let anyone on this side of the aisle offer any suggestions in the form of amendments that actually might have a chance of improving the situation for people who are out of work or people looking for jobs. Not only is the majority leader blocking votes on bills that would make it easier for Americans to find work, he is also promoting and defending policies that would actually discourage work. For example, both the majority leader and President Obama are advocating a minimum wage increase of 40 percent, while the Congressional Budget Office has told us it could destroy up to 1 million jobs.

Now the majority leader and the President may not agree with that estimate, but I will remind them of what Federal Reserve Chairwoman Janet Yellin said; she is President Obama's own appointee as Chairman of the Federal Reserve Board. She said she wouldn't want to argue with the Congressional Budget Office's assessment about the number of people who would be put out of work if you raised the minimum wage by 40 percent. For that matter, the evidence suggests that any increase in the minimum wage would destroy jobs and do very little, if anything, to reduce poverty rates. The best thing we could do is to get out of the way and let the economy grow again by making the environment more conducive to the people who invest, take risks, and start businesses or grow small businesses. That is the thing we could do that would help people the most.

But in addition to the minimum wage increase, the majority leader and President Obama are pushing for yet another extension of long-term unemployment benefits, even though President Obama's own former chief White House economist has said that "job search is inversely related to the generosity of unemployment benefits." So,

in other words, people react in *situs*, and when the government continues to pay unemployment benefits for people who are out of work, human nature is such that people are disincentivized to go back to work and look for work on occasion.

We all recognize the importance of this safety net program, and the truth is under the current law 26 weeks or 6 months are available for unemployment benefits. But under this administration we have seen unemployment benefits go from 6 months to 2 years. Two years after people have been out of work and those benefits lapsed, we have done nothing to improve job training programs that would help match the skills of out-of-work Americans to the jobs that are out there which pay good money—and I have seen many of them in my State, and I am sure the Presiding Officer has as well. We have seen a lot of good jobs go wanting for lack of a skilled workforce to be able to perform those jobs. So what we ought to be doing instead of extending unemployment benefits is we ought to be focusing on how we can train workers and provide them with the skills they need in order to qualify for those good, high-paying jobs.

At a time when the American people are desperate for more jobs and more work, the majority leader is steadfastly determined to pass legislation which would disincentivize people from going back and looking for work and would in fact discourage work and discourage job creation. That is before we even get to ObamaCare, a law the Congressional Budget Office has estimated would effectively reduce the size of America's labor force by 2.5 million people over the next decade. Remarkably, I guess trying to spin it any way they could, the White House actually took the position that was actually a good thing because people would have more time off.

Perhaps we shouldn't be surprised. After all, this is the same administration that unilaterally gutted the work requirements in the 1996 welfare reform law, one of the most successful welfare reform laws ever passed. It is the same administration that refuses to approve the Keystone XL Pipeline, a project that would directly create thousands of new jobs right here in the United States, and it is the same administration that refuses to embrace progrowth tax reform.

America's corporate tax rate is the highest in the world, and yet the President said he won't enter negotiations to reduce those rates, to eliminate double taxation so people will bring the money they earn overseas back here to hire more Americans and to build their businesses here. The President won't do that without an agreement on this side of the aisle to raise taxes, to raise revenue by \$1 trillion. That is not a bargain we are interested in negotiating. This is the same administration that refuses to support energy, the energy renaissance we have seen, and

continues to support regulations which actually threaten jobs and hurt families in return for meager or non-existent benefits.

As I have said before, this administration and its policies have become nothing less than a war on the American worker. I am not suggesting that is their intention, but I am suggesting that is the result.

If there is one thing we ought to all be able to agree upon it is that work is about basic human dignity. It is about self-worth and self-reliance; it is about giving people the opportunity to reach their full potential and to support their families. When the policies of the Federal Government actually discourage people from working, it makes it harder for teenagers to learn basic social skills and professional skills. It makes it harder for college graduates to utilize their education and pay off their student loan debt. It makes it harder for people of all backgrounds to start families. It makes it harder for mothers and fathers to gain the self-respect that comes from providing for your own children.

It is bad enough that the President and the majority leader have embraced an agenda that is fundamentally antiwork. What makes it even more outrageous is that this week the majority leader will deny the opportunity for anyone on this side of the aisle to offer any sort of constructive suggestions about how to deal with that problem. He is refusing to allow proposals that would actually encourage work and encourage job creation.

Here are just a few examples of the amendments and proposals that would come from this side of the aisle if the majority leader—it is his sole prerogative—would allow those amendments to be debated and voted on by the Senate:

For example, the senior Senator from Maine has a bill that would relieve the burden of ObamaCare on workers and businesses alike and restore the traditional 40-hour workweek. This has been one of the primary complaints of organized labor, some of the biggest supporters of ObamaCare. They said that in order to avoid the penalties that go along with ObamaCare, many employers are moving people from full-time work to part-time work. The amendment from the senior Senator from Maine, Senator COLLINS, would address that problem and fix it.

The senior Senator from Utah, Senator HATCH, has a bill that would abolish the job-killing tax on medical innovation.

The junior Senator from Missouri has a bill that would exempt military veterans from ObamaCare's employer mandate.

The junior Senator from Kentucky has a bill that would make it easier for Congress to block regulations that do not pass a simple cost-benefit test.

The junior Senator from South Carolina has a bill that would modernize

workforce training and eliminate duplicative government programs—something I was just talking about a moment ago.

The senior Senator from North Dakota has a bill that would singlehandedly create thousands of jobs by approving the Keystone XL Pipeline.

If and when these bills are offered as amendments to the pending legislation, they deserve a vote, but if the majority leader denies them a vote, he is effectively denying us a chance to expand our economy, create more jobs, and get people back to work. I used to think this was something Republicans and Democrats both agreed was a good thing. I thought we all agreed that job creation and work promotion should be the cornerstones of our economic agenda. With an agenda such as that, perhaps we could finally have a recovery of our economy worthy of its name.

So I hope the majority leader reconsiders his decision to deny an opportunity for a full debate and vote on these constructive suggestions. None of these are nongermane. All of these are directly on point and would actually help improve the underlying legislation and actually do something about the underlying symptom that necessitates in some people's minds this long-term extension of unemployment benefits.

We are not helping people out by continuing to pay unemployment benefits for 2 years and then leaving them hanging without the skills they need in order to reestablish themselves in the workforce. Unfortunately, the only conclusion I could draw is if the majority leader is not interested in having an honest and open debate about how do we solve the problems, then something else must be driving his agenda. I think we should get back to the day when collectively we were more concerned about solving problems than trying to beat on an issue and gain political advantage, but that seems to be the road we are headed down based on the majority leader's decision not to allow any votes on amendments.

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

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

The legislative clerk proceeded to call the roll.

Mr. SESSIONS. 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.

REMEMBERING JEREMIAH DENTON

Mr. SESSIONS. Mr. President, I rise to mourn the passage of a friend and to pay tribute to a remarkable man. Jeremiah Denton once served his country as a pilot, a prisoner of war, a rear admiral in the Navy, and a Senator of the United States. He passed away Friday morning at the age of 89, having been active until near the end.

From time to time men and women are born into this world who are made

of something special, individuals who seem to have an unlimited reservoir of strength and courage, who are made of sterner stuff. These people carry themselves with grace and dignity even as the world's weight rests upon their shoulders. Jeremiah Denton was such a man.

A proud son of Mobile, AL, he attended local Spring Hill College and the local Catholic schools and McGill-Toolen in Mobile, and he graduated later from the U.S. Naval Academy, becoming a pilot and commander. What happened next would etch his name into the annals of American history.

On July 18, 1965, Denton led a squadron of 28 jets on a bombing raid when he was shot down over North Vietnam. It was his 12th flight. Captured by the North Vietnamese, he would be a captive in prison camps for the next 7 years and 7 months. During his time as a prisoner of war, he endured virtually constant and excruciating torture. He was held captive at prisons the POWs called Hanoi Hilton, the zoo, and Alcatraz. He endured merciless beatings as well as solitary confinement for 4 years.

As a senior officer, he was a leader among the prisoners and rebelled against their brutal efforts to extract propaganda. Denton refused. Denton explained in an interview to the *New York Times*:

I put out the policy that they were not to succumb to threats, but must stand up and say no. We forced them to be brutal to us.

Denton wrote a memoir, "When Hell Was in Session"—which is a fabulous book and too little appreciated, really—recounting his time as a POW. He describes a torture session in which his captors placed a 9-foot, cement-filled bar across his shins. He wrote that his captors "stood on it and . . . took turns jumping up and down and rolling it across my legs. Then they lifted my arms behind my back by the cuffs, raising the top part of my body off the floor and dragging me around and around. This went on for hours . . . They were in a frenzy alternating the treatment to increase the pain until I was unable to control myself. I began crying hysterically, blood and tears mingling and running down my cheeks."

In May 1966, Denton would defy and outsmart his Communist captors and display to the whole world the depth of American courage and ingenuity. His captors interrogated Denton for a propaganda interview. While answering their questions at this interview, filmed by a Japanese film company, Denton was simultaneously and repeatedly blinking out a message, letter by letter, in Morse code. The message was "torture." It was the first official message informing Americans and the world that American POWs were being tortured by the North Vietnamese.

During the interview, he further displayed his unshakeable resolve by boldly declaring to his captors:

Whatever the position of my government is, I support it fully . . . I am a member of

that government, and it is my job to support it, and I will as long as I live.

North Vietnam's most ruthless interrogators couldn't break the will of this rock-ribbed American and Alabama native.

More than 7 long years later, on February 12, 1973, Denton would be freed as part of "Operation Homecoming" following the signing of the Paris Peace Accords. He was the senior officer of the first planeload of released POWs at Clark Air Base in the Philippines. Denton brought tears to the eyes of the entire Nation at that moment as he walked from the plane. It was reported that he wasn't told to make any official remarks or make a speech, but he got off the plane and these were his powerful words:

We are honored to have had the opportunity to serve our country under difficult circumstances. We are profoundly grateful to our commander-in-chief and to our nation for this day. God bless America.

Millions of Americans remember that day.

Denton earned the Navy Cross, the Defense Distinguished Service Medal, the Navy Distinguished Service Medal, three Silver Stars, the Distinguished Flying Cross, five Bronze Stars, two Air Medals, two Purple Hearts, and numerous other campaign awards. He rose to the rank of rear admiral and retired from the Navy in 1977.

In 1980 the proud and grateful State of Alabama would send our native son to the U.S. Senate. A man of deep faith, Denton believed in the dignity of public service and the selflessness required of those of us who serve. He believed that and he demonstrated it in his life.

He fought alongside Ronald Reagan to rebuild America's defenses and to fight the spread of communism and to help bring about the end of the Cold War. He was a firm believer in peace through strength. President Reagan recognized Senator Denton during his 1982 State of the Union Address. Many remember this. President Reagan said:

We don't have to turn to our history books for heroes. They are all around us. One who sits among you here tonight epitomizes that heroism at the end of the longest imprisonment ever inflicted on men of our armed forces. Who will ever forget that night when we waited for the television to bring us the scene of that first plane landing at Clark Field in the Philippines, bringing our POWs home? The plane door opened and Jeremiah Denton came slowly down the ramp. He caught sight of our flag, saluted, and said, "God bless America." Then he thanked us for bringing him home.

So said Ronald Reagan.

I had the privilege of getting to know Jeremiah Denton. He was a very special man. His word was his bond and his loyalty was unshakeable. He was modest. While he was a fierce advocate for his profound beliefs, it was never about him. In fact, he was very uncomfortable with the term "hero" being applied to him. His comeback was always: "We were only doing our duty."

They said, after his time in Communist prison, that he was out of

touch; he didn't know the 1960s had occurred. Perhaps so. In fact, it was so. In plain fact much had occurred while he was in prison and being tortured. It was, among other things, a culturally momentous time. Many of those changes he did not like. He said so in plain language. He didn't like the surge of crime and drugs. He believed in loyalty to one's spouse. He opposed abortion. He lamented the consistent weakening of family bonds, sexual promiscuity, the decline in decency. He cared enough to speak out and again give of himself for his faith and his country.

He represented the best America has to offer. His grit and bravery shined through from his dark prison cell deep in Vietnam, and it lit up the world. He loved his country. He loved his God. He loved his family.

In 1996, when I was considering running for the U.S. Senate, I sought his counsel. He graciously agreed to come by my house in Mobile. It was a very valuable discussion. Near the end, we talked of his service. He told me a story—and I think it may be appropriate to tell it now—of his time in prison that he had not put in his fine book. After President Nixon's bombing and strong military action had brought the North Vietnamese to the conference table, Denton was firmly of the belief that the Vietnamese were defeated and they knew they were defeated. Concerned over possible war crime trials, one of the prison officials demanded that Denton tell them all what he would say to the world about his treatment if he were to be released. Senator Denton sought to avoid the question, saying: Why are you asking me? I am not the senior officer in the camp.

But they pressed him again and again, and he kept saying: Why me? I am not the senior official.

Finally, the prison official looked at him and said: "Because you are incredible, Denton."

That is the flat truth. He was incredible.

When he told the world and his captors during that "show" press conference before the Japanese television where he blinked the word "torture" that "whatever the position of my government is, I support it fully . . . I am a member of that government, and it is my job to support it, and I will as long as I live," it was a moment of great courage, historical significance, and fidelity to duty that few in this Nation would be able to match. He knew the captors would not like it, and they did not like it. They beat him brutally for the disrespect he showed by telling that truth, and they even did so before they knew he had blinked out "torture."

His family was his life. He was married to the late Kathryn Jane Maury for 61 years, with whom he had seven children. He is survived by his second wife Mary Belle Bordone and his children: Jeremiah, William, Donald, James, Michael, Madeleine Doak, and Mary Lewis.

The entire Senate sends our prayers to his loved ones, and we send our promise that Jeremiah Denton will not be forgotten.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Montana.

Mr. TESTER. Mr. President, every Senator in this body represents smalltown America. There are small towns across this country, from Connecticut, to Texas, to small towns in my State of Montana. In fact, I grew up and still live outside one of those small towns—a town by the name of Big Sandy, MT, which is home to 600 people. There are no stoplights. The high school has about 60 students.

What makes America great is that we believe and we cherish the idea that whether a person grows up in a town such as Big Sandy or a town as big as New York City, a person gets a fair shot in life. That fair shot includes the basic freedoms we enjoy as Americans. It includes the right to a good education. It includes the right to high-quality, affordable health care no matter where we live.

As a resident of Big Sandy and as a Senator from Montana, it is my job to not only represent the entirety of America but to point out when our Nation is not living up to its ideals when it comes to rural America. Right now Washington is tying the hands of rural hospitals and smalltown physicians and threatening the health care of Americans in all of rural America.

The bill we are voting on tonight is a good and important bill. It prevents a 24-percent reimbursement cut to physicians under Medicare and TRICARE.

Many folks don't realize that this bill affects retired military and National Guardsmen who have bought into TRICARE. This bill is critically important to them as well.

Above all, it makes sure that doctors can keep treating patients and that folks can still keep getting emergency services. It may be a temporary solution and one we have reached too many times, but it is a necessary solution to keep our health care system working.

I appreciate Leader REID bringing it to the floor. However, this bill could be stronger, especially for folks in rural America. I pushed to include two provisions in the bill to strengthen rural health care, but despite my best efforts, they are not going to be a part of the measure we vote on this evening.

The first provision, which I introduced with Senator ROBERTS, removes the requirement that physicians at critical access hospitals certify that a patient will be discharged or transferred in less than 96 hours in order for that hospital to be reimbursed for services.

Critical access hospitals are treatment centers in rural areas that have no more than 25 inpatient beds. They play a vital role in providing quality, affordable health care in rural and frontier communities across this country. Without them, folks would have to

travel long distances to get care, and many would not get treatment at all.

But imagine being a rural physician and having to determine exactly how long a patient will stay as they are admitted. What if the patient develops a secondary condition such as pneumonia? You would have to decide whether to discharge the patient, keep them in and risk losing reimbursement, or transfer them to another facility at cost.

Now, how is that good health care? How is that fair to rural America?

Hospitals should not have to choose between caring for their patients and getting paid. This is a choice no one should have to make, and it is certainly not one the government should be forcing on rural physicians who already have their hands full.

The second provision, which Senator MORAN and I introduced, prevents the Centers for Medicare and Medicaid Services from enforcing a new rule that requires direct physician supervision of outpatient therapeutic services—such as drug infusions—at critical access hospitals and other small hospitals.

If this rule is enforced, it will severely limit the ability of rural Americans to get much-needed care in their local communities, where the community's one physician may be out of town when the call comes in.

Should a patient be denied basic blood work because the doctor is not available?

When folks in small towns get sick, the last thing they need is the added burden of traveling to another town to get the care they need. That is why Senator MORAN and I introduced this bill, because Washington's one-size-fits-all solutions sometimes just simply do not work for rural America.

Our bill passed the Senate, but there is no companion bill in the House of Representatives. So we sought to include it in tonight's fix. Despite the fact that there is no stated opposition—and that both of these bills will not cost the American taxpayer one dime—we were unsuccessful in our efforts.

I am not asking for much. These two bills are widely supported. They are bipartisan, and they will not add to the deficit. And they offer much-needed flexibility for rural hospitals seeking to provide high-quality health care while making ends meet.

I know Senator WYDEN supports them. So does Senator HATCH. I appreciate their support. But the House of Representatives, for whatever reason, chose to leave these important proposals out. They are exactly the kind of bills we should be approving—bills that offer support for the thousands of hospitals that provide critical care across rural America, hospitals that should not have to have their hands tied by regulations that work better in urban communities. We should be making sure they have the flexibility they need to meet the needs of their communities.

Mr. President, if you or I need emergency care here in the Senate, there are multiple large hospitals nearby where we can get the treatment we need. But that is not the case in rural America. Distances in rural America are measured not in city blocks but in miles. We need to make sure the regulations coming out of the Department of Health and Human Services reflect that.

Montanans elected me to bring a little more common sense to Washington. Often this is not an easy job. But these are two straightforward, commonsense provisions to prove to Montanans that politicians in Washington get it and they get their concerns. And we hope that all Americans get a fair shot at the opportunities promised to us, regardless of their ZIP Code. I will keep fighting for these provisions and other measures that strengthen and support rural America.

With that, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Oregon.

Mr. WYDEN. Mr. President, as the new chairman of the Senate Finance Committee—16 working days on the job—it is humbling to be parachuted late into the issue of reimbursing doctors for Medicare services, and I intend to be brief here at the outset of this debate.

All sides agree that the current system for paying doctors, known as the SGR, does not work well for seniors, the many gifted physicians who serve them, or taxpayers. Devised in 1997, the SGR sets an annual cost target for Medicare physician payments, and it is honored more in the breach than in the observance. When the SGR is not met, the Congress says that is OK, we will just apply a patch and we will punt. Patch it up and let that SGR limp along, just as it has year after year after year.

Mr. President and colleagues, there have now been 16 of these patches—16—and every Senator who I talk to says that just defies common sense and it seems bizarre even by Beltway standards. The cost of the patches now resembles the cost of the full repeal.

To his great credit, the majority leader, Senator REID, has repeatedly said his first choice for dealing with this issue is to finally repeal the SGR. Now is the ideal time for repealing SGR. The cost of full repeal is far less than anticipated. Thoughtful, bipartisan work has been done in the House and the Senate on repeal and replace, and leading advocates for seniors and their doctors want to replace the status quo with real reform.

So as an alternative to the flawed status quo—an SGR patch No. 17—this afternoon I will make two unanimous consent requests so that the Senate is allowed to have a choice; specifically, a vote on a proposal to permanently repeal and replace the SGR and also to fund the health care extenders.

I will wrap up by briefly describing this proposal. Its essence is to close

two chapters of Federal budget fiction. Since the SGR is just pretending that Congress will hold the line on Medicare spending, I believe it is time to end this fiction and wipe SGR off the books. And for balance, I am going to propose ending another piece of budget fiction, specifically the Overseas Contingency Operations, known as OCO, and the spending on wars that are winding down. This too is fiction.

As former Republican Senator Jon Kyl said—a conservative by anybody's calculation—during a previous SGR debate, let's use war savings for one last time to wipe out the debt Congress has built up by overriding reductions in payments to doctors, and from that point on war savings would only be used for defense.

So there you have my proposal: truth in budgeting all around. Wipe the slate clean on Medicare so you can support seniors and their doctors and move forward with real reforms along the bipartisan lines the House and Senate have already agreed to.

I would add that if Congress took the action I just proposed, it could go farther and address the health extenders. Unlike the SGR, these are real programs helping, for example, vulnerable low-income seniors, rural communities, and seniors who need a variety of therapies. Each one of those has strong bipartisan support.

This, too, could be addressed in a fiscally responsible manner. A big chunk of the cost of 10 years' worth of these extenders could be addressed with the savings of the 1-year patch.

So here is my closing: A lot of good work has gone into a bipartisan, bicameral reform plan that finally repeals and replaces the SGR. I would just say to my colleagues, doesn't that deserve a vote? If my unanimous consent request is accepted, we would have that vote.

At this time, Mr. President, I ask unanimous consent that notwithstanding the previous order with respect to H.R. 4302, following disposition of the Owens nomination, when the Senate resumes legislative session, the Senate proceed to the consideration of Calendar No. 336, S. 2157; that following the reporting of the bill, the bill be read a third time and the Senate proceed to vote on passage of the bill with no intervening action or debate; and that upon disposition of the bill, the Senate resume consideration of H.R. 4302, as provided under the previous order.

The ACTING PRESIDENT pro tempore. Is there objection?

The Senator from Alabama.

Mr. SESSIONS. Mr. President, reserving the right to object, I want to express my appreciation to Senator WYDEN for his leadership. He is going to do a great job as chairman of the very important Finance Committee. He is active in all the issues before our Senate. But, regrettably, a number of Members on this side object to proceeding with his legislation at this point.

I would note that budget experts tell us that paying for this through OCO is the mother of all gimmicks. I just spoke about the passing of Senator Jeremiah Denton, who was a prisoner of war in Vietnam. We could use the savings from the Vietnam war that we are not spending today to pay for this bill.

So I would object, Mr. President. Hopefully, we can figure out another way to make this happen because Senator WYDEN is correct, it is time to get a permanent fix of this matter done.

I would ask consent that S. 2122, Calendar No. 330, be proceeded to for immediate consideration. It would repeal the Medicare sustainable growth rate offset by repealing the ObamaCare individual mandate. I ask consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table.

The ACTING PRESIDENT pro tempore. The unanimous consent request from the Senator from Oregon is on the table. Is there an objection?

Mr. SESSIONS. I did object, yes.

The ACTING PRESIDENT pro tempore. Objection is heard.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 330, S. 2122, a bill to repeal the Medicare sustainable growth rate offset by repealing the ObamaCare individual mandate. This is proposed by Senators HATCH and MCCONNELL and CORNYN. I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be considered made and laid upon the table.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. WYDEN. I object, Mr. President.

The ACTING PRESIDENT pro tempore. Objection is heard.

The Senator from Alabama.

Mr. SESSIONS. Mr. President, I thank the Senator from Oregon for his leadership and hopefully something can be worked out on this because it is important. But it is frustrating that there is no intention, it appears, to allow this provision, this fix to be brought up. Therefore, without that kind of consent, I think it is unlikely we will get a unanimous consent to move forward with Senator WYDEN's fix.

The ACTING PRESIDENT pro tempore. The Senator from Oregon.

Mr. WYDEN. Mr. President, before my friend from Alabama leaves the floor—just to highlight where we are—I think he knows how strongly I feel about always trying to tackle these issues in a bipartisan fashion. I would just assure the Senator from Alabama, the reason we took as our underlying repeal-and-replace bill the good work that was done by Senator HATCH and Chairman CAMP and Chairman UPTON is I felt that extended the olive branch in trying to bring the parties together. I intend to do that consistently on the Finance Committee—pretty much just

the way I did when I supported George W. Bush on Part D of Medicare.

The challenge, of course, here is that this would be the 51st attempt to essentially try to make changes in the ACA that would end up particularly shifting costs to so many vulnerable people.

It seems to me, particularly today as we have thousands and thousands of people still trying to sign up—I noticed the *Wall Street Journal*, Saturday, stated that the CBO said the original target for the Affordable Care Act had been met. I think it would be particularly unfortunate to go forward with what would be the 51st effort to try the same kind of approach that particularly would cause so much cost shifting in American health care onto the books of a lot of folks who are already walking an economic tightrope.

I know a number of my colleagues want to speak. As the manager of the time, it is my intention to try to alternate with colleagues of various points of view with respect to this issue. I am sure that will be done as well on the other side.

I note my friend from Virginia on the floor. He is going to be the new chairman of the Senate Finance Subcommittee on Fiscal Responsibility. I think he brings extraordinarily important credentials to this job. His support of the kind of approach I have advocated this afternoon highlights that this will have support in both political parties from Members who have strong credentials in terms of promoting fiscal responsibility.

I would yield to him and look forward to my colleague's remarks.

The ACTING PRESIDENT pro tempore. The Senator from Virginia.

Mr. WARNER. Mr. President, first of all, I thank the chairman of the Finance Committee for his efforts in this endeavor. I am disappointed there was an unwillingness to at least have a vote on this important issue. I have been a very lucky individual. I have had the opportunity to have a career in business, and I have had a career as a Governor. In each of those cases, I had to learn business practices and accounting practices. Business accounting practices are different than government accounting practices. State accounting practices are somewhat different as well.

But I have to tell you, what takes the cake is what passes for rational accounting and scoring practices in the Federal Government and how we maintain these fictions about what are costs, what are expenses in a way where the vast majority of Americans do not have the slightest idea what we are talking about: SGR, OCO, terms we throw around in this body that have no relationship to the bottom line but prevent us from taking action to at least start the process of getting our balance sheet right, a balance sheet that right now is \$17 trillion in debt, that goes up 4 billion a night.

The chairman of the Finance Committee outlined very well how this

process came to be, the sustainable growth rate, where Congress 17 years ago said they saw at that point that the cost of Medicare would rise and the cost of our entitlement programs was rising. They put in place at that point what they thought was a rational solution to slowly slow the rate of growth.

The challenge was Congress immediately punted. As opposed to resolving it at that point, we have maintained this legal fiction and this accounting fiction that no one under any kind of traditional standards of accounting would accept, where we built in this cost increase, and then each year we come back and so-call patch it.

Each year we go through a fire drill where lobbyists across town harangue and harass Members of both parties on a universal basis and say: Oh, my gosh. We cannot allow this to happen. Hospitals and doctors who should be spending time providing health care or finding cheaper and better ways to deliver health care storm the halls of the Capitol to make sure we do not provide what would now be an unsustainable cut in their reimbursement rates.

But it appears to me we are now about to go, for the 17th time, one more year on a short-term patch and will one more time kick this can down the road. What we are avoiding, if we take this vote this afternoon and simply patch over an effort that was brought over from the House, an effort in the House that I would remind my colleagues never came to a rollcall vote, we will once again avoid the opportunity to start to, in effect, clear our balance sheet, to make the size of our debt and deficit—and for those of us who have been involved in this issue, to go ahead and get rid of some of the budgetary fakery that quite honestly makes so many of our other efforts that may be legitimate seem illegitimate because we cannot even clean up our books.

The chairman of the Finance Committee went through how this SGR was created in 1997 and how we have gone through annual patches. It is remarkable that the total cost of these patches actually exceeds—what we have already spent exceeds the cost of repeal. The repeal of SGR at this point is roughly \$135 billion. Based upon previous budget estimates, this is the year to take this action.

What has been the challenge in the past, while there has been agreement—we heard from the Senator from Alabama, and others will come and bemoan the fact that SGR is a fakery, SGR is budget gimmickry. We have this action that is taken on every year, where doctors, hospitals, others storm the Congress and say please do not do this, and then at the eleventh hour we extend.

What has avoided opportunities in the past to get rid of this issue is that there has not been a solution, not been a bipartisan solution. But this year, due to the good work of the chairman, the ranking member of the Finance

Committee and their equivalents in the House, there is agreement on what a replacement to the SGR would look like. We would move to a system that would actually fix the problem but also improve the quality of service covered under Medicare.

We would move to a payment system which would reward doctors for focusing on providing high-quality care. Doctors would actually be rewarded for talking to each other, to make sure tests and services are not unnecessarily duplicated. Doctors would be rewarded for ensuring patients have access to care when they need it, such as same-day appointments. Doctors would be rewarded for spending more time with patients and genuinely talking about the patient's priorities and concerns rather than running off to their next appointment.

These are all goals—regardless of what some of our colleagues may feel about the Affordable Care Act, these are all goals that almost all of us would agree would actually improve the quality of health care in America, and for Medicare start to help drive that cost curve back in the right direction.

If we would act on this bipartisan solution, we could make a real demonstration, even in an election year, that Congress is actually working together to solve the problem.

The chairman of the Finance Committee noted that in the 5 years I have had the honor of representing Virginia, there is no issue I have been more passionate about, involved with, than trying to find that common ground around our debt and deficit, sometimes to the chagrin of my own colleagues on this side of the aisle.

I believe getting our fiscal house in order is absolutely the top priority that this Congress and our Nation face. I believe failure to do that will squeeze out any investment in education, infrastructure, military, whatever our other priorities are. Part of that is getting our entitlement costs under control. But if we are going to get our entitlement costs under control, we have to eliminate the budget gimmicks and fakery that now are part of the process.

The primary one on the entitlement side is the SGR. We have a remarkable opportunity to get rid of this peace of budget fakery, to clear the books, to put in place a better system. I know there have been questions about the cost. I believe the chairman of the Finance Committee will soon put up a chart which will quote a periodical that does not often say good things about those of us on this side of the aisle; that is, the *Wall Street Journal*, which has called the SGR a “book-keeping gimmick which merely hides Medicare's true cost by moving future spending off the balance sheet.”

Again, we have a chance to get rid of that today. What I think the chairman of Finance Committee has offered is we could actually get a two-for. We could

get rid of repealing and replacing the SGR and at the same time eliminate another budget gimmickry tool, the OCO account.

I cannot understand why we would not take advantage of this opportunity to start down the path of cleaning up our balance sheet. At the end of the day, the actions we take today will not get rid of that \$17 trillion in debt. It will not bring down our deficit in itself, but it will allow future actions to be dealing with an accounting system and a budget that is much truer to reality.

The chairman of the Finance Committee has called this the Medicare migraine. I think it is time for this Congress, this Senate, to actually take two aspirin, pass this replace and repeal, get rid of this migraine, and at the same time show the American people we can act in a bipartisan fashion, even in an election year.

The ACTING PRESIDENT pro tempore. The Senator from Oregon.

Mr. WYDEN. Mr. President, before he yields the floor, through the Chair, I would pose a question to the distinguished Senator from Virginia.

The Senator from Virginia has, as usual, gotten right to the heart of the long-term challenge with respect to entitlements. I have always tried to describe it as the challenge of protecting the Medicare guarantee because what seniors have is a guarantee. It is not something that is up for grabs. It is a guarantee. It is inviolate. Protecting their guarantee means that in the days ahead we are going to have to figure out new ways to hold down costs.

What I have heard the Senator from Virginia talk about very eloquently is one of the key ways to do that is what the Senator from Virginia and I have sought to do, which is to start having Medicare—start having Medicare pay for value rather than just staying with this volume-driven fee-for-service system, which largely rewards inefficiency. I think it is my sense that the Senator from Virginia believes it is very hard to start the kind of real entitlement reform we need, where we protect the Medicare guarantee and hold down costs, unless we make the kind of approach we are advocating in this repeal-and-replace strategy with SGR.

We better get to it, because until we have those changes, we cannot begin to get on with another area that the Senator from Virginia feels very strongly about; that is, chronic diseases—diabetes, cancer, heart disease, and stroke—which consume more than 80 percent of the Medicare budget. By my calculation we cannot get on that or any of the structural entitlement challenges until we do what the Senator from Virginia is talking about: Is that pretty much the way the Senator from Virginia sees it?

The ACTING PRESIDENT pro tempore. The Senator from Virginia.

Mr. WARNER. Mr. President, I would agree with the comments made by the chairman of the Finance Committee. In the repeal-and-replace proposal we

have laid out ideas that again I think across the aisle there is going to be common agreement on. I know we have been joined by my good friend the Senator from Oklahoma. No one knows more about health care and has been a stronger voice on entitlement reform than the Senator from Oklahoma.

We have spent an awful lot of time wrestling with how we get to that common cause. These commonsense reforms that move us closer to quality rather than quantity are a first step.

Also, a first step is trying to relieve the annual or sometimes every-6-month fire drill we go through where health care providers across the country have to rush to Congress to try to get a patch in place, which at the end of the day we know we will put in place. The way we put the patch in place more often than not is simply passing more cost to the providers in an outyear. This is the kind of budget gimmickry that quite honestly we tried to address in our so-called Gang of 6 that would have had more constraints. We didn't get it done.

We have another opportunity today—not to solve the whole problem, but by getting rid of SGR, by getting rid of OCO, we are moving two of the accounting and gimmickry obstacles, which would help clear the decks toward the ultimate debate we are going to have about tax reform and about retirement reform. But the value is that by repealing the SGR, we would also put in place reforms that move us toward a better quality health care system for our seniors.

I know the consensus and conventional wisdom is that at moments such as these we will always punt. We will have a chance this afternoon to see whether we will punt one more time or whether we will actually—if it takes a few more days—wrestle this to the ground and come up with a common cause where we could repeal SGR, replace it with a better system, and perhaps at the end of the day get rid of not one but two gimmicks that have made our budgeting so much more difficult.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. I would like to spend some time talking about the bill that is on the floor.

I thank my colleagues from Oregon and Virginia. I have enjoyed working with them.

The bill we have on the floor is one of the reasons I am leaving Congress at the end of this year. This is why the American people are disgusted with us. We are going to put off until tomorrow what we should be doing today. We should be fixing this problem instead of delaying the problem. I concur a lot with what my colleague from Virginia said. But the fact is that there is no courage, there are no guts, and there are no unintended actions to do what is the best thing in the long term for this country in this body anymore.

We have a bill that came to us—and I appreciate the fact that the chairman

wants to try to fix it. But if they vote for this bill that is on the floor today, they are part of the problem. They are not part of the solution; they are part of the problem.

There are four budget points of order that lie against this bill. Why in the world would there be four points of order lying against this bill? We are only going to vote on one of them. It is because it is a sham. It is a lie. The pay-fors aren't true. They are nothing but gimmicks. It is corruptible. There is no integrity in what we are getting ready to vote on in terms of being truthful with the American public and in terms of being truthful with the people who are providing the care for Medicare patients.

I have a little bit of experience—25 years of practicing medicine. I can tell you what is wrong with the payment system. We have a payment system both from the insurance industry and from Medicare and Medicaid that says: See as many patients as you can if you want to pay your overhead because we are going to pay you based upon a code rather than how much time you spend with a patient.

The first thing a doctor is taught in medical school is sit down and listen to the patient. If we spend time with the patient, the patient will tell us what is wrong with them. We know that is true because we have two of the sets of data now—both on the concierge medicine that has come up in the past few years as well as what we have seen in one of the great HMOs on the west coast. They order 62 percent fewer tests when they are listening to the patient.

One of the biggest costs for Medicare, one of the biggest wastes for Medicare is tests. Why do doctors order tests? Because they didn't spend the time figuring out what is really wrong with the patient, so they order a bunch of tests to try to help them; whereas, if they had spent an additional 15 or 30 minutes with the patient, most of those tests—and most are not without risk—would never have been performed.

We have the Senate doing what we usually do: We are putting this off until tomorrow when we can actually fix the real problem now.

It comes to another principle of medicine. The principle of medicine is that we don't treat symptoms, we treat disease. When we treat the disease, the symptoms go away. If we just treat the symptoms, we will never find the disease. We will cover up the disease. That is exactly what we are doing.

The SGR was a great idea. It started in 1995 in the Ways and Means Committee in the House under former chairman Bill Archer. Had we followed it, we would have seen some significant reining in of the costs of care and Medicare. But what happened? We cut spending and we cut reimbursement rates one time. Instead of responding to the political clamor of the provider group, we fixed it—a short-term fix. We have been doing that ever since 1999, short-term fixes.

We are not fixing this problem today. What we are doing is taking a big old can and kicking it down the road. Worse than that, we are not even being truthful about what we are doing.

One of the little gimmicks is to shift \$5 billion of sequester from 2025 to 2024 and say you saved money. But we all know this little red area on this side will go over to the other side and we will spend that money. Nobody believes it. It is kind of the wink and the nod to the American public: Oh, look at us.

There is no truth, there is no honesty about what we are doing. And that is only one. This is the other offset. The sequester was the one I just showed. Savings from future Medicare cuts: \$2.3 billion. They will never occur. If you think they will occur, you obviously think—if they will occur, then we should have fixed the real problem, the real disease of Medicare today. But we didn't. So the actions will continue to be exactly the same. That \$2.3 billion will never be materialized whatsoever. It is a falsehood—\$4.4 billion to Medicaid. It will not ever come about. That is in the future, but we will take the money now to pay for it.

In this bill of approximately \$20 billion, half of the savings we say are there aren't there. Every Member of this body knows that. So when they vote for this fix today and vote against the budget point of order, what they are saying is: I am dishonest, I am playing the game, and I will not stand up for truth so the American people actually know what we are doing. I do not believe in transparency. I do not believe that we ought to have to live within our means, that we ought to make hard choices, just as every American family out there does today.

Finally, some of this is very unfair to the very people who worked on this with the committees because they made some commitments for real cuts to them to get a long-term fix. Guess what. The real cuts—the portion that is actually paid for—pay for it for only 1 year. So not only are we dishonest with the American people, we are dishonest with the stakeholders who negotiated this for a 10-year elimination.

The budget points of order against this bill—just so we know what we are talking about, it violates pay-go. Plain and simple, it violates pay-go. This bill increases the on-budget deficit. I dare somebody to come down to the floor and tell me it does not. It does.

It violates the Ryan-Murray 2014 congressional Budget Act because it violates the top line. Nobody is going to come to the floor and say it doesn't. We won't hear one speaker come to the floor and say it doesn't violate that. It does. They know it does, but they won't speak the truth.

This bill also spends money in excess of the Finance Committee's allocation—another point of order against the Budget Act. Everybody knows that is true, but they won't come down and say it doesn't; they will just vote for it.

It also has language in it within the Budget Committee's jurisdiction that

has not been reported or discharged. So we are totally ignoring the process the chairman of the Finance Committee would like to have so we can do the expedient political thing to take some pressure away, just as we did on the flood insurance bill. It got a little hot in the kitchen. Instead of actually cooking the omelet, we threw the eggs in the trash can and ran out of the room, and that is exactly what is going to happen in the Senate. We are again putting off the hard choices.

Let me tell you why this is important. The Senator from Virginia outlined this a little bit. When I came to the Senate, which was 9 years ago, the individual debt each one of us held on the national debt was under \$32,000. Today it sits at 54,800-and-some-odd dollars. We can kind of get lost in that. What we have to think is this: Well, what is my family's obligation for what we haven't paid for in the Federal Government?

Let me tell you what it is. For every family in America, whose average income is \$53,000 per year—the same as it was in 1988 in terms of real dollars; we have gone backward—your obligation is now \$1.1 million per family.

And we are going to play this game again and we are going to add another \$10 to \$12 billion between now and April? We are going to say and claim it doesn't add anything, but we are going to add another \$10 billion so we can get away from the heat, so we can get out of the kitchen, so we won't be responsible.

Which is more responsible—to tell the truth about where we really are or to actually profess an untruth to your constituents in this vote this evening? Because that is what it is. Mark my words: Every Senator who votes for this bill that came out of the House will be telling an untruth to the American people. They know it is not paid for. They know it violates all sorts of rules in the Senate. They even violated the House rules as they passed it—all to meet a deadline?

To give a little history, we have missed the deadline before on SGR fixes. Does it cause additional work for providers, doctors, hospitals, and doctors' offices? Yes. Does it provide additional work for CMS? Yes. Do we eventually catch up on it? Yes. So what is the hurry? Why not really treat the real disease? The real disease is that we have a payment system that is not good for patients and is not good for providers. We can't fix it over a weekend, but we can fix it. If we don't fix it, as the chairman would like to see a long-term fix—I don't necessarily agree with everything he wants to do, but I applaud his effort to get a long-term fix. If we don't fix it, we don't deserve to be in the Senate.

There will be no credibility left and there will be no legitimacy left if we pass this bill. It is all a pack of untruths—untruths to the stakeholders, untruths to the American public and, most importantly, untruths to

the generation coming up that is going to pay the bill for our untruths. This isn't an unfixable problem. It is a problem that hasn't gotten the attention and the time it needs, and it reflects poor leadership of the Congress and the committees. We knew this was coming up 1 year ago. The Senator from Oregon can totally be forgiven because he wasn't in charge of the Finance Committee until 1 month ago. But there is no denying the fact this problem was there.

Doing a patch—and even doing some of what Senator WYDEN wants to do—won't fix the ultimate problem. Think about the interaction you have with your caregiver. The average time in a doctor's office when you go in, before you are interrupted by your physician, is now 6 seconds. You go in, sit down, and the doctor asks: Why are you here today? You start to say something, and the first thing you know, you get interrupted. Why? Because that physician knows he needs to get to the next patient to pay the bills because we are paying bills based on CPT cuts rather than paying the physician based on the amount of time they spend with the patient, including outcome measures.

We have a system that is designed to be defrauded and creates overutilization. We designed it. We can fix it. Voting for this bill doesn't fix anything except a little heat in the kitchen. When we come back the next time, the heat is going to be hotter, and hotter, and hotter. This bill is a cowardly response to the real problem that we have. It is time we quit being cowards.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Before he leaves the floor, I want to say to the Senator from Oklahoma, who says—and always with a smile—that he and I certainly don't agree on everything in this debate, that the concept of what he is talking about—that physicians spend time with their patients—is certainly a concept that ought to be incorporated into how we proceed in the days ahead.

The other aspect of this that people ought to focus on, with respect to what the Senator from Oklahoma is talking about, is that time that the physician spends with the patient in the office presents a pretty good chance that some of those discussions they have there in the office are going to help keep that patient out of the hospital, and all sides ought to see that as a constructive goal.

So I want my colleague from Oklahoma to know that in the discussions he and I have had—and I appreciated the way my colleague said with a smile we don't agree on everything—the concept he is talking about with respect to doctors and time in the office—is something that ought to be incorporated into this, and it is my intention to work with my colleague on that.

Mr. COBURN. I thank the chairman.

Mr. WYDEN. Mr. President, I want to pick up on another aspect of what both

the Senator from Virginia and the Senator from Oklahoma have talked about, and that is that at this rate we have to be concerned that after patch 17 there will be patch 18, and after 18 there will be patch 19. I am sure there are some young people up in the galleries who are light years away from Medicare. In fact, the distinguished Presiding Officer of the Senate is a number of years away from the program, and I don't want to see him looking at patch 30 or 31 or 32. But the reality is if all we do is to take what we have and extend it, we are not going to turn this situation around.

My colleague from Virginia and I started talking about one of the key concepts in our repeal and replace strategy, and that is making sure we have a hard date—really, for the first time—to start paying for value in health care. Repeal and replace has that hard date. This is long, long overdo. Until then, in much of our country, we will still have volume-driven, fee-for-service medicine still driving health care in those communities from one end of the country to another.

I heard one observer say what they hoped for is that somebody in Washington would take a machete to fee-for-service. At a minimum, we ought to do what repeal and replace does, which is to reward for the first time quality, and ensure the message goes out to every corner of the country. I have heard the distinguished Presiding Officer of the Senate say with respect to his important health care reform efforts that instead of just paying for volume, we should actually pay for results, and results mean patients have a higher quality of life. What we know, in many instances, is that kind of care also costs less because we don't have people sicker and needing more expensive services and possibly institutional care.

So now, while I wait for additional colleagues to come and speak, I want to take a few minutes to describe some of the other opportunities we are missing out on by not going forward with full repeal and replace, as I and Senator WARNER and others would like to see.

In particular, it is very clear that Medicare in 2014 is remarkably different than Medicare back when it began in 1965. Medicare in 2014 is now dominated by chronic disease. Cancer, diabetes, heart disease, and stroke is more than 80 percent of the Medicare spent. I believe we have some opportunities for some very important breakthroughs.

The Senator from Georgia, Mr. ISAKSON, has joined me in a bipartisan bill here—the Better Care, Lower Cost Act. It is bipartisan in the other body with Congressman PETER WELCH and Congressman ERIK PAULSEN. That would give both parties an opportunity for the first time to provide the real financial incentives for the long term to reward the kind of coordinated care we are not getting in this country for seniors.

For many seniors, after the free physical they now get under Medicare, their care is so fragmented, so poorly coordinated that until they land in a hospital emergency room, perhaps with a \$1,100 deductible and can't figure out all the doctors they have seen during their odyssey through chronic care treatment, we have virtually no system that responsibly manages and is accountable for that senior's care.

In repeal and replace, we take the first steps toward building a chronic care policy for our country. We take the chronic special needs plans—what are called the CSNPs—that haven't worked out as hoped and initiate reforms for those particular plans to ensure that all of the individuals who are part of that program would, for the first time, have an individual care plan. That is something many seniors—certainly a majority of seniors—lack, particularly if they are part of traditional fee-for-service medicine. They don't have an individual care plan. They might have two or more kinds of chronic conditions.

A senior might think they can manage their own medicines and manage their own nutrition, but there would be an alternative. That would be what Senator ISAKSON and I have talked about for the long term and what we would begin with in a true repeal and replace program for SGR. With SGR, we would start finally looking at those chronic care patients in a way that ensured they got coordinated care from the first time they saw a physician, who, under our approach for the long term, would have a pharmacist and a physician assistant and maybe a nurse. They would be able to have one person accountable for their care.

The irony is that all over the country there are programs that are now doing this and reaping dramatic savings. For example, in rural Pennsylvania there is a particularly promising program where the savings have exceeded more than 20 percent on some of the sickest patients with the kind of approach that Senator ISAKSON and I are advocating for the long term, and which we would at least begin with these chronic special needs patients under full repeal and replace of the SGR.

Now, I want to close with one other point before I yield the floor to colleagues. The full repeal and replace of Medicare would also contain an idea that Senator GRASSLEY and I have worked on for over 3 years, which is to open the Medicare database. The Medicare database is really a treasure trove of the most useful information about Medicare claims and payments around this country. It holds the record of all payments from taxpayers to physicians and other providers for seniors' health care.

Right now, access to this Medicare database is very limited. If the public or seniors or others want to get access to this information, they have to wade through the bureaucracy, and there are simply very substantial obstacles. We

know this kind of information can often produce better quality for lower prices because providers who do well when that information gets out will see they are rewarded for their work, and those that are not measuring up to those standards will either have to change their practices or simply find it hard to keep their doors open. The markets work best when information is transparent for all parties.

Today, most patients lack any comparative information and usually don't find out the cost of their care until after the fact, if at all. So Senator GRASSLEY and I have proposed there be a free and searchable database, one that would allow seniors to find and choose doctors and other health care professionals enrolled in the Medicare program, adding the actual services that are performed and what price Medicare pays for those services.

Americans would finally be able to compare what Medicare pays for particular services in different parts of the country. Opening the Medicare claims database in this way would help us hold down health care costs, would also improve the quality of Medicare services, be a tool in fighting fraud, and would be useful in helping individuals with private health plans—private plans, HSAs and employer-based insurance.

What is going to happen there is, if you have an employer plan in Hartford, CT, or an HSA in Connecticut, the first thing you are going to say is, this is what Medicare pays for a particular service; why can't I, with my employer plan or my HSA have the same price? If I am not getting it, that probably means I am getting less pay, and I would rather see health care costs held down so I could get more in my paycheck.

So opening the record—from a quality standpoint—of Medicare-paid services would be a very powerful tool for measuring hospital and doctor performance. The claims data, with full protection of patient privacy, would open how doctors and hospitals are treating patients. It would also provide a full accounting of areas which lack access to doctors, specialists, treatment, and procedures. Making this information readily available would also allow doctors to collaborate on improved care management, and make sure the highest quality services are delivered to patients at lower costs.

Finally, the transparency we would get from the efforts Senator GRASSLEY and I have teamed up on, which was part of the full repeal-and-replace strategy, would help us have a powerful new tool against fraud and waste.

We look at the Medicare Program. The Wall Street Journal and the Center for Public Integrity have been able to, even with limited access to Medicare claims data, look at that information and expose through a series of articles how doctors and medical practitioners game Medicare to increase their profits. If we made the system

more transparent, as Senator GRASSLEY and I have sought to do and is in the full repeal-and-replace proposal, we would have a significant new tool to root out those—and they are a relatively small number, fortunately—who truly fleece seniors and taxpayers and allow us to get more value for the Medicare dollars.

In 2012 the Medicare Program cost about \$580 billion. In a few years, given the demographics and technology, this bill is going to go over \$1 trillion.

Often when I go to a high school and meet with young people—as I am sure does the distinguished Presiding Officer—16-, 17-, and 18-year-olds, we talk about matters which concern them, student scholarships, parks, transportation. Toward the end of the meeting I often say: So you all are 16, 17, and 18. My guess is, given your age, you probably tweet your friends when you get up in the morning about Medicare.

These students smile: Well, there is another person from Washington, DC, who doesn't get it.

I kid with them a little bit. Finally, I say: I just want you to know I am kidding, but not really. Because if we don't figure out how to protect the Medicare guarantee and hold down the costs for all you students who care about scholarships and parks and roads and the like, guess what. There is not going to be any money for the concerns which are first and foremost to you.

At this point, of course, the students jump right in, and they want to know about preventive medicine and how to root out waste and some of the things we are talking about. But we can't get to a lot of those important Medicare reform issues which Senator WARNER articulated so well when he began his remarks if we can't get full repeal-and-replace of the badly flawed Medicare SGR Program.

I have spent a few minutes talking about how Senator ISAKSON has an approach which is bipartisan in both the Senate and the House on how to deal with chronic disease; I have talked about opening the Medicare database which is in full Medicare repeal and replace; I have talked about some broad reforms. Of course, at the center is paying for value, which is in full repeal and replace starting in 2018, and we may not get for a while if the Congress just keeps reupping from the 17th patch to 18th patch to the 19th patch.

So what we are going to have to do here in this body—and I know the distinguished Presiding Officer has a great interest in the question and the budget and the future particularly of entitlement costs, which I would say puts the Medicare guarantee and holding down costs front and center—we are going to have to speed up, we are going to have to accelerate the drive to actually get full repeal and replace, rather than patch 17, patch 18, patch 19, patch 20, and up. My view is we ought to be doing it now.

I recognize the objection from the other side. But I have talked to a lot of

Senators over the last 3 days of both political parties, and I think there is a growing awareness that simply extending what we already have and punting on the need to fix the urgent structural problems with what we have—which is what some Senators and House Members sought to do—can't be ducked much longer.

Mr. President, I reserve the remainder of my time for closing.

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

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

The bill clerk proceeded to call the roll.

Mr. KAINE. Mr. President, I would ask unanimous consent that the quorum call be rescinded.

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

The Senator from Virginia.

AFGHAN DEMOCRACY

Mr. KAINE. Mr. President, I rise to voice my support for the people of Afghanistan who this week on Saturday will be in the midst of a Presidential election pursuing the first Democratic transfer of power in that nation's history. April 5 will be a momentous day, a Presidential election where millions of Afghans will head to the polls to determine their destiny by a peaceful means. As we know much is going on in the world in Ukraine, Syria, and Iran. It is easy to miss this milestone, but it is a milestone I think should have some significance to us as Americans.

Americans should be proud of the role we have played in bringing the Afghan people to this point, given the significant sacrifice members of our country have made. There have been nearly 2,300 servicemembers who have given their lives in Afghanistan—2,299. The United States has spent \$600 billion in Afghanistan since September of 2001. While we cannot gloss over the challenges that remain in Afghanistan today and tomorrow, we should remember the progress that has been achieved in 13 years since the Taliban fell in October of 2001, progress that has been made possible because of the sacrifices of American service men and women, our diplomats, the American people, and the grit and determination of the Afghan people.

On April 5 Afghans will defy those who seek to intimidate them through violence and terrorism because it is a fundamental choice: Does Afghanistan want to move forward or go backward to horrific days. The ink-stained finger of an Afghan voter will send a far more powerful message than any terrorist gun or bomb. I think Afghan men and women will be thinking of their children as they vote on Saturday, the promise of the next generation as they head to the ballot box. An Afghan girl born in October of 2001 when the Taliban fell is now 13 years old. She has no doubt faced hardship and will continue to, but she now has before her unprecedented opportunities.

Sometimes we get into a little bit of a mode where we say things haven't

gone well in Afghanistan or the investment of blood, treasure, and energy by the United States hasn't made a difference. I wish to put on the record 13 very real indicators of a transformation in an Afghan's life in the last 13 years.

No. 1, two-thirds of Afghans today have and are able to use cell phones compared to 5 percent before 2001. Before 2001 Taliban-controlled radio was the only news source in Afghanistan. Today Afghans can choose from 75 television stations and 170 radio stations.

The Afghan national gross domestic product has grown nearly tenfold since 2001. One in three Afghans has access to electricity. Kabul enjoys a power supply 24 hours a day.

In 2001 in Afghanistan there were only 30 miles of paved roads, which had a direct impact on their economy. Today nearly 10,000 miles of paved roads—nearly 300 times the amount in 2001. Over 50 percent of the population now has safe drinking water, nearly double from 2004.

The number of teachers in Afghanistan was only 20,000 in 2001. Today it is 175,000, 30 percent of whom are women. Three million Afghan girls are enrolled in schools compared to only 5,000 in 2001, a nearly 600-fold increase. Overall school enrollment in Afghanistan has increased to more than 8 million.

There are 168 female judges across Afghanistan and 68 women members of the National Assembly. Eighty-five percent of Afghans now live in districts with health care providers. Infant mortality has been reduced to 327 per 100,000 live births, which would still be high for the United States, but in 2002 that number was 1,600. So it has been reduced to one-quarter or one-fifth.

The number that is the most powerful is this: Afghan women now have access to more health care than before. Female life expectancy has increased since 2001 from 44 years to 64 years—from 44 years to 64 years. So just think about what 20 extra years of life is like for a woman and then multiply that by every woman and girl in Afghanistan. Male life expectancy has improved as well because of improvements in infant mortality. This is a significant change, a real transformation in Afghan life.

We cannot discount remaining challenges to combat corruption and strengthen civil society and to further advance women's rights. The recent attacks by the Taliban on the electoral process at an NGO guesthouse in Kabul at the Serena Hotel and over the weekend at the Afghan election commission remind us that security is a problem. Our condolences go out to the victims. The attacks show a cowardly desperation.

The ballot box represents the largest threat to the Taliban and any terrorist affiliate and they are resorting to indiscriminate attacks because they know a ballot box and electoral democracy will be their demise. By killing Afghans on the threshold of an election, the Taliban is only sowing the

seeds of their own demise. They recognize the tide of history is against them.

A word about the Afghan National Security Forces who are working together with the United States and other partners going forward, especially on these elections this week: More than 350,000 Afghan soldiers and policemen are the security lead now throughout the country. They bear the brunt of the casualties of these attacks. More than 13,000 Afghan security force members have been killed in the line of duty, but they are determined, with the support of our country and the training we have provided them and that others have provided them—they are determined to protect their homeland and they have proven capable of securing their homeland. Our servicemembers and diplomats have for years trained and assisted, and that training is paying off as is shown every day. We also have numerous examples of Afghan interpreters who have assisted our servicemembers in that training, and we cannot forget them.

The Afghan forces will not face the challenges of this week, the electoral challenge, or the challenges beyond alone. The future of Afghanistan is not a military challenge alone. It rests upon security throughout civil society, and these elections are a pivotal moment but not the only pivotal moment.

The commitment of the United States to Afghanistan continues. In 2011 we signed a strategic partnership agreement. We designated Afghanistan as a major non-NATO ally of our country. There is a text that is complete of a bilateral security agreement outlining our willingness to train, advise, and assist in this mission beyond 2014. I am confident it will be signed once the new government takes place.

One of the reasons I am confident is that all of the candidates for the President of Afghanistan are engaged in a civil debate, and they are being asked what they think about the role of the United States, and they are all committed to the United States playing this new role as they transition their democracy with this peaceful transfer of power.

Finally, a word about what is at stake because it is not just about the statistic, it is also and most importantly about individual lives.

Just 3 months ago in January, Colonel Jamila Bayaz, a 55-year-old mother of five, became the first woman to be appointed a police chief in Afghanistan. At her promotion ceremony she said she would not have achieved her position but for the efforts of the United States and the international community.

In a letter that same month to President Obama, over three dozen civil society Afghan leaders stated as follows:

Over the coming years, Afghanistan will be completing its political and security transitions as the foundation for the future that we seek. It is our sincere hope that the people of the United States, who were with us

during difficult years, will remain with us as we complete the challenging transition period and become more self-reliant.

Hengama Anwari is the woman who is the current head of the Afghan human rights commission. Last week she stated: "10 years is only a drop in the ocean in the process of changing a society." But Ms. Anwari is still hopeful about the future of her country and is relentless in her effort to advance women's rights.

When George Washington stepped down as President during America's first Democratic transition, it was a pivotal moment for our young Republic. This transition, the first peaceful transition in Afghanistan's history, is equally pivotal. We stand shoulder to shoulder with Afghans, but this is an Afghan moment. Every candidate, every soldier, every election monitor, every citizen must do their part to ensure the success of this transition.

Finally, as the Afghans transition, so do we—so do we. The congressional action that authorized our military presence in Afghanistan was passed in this body on September 14, 2001, nearly 13 years ago. With our combat mission in Afghanistan coming to an end with this election and a peaceful transition, with the transition of American military participation to a train, assist, and advise role, this 13-year effort is now transitioning to something new that will be the subject of that bilateral security agreement.

We haven't been able to have a welcome home party for all of our American service men and women who served in Afghanistan because the operation was ongoing. It is my hope this transition in Afghanistan, which will also transition our role, will enable us to have one of those pivotal expressions of American pride. We have all seen the pictures of V-E Day and V-J Day, when the American Republic celebrated the end of a period of sacrifice of our service men and women. This is a period of sacrifice that has been going on longer than any war in the history of this country. It is my hope that while we will continue to work together with the Afghans, we may reach a moment where we can celebrate, we can acknowledge this transition, and say welcome home and thank you to all the American service men and women who along with their families have given so much in the last 13 years.

With that, I yield the floor.

RECOGNITION OF THE MINORITY LEADER

Mr. MCCONNELL. Mr. President, I would ask to proceed on my leader time.

The PRESIDING OFFICER. The Senator has that right. The Republican leader is recognized.

FINAL FOUR

Mr. MCCONNELL. Mr. President, we all know a huge percentage of Americans across the country filled out their brackets a couple of weeks ago to get ready for March Madness. Now it is down to the final four, and once again the University of Kentucky is in the

final four. It has become something we are quite accustomed to after having won the championship at UK in 2012. We kept the championship in our State for 2013 with the University of Louisville. Now we intend to further underscore that the college basketball capital of the world is indeed in the Commonwealth, and we look forward to watching in Dallas the final four next weekend.

ACA SIGNUP DEADLINE

Mr. President, today is the normal deadline for most people to sign up for ObamaCare, and while one Senator on the other side of the aisle said yesterday there is no such thing as ObamaCare, that will come as news to millions of our constituents—the millions of Americans facing higher premiums, canceled plans, and the loss of doctors and hospitals they like as a result of this law.

ObamaCare is definitely real to middle-class families whom we represent. If our friends on the other side want to make the pain of this law go away, they can work with us to replace it with smart, bipartisan reforms. They are trying to wish away their own ObamaCare law or are simply pretending it is not there. That is not going to work. The American people deserve a law better than that.

INNOVATION AND OPPORTUNITY

We will be having a vigorous debate this week in the Senate about how to create jobs and rebuild the middle class. On the one side our good friends the Democrats will be offering more of the same. They will propose treating the symptoms instead of meaningfully improving the prospects of people who are struggling out there.

On the other side Republicans will be proposing concrete ways to break the cycle of unemployment and hopelessness that pervades the Obama economy, ideas aimed at helping people reach their true potential and build a better life for themselves. The Republican message is all about innovation and opportunity and making it easier for more people to join the ranks of the middle class. It is about reforming the underlying causes of unemployment instead of just perpetually treating the symptoms. It is about how we create jobs for the future that will allow Americans to do a lot more than simply pay their bills. Republicans will offer a series of jobs amendments this week that underline our determination to reorient America's economic trajectory. We want to lift our country from stagnation to growth, from hostility toward enterprise to an embrace of innovation, and from a system rigged by government elites for their own benefit to one that can actually work for the middle class again.

Americans will hear two competing agendas this week: on the one hand, a tired, government-centered Democratic agenda designed by and for ideologues of the left; on the other, a modern, enterprise-oriented Republican agenda designed around the hopes and potential of the middle class.

This is a debate Republicans welcome. It is one we have been waiting to have for a very long time, and we hope Washington Democrats will actually be serious this time when they say they want to focus on jobs because every time they say that, they keep getting distracted and pivot to other issues.

Here is something else we need to expect from the majority: votes on amendments for positive reform. The American people deserve at least that much. After so many years of failure, the middle class deserves the chance for something better. Remember, there are nearly 4 million Americans who have been unemployed for 6 months or longer. These Americans deserve to have a Congress that is committed to making it easier, not harder, to create jobs.

Let's have this debate. Let's vote on Republican jobs amendments, and let's give some hope again to the middle-class families who have suffered for entirely too long.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I would like to respond to the Senator from Kentucky by again making it clear that it is my interest to work very closely with colleagues on the other side of the aisle on these health care issues, and that is why we took the proposal Senator HATCH had for repeal and replace on Medicare as the base bill. It is why I spent a lot of time working with colleagues on the other side of the aisle on Medicare Part D and trying to make sure it could be implemented well.

What was striking was that a lot of the stories about Medicare Part D in the first couple of months resembled the stories we are now seeing about the Affordable Care Act. The Congressional Budget Office has made the comment that Part D has come in more than 25 percent less in terms of projected costs than what CBO saw years ago.

We are going to work in a constructive way. I hope we will not see a push, for example, to repeal the Affordable Care Act because if you do that, you will go back to the days when health care in America was for the healthy and the wealthy because you would again allow discrimination against those with a preexisting condition. The Affordable Care Act has air-tight protection for those who have a preexisting condition, and if you repeal the Affordable Care Act, you would simply go back to those days.

Working with colleagues in a bipartisan way on strengthening the health care system and our economy—absolutely. But turning back the clock on vital consumer protections, such as protecting our people from discrimination against preexisting conditions, is something that I think would be a huge mistake.

Mr. President, I ask unanimous consent to have printed in the RECORD an article that appeared in the Wall

Street Journal last weekend. It is entitled "Health Insurers Make Late Push to Enroll Young People" with respect to the Affordable Care Act. The signups topped the Congressional Budget Office's target ahead of the March 31 deadline.

I was particularly pleased by the comments from insurance executives in Pennsylvania, Rhode Island, and Florida. They all talked about how more younger people are signing up, which, of course, is key to what we all want to do in terms of bipartisan approaches that strengthen the role of private health care in America.

I would like to have this article printed in the RECORD so my colleagues can read the remarks of Highmark, Inc., a major health plan based in Pittsburgh. Blue Cross & Blue Shield of Rhode Island said their fastest rising segment in March was people ages 22 to 40. Florida Blue senior vice president Jon Urbanek said, "Younger people are signing up."

I think all of this indicates—as far as private sector health care is concerned, which we all sought to promote in connection with this—that more younger people are signing up for these plans.

Also, in response to my friend from Kentucky who asked about the jobs agenda, Senator HATCH and I have been working very constructively together on efforts to go forward in the Finance Committee—which could even begin this week—to deal with the tax extenders. Tax extenders are particularly important for the jobs Senator MCCONNELL seeks—as he mentioned in his remarks—to get some traction. We will be talking about an extension for the research and development tax credit, which is key for innovation. We will be talking about jobs and renewable energy and jobs for veterans. This is the kind of jobs agenda we are pursuing in the Finance Committee.

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

[From the Wall Street Journal]

HEALTH INSURERS MAKE LATE PUSH TO ENROLL YOUNG PEOPLE

(By Anna Wilde Mathews and Christopher Weaver)

Insurers are pressing ahead with a final marketing push to bring as many young, healthy customers as possible onto their rolls and buttress a recent surge in health-plan enrollments.

The flood of late sign-ups that helped boost the marketplace total to six million enrollees, a key milestone for the Obama administration, has also brought some insurers an uptick among younger people. But it isn't clear if the trend is broad enough to balance out an earlier skew toward older enrollees, who are more likely to have costly ailments.

"We are seeing our average age come down every week, so it's clear that younger people are starting to come into the pool," said Wayne DeVeydt, the chief financial officer of WellPoint Inc. "What isn't clear yet, though, is, did it come down enough." WellPoint has said the demographics of its sign-ups have generally matched its projections.

Highmark Inc., a major health plan based in Pittsburgh, said in recent weeks that it

had seen a "marked increase" in enrollees younger than 34. Blue Cross & Blue Shield of Rhode Island said its fastest-rising segment in March has been people ages 22 to 40.

Florida Blue Senior Vice President Jon Urbanek said "younger people are signing up," but the insurer doesn't know if that will move the dial in a customer pool that had been "skewing older than we anticipated."

Medical Mutual of Ohio said its enrollment through the health-care marketplace has gotten younger each week, and the average age is now a decade below where it was when enrollment kicked off in October. But, the company said, the average is still eight years older than the company projected when it set prices for 2014.

Insurance officials also caution that age doesn't always indicate health status—younger people may have serious, expensive conditions, while some older people rarely need medical services. Age is a "pretty good predictor," said Tom Snook, an actuary with Milliman Inc. who works with insurers offering plans on public exchanges, but "it's not even close to a perfect measure."

So far, insurance carriers have limited insight into the health needs of their new enrollees. Under the law, insurers can't deny coverage or charge higher prices based on health status, and enrollees need to provide only limited information, including age, when they sign up through the marketplaces. Enrollees must start the process of choosing a plan by March 31 to avoid penalties. The Obama administration has extended a grace period to complete enrollment even after the deadline.

As the deadline looms, it isn't clear just how broad the uptick in youth sign-ups has been. HealthMarkets Inc., a health-insurance agency, said its age balance for enrollees hasn't changed in recent weeks. EHealth Inc., which tracks the average age of individual purchasers of nonmarketplace plans through its site, shows it flat in recent weeks. GoHealth LLC, another major health-insurance site, said it had seen an increase in young customers.

To prod a big final wave, insurers, exchanges, health-care providers and others are amping up their enrollment push with a blitz of countdown ads and events. Blue Shield of California is sponsoring events across the state, including sign-ups this weekend at all 42 stores of a Southern California grocery chain with many Hispanic customers. Land of Lincoln Mutual Health Insurance Co. in Illinois parked a tractor-trailer emblazoned with its orange logo outside a hospital sign-up event on Friday.

Health plans are particularly hoping to reach "young invincibles" like Trevor Dawes, a 23-year-old apprentice plumber from the Queens borough of New York City who said he is planning to shop for a plan through New York's insurance marketplace this weekend, ahead of the deadline. He learned recently from a video on Facebook that he could face penalties for going without insurance, which he hasn't had for about a year. "I'm healthy, and I didn't even know it was important," he said.

Arches Health Plan in Utah plans to keep up its push past March 31 to capture late finishers. "We're going right up to the bell," said Shaun Greene, the company's chief operating officer.

Independence Blue Cross, which sponsored a contest to create short digital films about health insurance, is turning the lobby of its downtown Philadelphia headquarters into an enrollment site this weekend and Monday. The insurer said the average age of its enrollees has dropped by 1.5 years since January.

Arches will sport sign-up tables at three Utah Jazz basketball games in the first

weeks of April. Mr. Greene has enlisted his 17-year-old son and some of his son's football teammates to blanket cars in Wal-Mart parking lots Friday with fliers bearing slogans such as "Peace of Mind Is Priceless."

With that, I yield the floor.

The PRESIDING OFFICER. The Democratic time has expired.

Mr. DURBIN. Mr. President, I ask unanimous consent to speak for 5 minutes as in morning business.

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

TRIBUTE TO ALAN BRUCE

Mr. DURBIN. Mr. President, I wish to take a moment to thank a longtime member of my staff who is leaving the Senate after 27 years of service to Congress. Alan Bruce is not technically from Illinois, but he is from Indiana—in this case, close enough. The fact is that he served the people of Illinois in an extraordinary way during his time on Capitol Hill.

For the last 22 years Alan has been my systems administrator. He joined my staff in 1992 when I was a Member of the House and moved with me to the Senate in 1997. He is the person most responsible for keeping my offices in Illinois and Washington connected electronically to each other and to the world outside the Senate. He oversees our network of desktop and laptop computers, BlackBerrys, cell phones, and all the rest.

Over the years, he taught me a lot of things, and there was a lot to learn, everything from how to make my computer work, dealing with email, saving a digital photo, and how to Skype. He has been a good teacher and a hard-working, loyal member of my staff.

In an age when most people change employers and even careers repeatedly, Alan is unusual. The U.S. Congress is the only employer he has had since he graduated from Cumberland College—now the University of the Cumberlands—in Williamsburg, KY, in 1986. He didn't plan to come to work on Capitol Hill. Six weeks after he graduated from college, he was getting ready for an interview to become a manager of a Radio Shack in Fort Wayne, IN.

On the morning of the interview, his mom said: You don't really want to do this, do you?

Alan said: No, I really don't. My heart is not in it.

Well, that day happened to be Saturday. It was also the day of the annual Circus City Days parade in Alan's hometown of Peru, IN. Alan canceled his interview at Radio Shack, and he and his mom instead went to the parade. Working the parade line that day was a new candidate for the House of Representatives—a man who would later become a friend of mine when we served together. His name was Jim Jontz. Jim introduced himself to Alan and Alan's mother and learned that Alan just graduated from college and, in fact, was looking for a job. Radio Shack's loss was Congressman Jontz's gain—and my gain as well. A few days after that parade Alan was working as a volunteer driver for Jim's campaign.

When Jim won his election, he hired Alan to work in his Kokomo, IN, office helping constituents on matters related to military and veterans affairs. It was a good fit. Alan grew up in a military family. His dad, Phillip "Bud" Bruce, was a career Air Force man. In 1989 Alan moved to Washington to work in Congressman Jontz's DC office as system administrator. Managing a congressional computer network in those days was a lot different. The Internet was still an obscure tool used mostly by elite researchers. People didn't have email. Back then, high-tech communications meant fax machines. Computers were used mainly for keeping lists—data entry. Cell phones were a perk of just the wealthy few. Almost no one had ever heard of Web sites, and smart phones, YouTube, Twitter, and Flickr—nobody even imagined what that meant.

Alan joined my staff as systems administrator in 1992. To give a sense of how dramatically his world changed, consider this: In 1997, my first year in the Senate, I received 30,000 pieces of mail—that is real mail—through the U.S. Postal Service. Last year my office received 600,000 pieces of mail, and only about 2 to 3 percent went through the post office; the rest were emails. However constituents reach out—whether by the postal service or email—Alan works with the rest of my staff to make sure their letters are answered.

The technological revolution is only one of the big societal changes Alan has taken part in in the last 25 years on Capitol Hill. Alan was an early leader in Congress among staff to end workplace discrimination against lesbian and gay congressional staffers. In the early- to mid-1990s, he was an early board member of what was then called Lesbian and Gay Congressional Staffers Association. The association held frequent brown-bag lunches to brief other staffers on issues of importance to lesbian and gay Americans, including the don't ask, don't tell policy and the Federal Defense of Marriage Act. Today, both don't ask, don't tell and DOMA are history. Federal employees who are legally married to same-sex spouses receive the same Federal privileges and responsibilities as other married Federal workers.

As Alan prepares to start the next phase of his life in sunny Tampa, FL, I want to thank him again both for keeping my office connected to the larger world and, of course, to the State of Illinois and for keeping the U.S. Congress as an employer, moving toward the American ideal of equality and justice for all.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. Mr. President, according to the National Institute of Mental Health, approximately one in four adults suffers from a diagnosable mental health disorder that could be treated if diagnosed and treated properly.

The bill the chairman brings to the floor today—the bill that establishes the so-called doc fix, the repair and reimbursement issue—has an important provision in it that allows us to look at those individuals who have these mental health behavioral illnesses and begin to treat them, in eight pilot States, like any other illness.

When Senator STABENOW and I introduced the Excellence in Mental Health Act in February 2013, our goal was to be sure that federally qualified centers, such as behavioral and mental health clinics, which met the proper standards could offer mental health treatment like any other kind of health treatment.

This bill, which we will vote on later today, includes a provision which allows the country to have a 2-year pilot in eight States. Those eight States aren't designated in the legislation. The States themselves would step forward and say if they want to be a part of this.

Certainly when we introduced this legislation in February 2013—supported from the very start by Chairman WYDEN, who has just become chairman of this critically important Finance Committee—we did it looking at the reality that people's lives have changed and the people they impact have changed.

One of the things that moved the Senate toward talking about mental health was some of the violent tragedies we have had in the country in recent years. In fact, after the Sandy Hook tragedy in December—a year ago—the committee that deals with these issues had a hearing on mental health in January 2013. It was the first hearing on mental health since 2007. For whatever reason, these are issues that, as a society, we have not wanted to deal with in a way we could.

As I mention these violent tragedies, I want to be sure to say that people who have a behavioral illness are much more likely to be the victim of the crime than the perpetrator of the crime. Even when saying that, we know that the one consistent issue in these tragedies over and over in this country and other countries is that somebody has a behavioral illness that has not been dealt with, somebody has a clear need, and no one has reached out to meet that need.

In pursuing the Excellence in Mental Health Act and now pursuing this pilot project for eight States, the law enforcement community has been widely supportive of dealing with these challenges when we can deal with these challenges at locations that people want to go to create maximum accessibility and fully qualified locations.

The veterans community—unbelievably responsive. The Iraq and Afghanistan veterans community was in Washington last week dealing with mental health challenges. This was their No. 1 priority. We just had a news conference here in the building and somebody from that group was once again with

us, as they have been since February of 2013. The community that supports mental health and looking for mental health solutions has been widely supportive of what we are trying to do.

The House passed this legislation. It is legislation we worked on—House Members, Senate Members, bipartisan. One of the House Members, Dr. TIM MURPHY, a psychiatrist who understands these issues, not only was supportive of what we were doing but we became supportive of what he was doing when he was advocating for people who have a behavioral illness—people having mental illness who are involved in a nonviolent crime—that dealing with their illness rather than incarcerating the individual is the better approach that should be available to law enforcement, to judges. That is an important part of what we are doing.

The Excellence in Mental Health Act was originally cosponsored by a bipartisan group of 25 Senators. It has been supported by 50 mental health organizations, veterans organizations, law enforcement organizations. It creates a place where people's needs are met. The demonstration project would allow community mental health centers an opportunity to increase the types of services they provide within and to their local communities by providing a similar rate under Medicaid that federally qualified centers receive for primary care services. This is something we have been talking about for a long time. It allows government to begin to treat these behavioral challenges exactly as we treat other challenges—to have a healthy body, a healthy mind, all in one person, all in one spirit, all treatable.

This provision in this bill that comes before us today I think is the beginning of a significant change in how we look at helping people change their lives. It is the beginning of a significant change in looking at mental illness as though it is any other illness. I believe we are going to see a good response to this on the floor today as we vote. More importantly, I think we are going to see a number of States that are incredibly interested in being one of these eight pilot States that will allow that to happen. I certainly hope Missouri turns out to be one of those States. Clearly, our State has been a leader in so much, including mental health, first aid. Many of our federally qualified clinics have added behavioral help. Many of our community clinics have added a level of service that this law would anticipate we need to have to meet community needs. I certainly have worked closely with the Missouri Coalition of Community Health Centers. They just celebrated their 35th anniversary and they are very excited about this legislation.

Senator STABENOW and I were on the floor the last day of October, the 50th anniversary of President Kennedy signing the Community Mental Health Act. Many of the goals of that act have not

been achieved in the way I believe the country 50 years ago had hoped to see them achieved. But this legislation today includes a significant step toward that goal set half a century ago—still unrealized—that allows us to do things as a country we wouldn't otherwise be able to do.

Senator STABENOW has been a great partner in this legislative effort, a great advocate for this effort. Our bipartisan friends in the House have as well. I look forward to a successful vote today so we can see this important step move forward.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. I ask unanimous consent that Senator CARDIN be yielded 5 minutes at this time to address the SGR.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Maryland.

Mr. CARDIN. Mr. President, I thank Senator WYDEN for his leadership in fixing this reimbursement structure under Medicare. I thank Senator BLUNT and Senator STABENOW for their leadership on the mental health demonstration program that is in this—whatever bill we pass it will be in—because it is absolutely essential we address the growing problems in our community health networks. So I thank both of them for their bipartisan leadership.

The current way we reimburse physicians under Medicare is broken. The SGR system has been broken since it was passed in 1997 as part of the Balanced Budget Act. We have had 16 temporary patches to the SGR system, and it has created uncertainty not just among the medical community as to what the reimbursement rate will be for Medicare patients, but it has caused uncertainty among Medicare patients as to whether they know their doctor will be there to treat them for their illnesses. If we don't fix the problem and let it go off the cliff, we will see a 24-percent cut in reimbursements to physicians under Medicare. That is not sustainable. As we know, it would affect access for our seniors and the disabled to their doctors. We have to fix this problem. It expires today, March 31. So we have to take action.

We have two choices. One is we could take advantage of the opportunity to not just make sure we don't go off the cliff but to actually fix the problem. That is what Senator WYDEN has been able to put together, with Senator HATCH and with our colleagues in the House—a replacement that will actually work, that will actually reward physicians for taking good care of their patients by managing their care, by bringing down the costs of health care, by managing our delivery system, taking high-cost patients, treating them so their illnesses are treated, but also done in a more cost-effective way. That is what the replacement would do if we could pass a permanent fix to the SGR

physician reimbursement structure in Medicare. We have a bipartisan proposal. That bipartisan proposal will reward proper delivery of care.

It also takes care of the therapy caps and others of the health care extenders. I mention that because Senator COLLINS and I have been working for a long time to try to get a permanent replacement to the arbitrary cap on therapy services. That was also put in the 1997 BBA—Balanced Budget Act. That put an arbitrary cap on therapy services, so the more severely a person is injured, the more severe a person's illness, the less services they will be able to get that they need in order to be able to take care of the illness or injury. That makes absolutely no sense at all. So we fixed it.

Why are we debating this, with strong bipartisan support? Because there are two proposals out there. One is the proposal Senator WYDEN brought forward that fixes the problem, that substitutes a rational system, and it is paid for. I could argue it has been paid for many times over. It has been paid for because we have already passed patches that have been paid for—\$153 billion. That is more than this permanent fix costs. Who has paid that \$153 billion? It has been clinical labs; it has been skilled nursing facilities; it has been community health. All have paid for a problem they didn't create within the Medicare system. This has been paid for already. It has been paid for already many times. It is current policy.

No one expects us to go off the cliff. Senator WYDEN, in an effort to try to deal with this in an upfront way—CBO is now scoring this proposal to be a little over \$118 billion. That is a bargain considering just a couple of years ago it was \$300 billion over a 10-year period. I remember in 2005, I filed a fix of this bill with then-Congressman Clay Shaw—bipartisan bill. It scored at \$50 billion. This has been paid for many times over.

I ask unanimous consent to speak for 2 additional minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. CARDIN. I thank the Chair.

Senator WYDEN, in an effort to try to accommodate everyone here, said, OK, we will take the cost savings that are already in the House bill—I could argue that really has nothing to do with the physician problem, but it is one I think we could agree on so we have real cost savings of over \$20 billion that Senator WYDEN has put in this bill. He said, we have these scored savings under the contingency operations; let's use that if people feel we have to have an offset, even though we have already paid for it over and over again.

So we have two options: Another temporary fix with continuing uncertainty, continuing this problem down the road, asking those who didn't cause it to pay for it, even though it has already been paid for before or we could really take care of it and tell our medical community: Let's work on other

issues to improve our health care system rather than coming here every year and asking for a temporary extension of the Medicare physician reimbursement structure and not allowing the SGR system to take effect. Those are the two options we have.

So I come here to thank Senator WYDEN for putting forward a proposal that would fix it, that would really do it, so we wouldn't have to come back again next year, so Congress could really get something done. It is bipartisan, bicameral. The fix has already been signed off by the House and the Senate. Senator WYDEN has come up with a plan that allows us to be fiscally responsible.

I urge my colleagues to go down the path of fixing the physician reimbursement structure so we can take that uncertainty out of the Medicare law, do what is right for our Medicare beneficiaries so they have the certainty of their care under Medicare, and do it in a fiscally responsible way.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I appreciate the work of Senator WYDEN and others on this problem. It is a matter we need to fix.

The Senator from Maryland said the fix is signed off by the House too, so I guess we are supposed to know the fix is in. We are just going to take care of the doctors who need their money and we are not going to pay for it. We are not going to do it within the budget, again.

As ranking member of the Budget Committee, I feel I have a responsibility to report to this body the plain financial truth about the legislation that comes before us. The bill offered by our Democratic colleagues is worse than this one. I guess this is a Reid-Boehner bill that is before us now. But the Democrats' bill would claim to pay for it with OCO—the Overseas Contingency Operation—which couldn't be anything worse than the pay-for in this bill.

The Reid-Boehner doc fix legislation we are about to consider violates the spending limits we passed in December, the Ryan-Murray-raised spending limits—by \$6 billion only 3 months after those limits were signed into law. Think about that. Bloomberg News released an analysis today concluding that:

Since December 2013, the Republican House and the Democratic Senate have approved more than \$40 billion worth of spending “offsets” in the form of cuts that would take place in 2023 at the earliest or timing shifts in policy to bring savings into the 10-year window.

In other words, Congress has gimmicked an additional \$40 billion in new spending in just a few months since Ryan-Murray was passed. That is just what it is. The Budget Committee and Chairman MURRAY, our Democratic chairman, has already ruled it violates the budget. It spends money

we don't have. It is not a legitimate pay-for. So here we are again, proposing to bust the spending limits. This is the behavior of a profligate Congress.

How many of our Members were running for office 2 years ago, 4 years ago, 6 years ago, and they were talking to their constituents and they said that Congress is spending us into bankruptcy; they are irresponsible; they won't even write a budget; they spend, spend, spend; they don't worry about the deficit. The country is going into too much debt.

How many have said that in their campaigns—when I get there, I am going to do something about it. And what do they do when they get here? Some of our Members say, Oh, we have to take care of the doctors. And we do need to do that. But there is waste, fraud, and abuse and savings throughout this \$4 trillion budget of ours that we could use to reduce that spending legitimately to pay for what we need to do for our doctors.

That is what we agreed to do when we passed the Budget Control Act. That is what the Budget Control Act did. The Budget Control Act in 2011 said this. The President signed it. It passed both Houses of Congress. It had Democratic and Republican support. The Budget Control Act says over the next 10 years we are projected to increase spending by \$10 trillion; but we are going to be more frugal than that, we are only going to increase spending by \$8 trillion. So spending would increase by \$8 trillion.

What happens? As soon as it begins to bite a little bit, and we are challenged to make some priorities and to decide, for example, how we are going to help our doctor friends—who do need some relief—what do we do? We just violate the agreement, we spend money we do not have, and we say somehow it is paid for. That is what brought us the Ryan-Murray deal and now we are re-writing that agreement. Senator MURRAY agrees that this legislation currently before us violates the budget and is not paid for.

So last year we borrowed—think about this—\$221 billion just to pay the interest on our debt. We have a debt of \$17 trillion. We have to pay interest on it, colleagues—surely we all know that—and it was \$221 billion last year.

Federal aid to education is \$100 billion. The Federal highway bill is \$40 billion. We spent that much on interest last year alone. But the worst news is, the Congressional Budget Office tells us that 10 years from today our interest cost will surge to \$880 billion a year annually. That is more than \$5,000 in interest payments for every American worker—\$880 billion. Can you imagine that? That is over \$400 a month for the average worker that pays taxes in America. That is how much their share is going to have to be raised in taxes to pay the interest in 1 year.

What do I say about that? This assumes, colleagues—this \$880 billion in

interest and the surge in our debt—this assumes that we will adhere to the Budget Control Act and the Ryan-Murray agreement, which this bill busts and violates. It is not the first time, and it will not be the last. They are going to come back again and again and again with gimmicks and violations because people in our Congress are unwilling to take the heat to find real offsets.

So we should keep that in mind as we consider this or any other legislation that will increase the amount of money we have to borrow.

I would like to call attention to three specific ways the proposed legislation violates spending and deficit limits. Each of these are points of order that lie against the bill confirmed by the majority on the Budget Committee. What I am saying is, each of these three points I am raising now represent points of order; in other words, the Budget Committee has ascertained that they violate the budget. We spend more than we are allowed to spend.

So No. 1, a \$17.6 billion increase in the on-budget deficit over the 5-year period from fiscal year 2014 through 2018; and a \$9.5 billion increase in the on-budget deficit over the 10-year period of 2014 through 2023—\$9.5 billion.

No. 2, spending in excess of the top line total in the Ryan-Murray levels for fiscal year 2014. We just passed Ryan-Murray in December. The President signed it in January. This is going to add \$6.1 billion more than we just agreed to spend in fiscal year 2014.

Oh, well, that is not a problem. I say it is a problem. I say it is the way a nation goes broke.

How about this? Spending in excess of the Finance Committee's allocation. The committees are allocated so much money. They are not entitled to spend above the allocated amount. So this spends \$6.1 billion in budget authority and outlays in fiscal year 2014—this year we are in—above the Finance Committee's allocation.

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

Mr. SESSIONS. Was there a time agreement, Mr. President?

The PRESIDING OFFICER. There is an order to go to executive session at 5 o'clock. Would the Senator like to ask a unanimous consent request?

Mr. SESSIONS. Mr. President, I ask unanimous consent for 2 additional minutes, and I will wrap up.

The PRESIDING OFFICER. Is there objection?

Hearing none, it is so ordered.

Mr. SESSIONS. I thank my courteous colleagues.

Maya MacGuineas, at the Committee for a Responsible Federal Budget—a well-respected group—was quoted as saying, “We are disheartened that, even in a 12-month ‘doc fix,’ the legislation under consideration would use a budget gimmick to offset a portion of its costs. . . . Specifically, a portion of the bill's ‘savings’ are achieved by simply shifting sequester savings set to

occur in 2025 into 2024, within the Congressional Budget Office's scoring window, but this has zero actual impact on the debt. . . . Congress should remove the phony savings in this bill and replace them with real cuts or shorten the duration of the 'doc fix.'"

That was an objective analysis of it.

So, Mr. President, that being the case, the pending measure, H.R. 4302, the Protecting Access to Medicare Act, would violate the Senate pay-go rule and increase the deficit. Therefore, I raise a point of order against this measure pursuant to section 201(a) of S. Con. Res. 21, the concurrent resolution on the budget for fiscal year 2008.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, pursuant to section 904 of the Congressional Budget Act of 1974, the waiver provisions of applicable budget resolutions, I move to waive all applicable sections of that act and applicable budget resolutions for purposes of the pending bill, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I now ask unanimous consent to make a unanimous consent request.

The PRESIDING OFFICER. Is there objection?

Hearing none, it is so ordered.

Mr. WYDEN. Mr. President, I ask unanimous consent that notwithstanding the previous order with respect to H.R. 4302, following disposition of the Owens nomination, when the Senate resumes legislative session, the Senate proceed to the consideration of Calendar No. 336, S. 2157; that the substitute amendment, which is at the desk, be agreed to; that the bill, as amended, be read a third time and the Senate proceed to vote on passage of the bill with no intervening action or debate; and that upon disposition of the bill, the Senate resume consideration of H.R. 4302 as provided under the previous order.

The PRESIDING OFFICER. Is there objection?

The Senator from Utah.

Mr. HATCH. Mr. President, I have to raise some objections, so I object.

The PRESIDING OFFICER. Objection is heard.

Mr. HATCH. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 330, S. 2122, a bill to repeal the Medicare sustainable growth rate offset by repealing the ObamaCare individual mandate. I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Mr. WYDEN. I object.

The PRESIDING OFFICER. Objection is heard.

Ms. STABENOW. Thank you, Mr. President. I am thrilled to be here today as the Senate gets ready to send a proposal that I have been working on for several years now to the President for signature. The proposal, which is based on my bill, the Excellence in Mental Health Act, will improve quality, expand access, and ensure greater coordination in the delivery of mental health services through community mental health providers, creating an important leap forward in ensuring mental health parity.

Specifically, this proposal establishes an eight-State demonstration program where the appropriate State agencies in the States that participate will certify that community mental health providers meet new high standards and offer a broad range of mental health services like 24-hour crisis psychiatric services. These services can then be adequately reimbursed under Medicaid just as Federally Qualified Community Health Centers are reimbursed for comprehensive primary care services.

Now, I was incredibly fortunate to work closely with several of my colleagues from both sides of the aisle on this bill. But no one played a more important role than my friend from Missouri, Senator BLUNT. Whether it was fighting on behalf of his constituents struggling with mental illness or working with our Republican colleagues in both the Senate and House to garner support, he was there every step of the way.

I would like to yield to my colleague from Missouri for a question. Specifically, I would like to hear what role he believes the community, meaning community behavioral health clinics, advocacy groups, and families with loved ones struggling with mental illness, will—and should play—in the development of this demonstration project.

Mr. BLUNT. I thank the Senator for her work on behalf of her constituents in Michigan and all people struggling with mental illness. She is a strong advocate and I am very pleased we were able to work together on this important issue. As she mentioned, this demonstration program will allow communities to improve the amount and quality of mental health services available to those suffering from mental illness.

As Senator STABENOW and I have constructed this program, it is our strong and clear intent to ensure this demonstration project is driven by the community. Our local community mental centers are the best source for learning what the needs are in communities across our States and the country. It is critical States work not only with these centers, but with groups that advocate on behalf of those struggling with mental illness, and the patients themselves—and their families—who can explain the difference that access to quality mental health services makes in the lives of people struggling with mental disease.

For example, in Missouri, many current community mental health centers have partnered with community health centers in their area. This has worked well for Missouri providers and allows patients an excellent opportunity to receive coordinated care. If these pilot projects prove successful, which I believe they will, it is my hope we would see these programs continue and expand to other States, so other patients can benefit from higher quality services in their communities.

I would like to yield back to Senator STABENOW to ask her to talk about the role she envisions States should play in the application process.

Ms. STABENOW. I thank Senator BLUNT for his thoughtful response and for his question. I could not agree with him more. From the earliest iterations of our bill and through our conversion to a demonstration project, we have fought to make sure that this is a ground-up approach where the local communities, advocates, and patients work with the appropriate State agencies to explain what the needs are and where the needs are, and then to have these groups come together to construct a State-specific approach to providing for those needs.

What our demonstration project does not intend to do is to create a top-down approach where States draft proposals without comprehensive input from local communities to create a partnership with community mental health clinics, federally qualified health clinics, and VA outpatient centers, nor does our approach intend to permit State legislatures to put obstacles in the way of communities receiving the care and services they know they need. That type of approach simply adds more bureaucracy between patients and the care they need. If we are to achieve the true aim of our demonstration project, it is simply critical that communities be intimately involved in the planning and application process.

Which leads me to my final question for my friend. Our proposal lays out a demonstration project that happens in phases. First, no later than September 1, 2015, Health and Human Services must publish criteria for a clinic to be certified as a community behavior health center and it must issue regulations describing how the program will work for States selected to participate. Then, no later than January 1, 2016, planning grants will be issued to States interested in exploring participation in the demonstration project. States are selected for participation in the program no later than September 1, 2017. Finally, the recommendations are due to Congress no later than December 31, 2021. The theme here is "no later than."

I ask the Senator, should we encourage—even expect—the administration to move more swiftly than the timeframe allotted?

Mr. BLUNT. I thank the Senator for this important question. And I can answer it quickly. Yes.

After hearing from countless people in our home States, we know that the time to act is now. We have a model that works and this demonstration project allows States the opportunity to try it in their communities. The dates and timeframes you mentioned for getting this program started should be viewed as absolute deadlines. I would like to see things move even quicker, if possible. We firmly believe—and expect—that the administration will work quickly to get this program off the ground. There are people around the country who will benefit from these services. The sooner we enact these pilot programs, the sooner we can test the effectiveness of this model. As I mentioned, I believe this model will work and am eager to see it put into place not only in eight States, but all 50.

Ms. STABENOW. I completely agree. People are suffering now. Families are suffering now. While we understand that the administration needs time to implement this demonstration project in a sound and effective way, we are in absolute agreement that the expectation is that the administration will work expeditiously to ensure that actions are taken well in advance of deadlines.

I thank the Senator for his tireless work on behalf of Missourians and all Americans suffering with mental illness. I thank him for fighting beside me to get us here today. I know we would not have crossed the finish line without his efforts and for that I am grateful.

Ms. COLLINS. Mr. President, the tragic shootings at Sandy Hook Elementary, the Aurora movie theater, and the Washington Navy Yard served as wake-up calls to our Nation that action must be taken to provide better care and support for Americans living with mental illness and their families.

As an original cosponsor of the bipartisan Excellence in Mental Health Act, I am pleased that the bill before us today includes a provision, based on our legislation, to establish pilot programs in eight States to strengthen and improve access to quality community mental health services.

Unfortunately, patients with serious mental conditions all too often lack access to care and experience difficulties obtaining appropriate and sustained treatment for their illness. Over the course of a year, fewer than half of those with severe mental disorders receive any treatment at all. Treatment rates are even worse for children, adolescents and young people between the ages of 16 and 24. This is especially troubling given that nearly half of all lifetime cases of psychiatric conditions begin by the age of 14, and 75 percent by the age of 24.

Of the 20 percent of Americans who will suffer from mental illness at some point in their lives, just one in five will receive professional care. These kinds of numbers would be totally unacceptable for patients afflicted with cancer,

diabetes, heart disease or any other physical disorder. They therefore should not be accepted for schizophrenia, bipolar disorder, severe depression, or any other serious mental illness.

I am particularly concerned about the high rates of suicide among our active duty military and returning veterans. The number of reported suicide deaths in the U.S. military surged to a record 349 in 2012, which is more than the number of servicemembers who lost their lives in combat in Afghanistan during the same period of time.

The number of suicides among veterans has reached an astounding rate of 22 a day according to some studies. These losses are simply unacceptable. With at least 25 percent of returning veterans from Iraq and Afghanistan experiencing some type of mental health condition, it is even more urgent that comprehensive mental health services be available in communities across the country. This is particularly true in rural states like Maine, where mental health services may not be easily accessible through the VA.

We know that people suffering from mental illness are more likely to be the victims of violence than the perpetrators. However, we also have seen too many tragic examples of what happens when people with serious mental illness do not get the treatment and services they need.

The legislation that we are considering today has been endorsed by more than 50 mental health organizations, veterans organizations and law enforcement organizations. It takes an important first step toward expanding access to care and improving quality of care so that more people living with mental illness can get the treatment they need in their communities.

In closing, I want to commend my colleagues from Michigan and Missouri for their tireless work to increase access to community mental health services and to improve the quality of care for those living with mental illness.

Mrs. SHAHEEN. Mr. President, I am disappointed that we were unable to come together to permanently repeal the Sustainable Growth Rate formula, and instead passed a 1-year patch to prevent reimbursement cuts for physicians from going into effect in April.

The bill the Senate passed tonight averts a 24 percent cut to Medicare payments that would start tomorrow, April 1. Given the potential impact of such a large cut to Medicare patients and to their physicians, I supported this measure.

While a patch is not the permanent solution many of us have sought, I voted for it because we must act to prevent these cuts from taking place. Having averted these cuts, I will continue to work for a bipartisan solution to permanently repeal the SGR.

I look forward to working with my colleagues to achieve this goal.

EXECUTIVE SESSION

NOMINATION OF JOHN B. OWENS TO BE UNITED STATES CIRCUIT JUDGE FOR THE NINTH CIRCUIT

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

The legislative clerk read the nomination of John B. Owens, of California, to be United States Circuit Judge for the Ninth Circuit.

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 Utah.

SGR PATCH

Mr. HATCH. Mr. President, today the Senate will vote on H.R. 4302. This is a bill that will extend for 1 year the so-called doc fix relating to the sustainable growth rate—or SGR—formula.

Patching the SGR has become a regular item of business here in the Congress. Indeed, it is basically an annual ritual that we have to go through.

From the first day the SGR went into effect in 2002, Congress has acted to prevent its reimbursement cuts to physicians from going into effect in order to ensure that Medicare beneficiaries continue to have access to quality care.

More often than not, SGR patches have been cobbled together at the last minute between the leadership offices of both parties. They are usually tacked on to larger pieces of legislation without the input of Members and without the benefit of going through a committee.

For years this process has bothered Members of Congress who, like me, want to see transparency and regular order returned to the legislative process.

It has also bothered seniors and physicians who are constantly worried about whether the gridlock in Congress is going to finally send them over the SGR cliff.

There is bipartisan support for repealing and replacing the SGR, or the sustainable growth rate, and, to the surprise of many, progress has been made to do just that. For more than a year, a bipartisan, bicameral group of Members of Congress worked to fully repeal the SGR and replace it with more reasonable reforms that move Medicare's antiquated fee-for-service reimbursement system for physicians toward a system that rewards doctors for providing quality care based on health outcomes.

I was part of that group, as was former Senator Max Baucus.

Chairman Baucus and I worked for months to produce an SGR repeal bill here in the Senate. Eventually, that bill sailed through the Finance Committee with broad, bipartisan support.

At the same time, the two relevant House committees—the Ways and

Means Committee and the Energy and Commerce Committee—also reported a bill to repeal the SGR. That, in and of itself, would have been quite a feat. However, we were not done yet.

Realizing that we were close to achieving our goal, the chairmen and ranking members of all three relevant committees—that is three Republicans and three Democrats—decided to come together to find a single unified approach that both parties in both Chambers could support.

At the time there were a lot of naysayers. Indeed, given Congress's recent track record, there were reasons to be skeptical.

However, by consulting with all the relevant stakeholders and hearing their recommendations and concerns, we were able to craft a policy that has near unanimous support across the health care community.

That is right. For the first time since the SGR was enacted in 1997, Republicans and Democrats in the House and the Senate are united behind a policy that gets rid of this flawed system once and for all.

However, we cannot get ahead of ourselves. From the outset of this process, Chairman Baucus and I, along with our House counterparts, agreed that any legislation to repeal and replace the SGR must be fiscally responsible.

Without any offsets, this policy would add roughly \$180 billion to the deficit—if we do not have offsets. If it is going to pass in both the Senate and the House of Representatives—and if we are going to maintain the same level of bipartisan support for the package—we need to find offsets that both parties can support. It is kind of miraculous we have come together, but both the bilateral and bipartisan people who have worked on this have agreed that we have to have solid offsets.

In the months since we reached an agreement on the underlying policy, all the parties involved have been working to find suitable offsets.

I am not going to disparage anything. This is a difficult process. But it has to be done.

Despite the bipartisan good will this process has engendered, there have been some who were not satisfied with our progress. With today's SGR deadline looming, there was an effort to hijack this bipartisan process and turn it into yet another partisan sideshow.

With an agreement in place and with parties still at the negotiating table, some of my friends on the other side of the aisle thought it would be preferable to simply bring our bill to the floor and demand a vote either without offsets or with offsets they knew Republicans would not be able to support. In other words, they wanted to force our bipartisan policy through the Senate on a partisan basis and then jam the House with it.

This was, to say the least, disappointing to me. Here we have a historic opportunity to do something that

will help people throughout this country and do it with the type of broad, bipartisan consensus that is all too rare in Washington these days. Yet there were still some who would prefer to snatch defeat from the jaws of victory and set up yet another political showdown destined to end in a partisan stalemate.

Needless to say, I am glad that eventually cooler heads prevailed, which brings us to today's vote. The SGR patch that we will be voting on today is not perfect. However, I am not going to make the perfect the enemy of the good. The bill before us today is a good-faith effort to move the ball forward, thanks to the good work of Speaker BOEHNER and Majority Leader REID.

What we need now is time to get this done in the right way. This bill will give us that. So for these reasons, I plan to vote in favor of the SGR bill before us today. I urge my Senate colleagues to do the same. Once this legislation is signed into law, we need to get back at the negotiating table. I have no doubt that my friend, the distinguished Senator from Oregon, as he always has, will work with me and others in order to resolve these problems that have arisen.

Like I said, there are three committees with jurisdiction over the SGR issue. We all need to work together to find a responsible path forward. Hopefully, the bill that we will vote on today will put an end to the unnecessary distractions and roadblocks that have been thrown in our path. This is an important vote today. I am very grateful for those who are willing to support what we are at least trying to do. I want to thank all concerned.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

MR. WYDEN. Mr. President, before he leaves the floor, I thank my partner from Utah for his exceptional work in terms of putting together a repeal and replace program and say, as I have in the course of the afternoon, that essentially the proposal I have talked about here today could more properly be called the Hatch-Kyl plan because the underlying bill is essentially the outstanding work done by the Senator from Utah, Chairman CAMP, Chairman UPTON, a number of Democrats, and essentially takes as a pay-for what our former colleague, Senator KYL, a conservative by anybody's calculation had in mind.

We are going to be doing a lot of bipartisan work in the Senate Finance Committee. Senator HATCH and I, as I touched on earlier, are already working on the tax extenders. I simply thought that the ideas of Senator HATCH and Senator KYL, two conservatives who I admire, fit quite well with the kind of bipartisan approach that you heard many Senators on this side of the aisle talk about this afternoon, such as Senator CARDIN and Senator WARNER.

At the end of the day, I guess I will put my final remarks in the context of

what Senator COBURN, our friend from Oklahoma, said. He essentially said: Do not put off until tomorrow what you can do today. The good work that Senator HATCH has done on this—I was not the point person for the Democrats at that time; it was Chairman BAUCUS—I think highlights what we could be moving on today.

The pay-for that our former colleague Senator KYL from Arizona put forward several years ago is just as valid as it once was. So we will continue, as Senator HATCH has described this afternoon, to work very closely together. I am hopeful that here in the next couple of days colleagues will also see it on a vital matter relating to jobs because the two of us are working together on tax extenders, which is for promoting innovation in our economy: the research and development credit, renewable energy, jobs for veterans.

I yield the floor.

MR. HATCH. Mr. President, 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.

MRS. FEINSTEIN. 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. FEINSTEIN. Mr. President, I ask unanimous consent to speak for 3 minutes.

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

MRS. FEINSTEIN. Mr. President, I want to talk about John Owens, who is the first vote, for a judgeship, particularly one for the U.S. Court of Appeals for the Ninth Circuit. No one questions his qualifications. I spoke on the floor about him before. I was proud to nominate him to the President. He has a sterling background and would be an excellent circuit court judge. The question that arose was because of the previous judge, a man by the name of Stephen Trott. He spent his entire legal career in California before joining the Reagan administration. He was licensed to practice law in California. He was supported by two Republican Senators from California for various federal appointments. Blue slips for his nomination were sent to California senators.

Now what am I trying to do? I am trying to say, this was a California judge for the Ninth Circuit. What has happened since then is because he moved his home to Idaho once he was a judge, Idaho or some of the representatives from Idaho tend to believe that, voila, this is now an Idaho seat. It is not an Idaho seat. I explained last week that California has less than its proportional share of Ninth Circuit Court judgeships.

Idaho has its fair share. Senator CRAPO, who came to the floor and spoke about this, said nothing about population or caseload to illustrate why this judgeship should move to

Idaho. This has been a long-standing attempt to take this seat away from California. When I came to the floor before, I outlined the whole process of how historically this is, in fact, a California seat.

I urge my Republican colleagues to consider the precedent they would be endorsing if they vote against this nominee because of this seat's history; and that is, if a circuit court judge in your State decides to move to another State in the circuit, then your State has lost that judgeship. That is the precedent that not approving this judge would set.

I urge my colleagues to continue to support this nominee, notwithstanding the opposition of the Senators from Idaho.

Mr. LEAHY. Mr. President, last Thursday the Senate voted to end the filibuster on the nomination of John Owens of California to a judicial emergency vacancy on the U.S. Court of Appeals for the Ninth Circuit. This is the longest running vacancy in our entire Federal court system. Today the Senate will finally vote to confirm this outstanding nominee to a court that is in desperate need of judges.

The Ninth Circuit is the busiest circuit court in the country, and yet it has not been operating at full strength for more than nine years. It has the highest number of appeals filed, the highest pending appeals per panel and the highest pending appeals per active judge. It also takes far longer than any other circuit court to resolve an appeal. The delay in resolving these appeals hurts the American people. After confirming John Owens, the Senate should proceed to Michelle Friedland's nomination to the Ninth Circuit as soon as possible.

The nomination of John Owens is an example of how the process of judicial nominations and consultation with home State senators should work. Under Article II of the Constitution, the Senate has a significant role to play regarding our independent judiciary. We are called upon to work with the President by providing advice and consent for Federal judicial appointments.

Some have recently questioned the rationale behind the so-called "blue slip" process that solicits the views of the home State senators before a judicial nomination moves in the Senate. I have explained that this blue piece of paper reflects the "advice" prong of the Senate's role. If an administration does not consult with home State senators to seek their advice on a nominee, it is far less likely the nominee will receive their support. This support is crucial to the successful confirmation of judicial nominees. In the almost four decades I have served in the Senate, I cannot recall a single judicial nominee confirmed over the objection of his or her home State senators. Today's confirmation to the Ninth Circuit is yet another example of that reality.

In the prior administration, rather than working with the California sen-

ators to fill this seat on the Ninth Circuit, President Bush unnecessarily complicated and delayed filling this vacancy by nominating Judge Randy Smith of Idaho. In doing so, President Bush attempted an end run around home State Senators Feinstein and Boxer. Instead, he consulted with the senators from Idaho—both of whom were Republican senators. Judge Smith was not a Californian and did not receive support from the California Senators. When President Bush took my advice and re-nominated Judge Smith to fill an Idaho vacancy on the Ninth Circuit at the beginning of 2007, Judge Smith received the support of both Idaho Senators and was confirmed quickly.

The Bush administration also tried to get around home State senators in Maryland to fill a vacancy on the Fourth Circuit. President Bush chose to nominate Claude Allen of Virginia, a controversial nominee with limited experience who received a partial "not qualified" rating from the American Bar Association, and the Maryland Senators understandably objected. Mr. Allen's nomination did not move forward due to the objection of the proper home State Senators from Maryland. Meaningful consultation and support of the appropriate home State Senators continues to be important to the confirmation of nominees, and the vote we are taking today on John Owens is proof of that.

President Obama nominated Mr. Owens last August, and his early October hearing date had to be moved after Republicans forced a shutdown of our government. A hearing on his nomination was finally held in late October. Mr. Owens could and should have been confirmed before we adjourned last year. Instead, because Republicans refused to consent to hold any nominations in the Senate, every single one had to be returned to the President at the end of last year. They then had to be renominated and reprocessed through committee this year. Mr. Owens was voted out of committee on a voice vote, without dissent, on January 16, 2014.

Born in Washington, DC, Mr. Owens earned his B.A., with high distinction, from the University of California, Berkeley, and his J.D., with distinction, Order of the Coif, from Stanford Law School. At Stanford, he was the Nathan Abbott Scholar, an award given to the student with the highest cumulative point average in the class. Mr. Owens served as executive editor of the Stanford Law Review, where he earned the Stanford Law Review Board of Editors Award.

After law school, Mr. Owens served as a law clerk to Judge J. Clifford Wallace of the Ninth Circuit and for Associate Justice Ruth Bader Ginsburg of the United States Supreme Court. He has been a litigator in both public and private practice. In 1998, he joined the U.S. Department of Justice, where he would later serve as an Assistant U.S.

Attorney for the Central District of California and the Southern District of California. In 2008, Mr. Owens was promoted to serve as the Deputy Chief of Major Frauds and later the chief of the criminal division. In 2012, he rejoined private practice as a partner at Munger, Tolles & Olson where he presently works. Over the course of his legal career, he has been counsel of record in more than 20 cases before the court on which he is nominated to serve.

Mr. Owens has the support of his home State senators—Senator FEINSTEIN and Senator BOXER. I hope my fellow Senators will join me today to confirm Mr. Owens' nomination to the Ninth Circuit so that he can get to work for the American people.

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

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

Under the previous order, all postcloture time is considered expired.

The question is, Will the Senate advise and consent to the nomination of John B. Owens, of California, to be United States Circuit Judge for the Ninth Circuit?

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

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from North Dakota (Ms. HEITKAMP) is necessarily absent.

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

The result was announced—yeas 56, nays 43, as follows:

[Rollcall Vote No. 91 Ex.]

YEAS—56

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

NAYS—43

Alexander	Burr	Corker
Ayotte	Coats	Cornyn
Barrasso	Coburn	Crapo
Blunt	Cochran	Cruz
Boozman	Collins	Enzi

Fischer	Kirk	Rubio
Flake	Lee	Scott
Graham	McCain	Sessions
Grassley	McConnell	Shelby
Hatch	Moran	Thune
Heller	Murkowski	Toomey
Hoeven	Paul	Vitter
Inhofe	Portman	Wicker
Johanns	Risch	
Johnson (WI)	Roberts	

NOT VOTING—1

Heitkamp

The nomination was confirmed.

LEGISLATIVE SESSION

PROTECTING ACCESS TO
MEDICARE ACT OF 2014—Continued

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session and resume consideration of H.R. 4302.

The majority leader.

Mr. REID. Mr. President, I ask unanimous consent the next votes tonight be 10 minutes in duration.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Under the previous order, the question is on agreeing to the motion to waive.

The yeas and nays were previously ordered.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from North Dakota (Ms. HEITKAMP) is necessarily absent.

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

The yeas and nays resulted—yeas 64, nays 35, as follows:

[Rollcall Vote No. 92 Leg.]

YEAS—64

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

NAYS—35

Alexander	Fischer	Paul
Ayotte	Flake	Portman
Barrasso	Graham	Risch
Boozman	Grassley	Roberts
Chambliss	Hoeven	Rubio
Coats	Inhofe	Scott
Coburn	Isakson	Sessions
Cochran	Johanns	Shelby
Corker	Johnson (WI)	Thune
Crapo	Lee	Toomey
Cruz	McCain	Wicker
Enzi	Moran	

NOT VOTING—1

Heitkamp

The PRESIDING OFFICER. On this vote the yeas are 64, the nays are 35. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The bill (H.R. 4302) was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, we are going to have a vote now on SGR, and if all things work out as anticipated, that will be the last vote tonight.

The PRESIDING OFFICER. The bill having been read the third time, under the previous order the question is, Shall it pass?

Mr. JOHANNIS. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from North Dakota (Ms. HEITKAMP) is necessarily absent.

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

The result was announced—yeas 64, nays 35, as follows:

[Rollcall Vote No. 93 Leg.]

YEAS—64

Ayotte	Harkin	Murphy
Begich	Hatch	Murray
Bennet	Heinrich	Nelson
Blumenthal	Heller	Pryor
Blunt	Hirono	Reed
Booker	Hoeven	Reid
Boxer	Isakson	Rockefeller
Brown	Johnson (SD)	Sanders
Burr	Kaine	Schatz
Cantwell	King	Schumer
Cardin	Kirk	Shaheen
Casey	Landrieu	Stabenow
Chambliss	Leahy	Tester
Cochran	Levin	Udall (CO)
Collins	Manchin	Udall (NM)
Coons	Markey	Vitter
Cornyn	McCaskill	Walsh
Donnelly	McConnell	Warren
Durbin	Menendez	Whitehouse
Feinstein	Merkley	Wicker
Franken	Mikulski	
Gillibrand	Murkowski	
Hagan		

NAYS—35

Alexander	Flake	Portman
Baldwin	Franken	Risch
Barrasso	Graham	Roberts
Boozman	Grassley	Rubio
Carper	Inhofe	Scott
Coats	Johanns	Sessions
Coburn	Johnson (WI)	Shelby
Corker	Klobuchar	Thune
Crapo	Lee	Toomey
Cruz	McCain	Warner
Enzi	Moran	Wyden
Fischer	Paul	

NOT VOTING—1

Heitkamp

The PRESIDING OFFICER. On this vote the yeas are 64, the nays are 35.

The 60-vote threshold having been achieved, the bill (H.R. 4302) is passed.

PROTECTING VOLUNTEER FIRE-
FIGHTERS AND EMERGENCY RE-
SPONDERS ACT OF 2014

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to H.R. 3979, which the clerk will report.

The bill clerk read as follows:

Motion to proceed to the consideration of Calendar No. 333, H.R. 3979, a bill to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act.

The PRESIDING OFFICER. Under the previous order, all postcloture time is considered expired.

The question is on agreeing to the motion to proceed.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the bill.

The bill clerk read as follows:

A bill (H.R. 3979) to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act.

The PRESIDING OFFICER. The majority leader.

AMENDMENT NO. 2874

(Purpose: To provide for a perfecting amendment)

Mr. REID. Mr. President, I have a substitute amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID], for Mr. REED, for himself, Mr. HELLER, Mr. MERKLEY, Ms. COLLINS, Mr. BOOKER, Mr. PORTMAN, Mr. BROWN, Ms. MURKOWSKI, Mr. DURBIN, and Mr. KIRK, proposes an amendment numbered 2874.

Mr. REID. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

(The amendment is printed in today's RECORD under "Text of Amendments.")

Mr. REID. Mr. President, I ask for the yeas and nays on that amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 2875 TO AMENDMENT NO. 2874

Mr. REID. Mr. President, I have a first-degree amendment to the substitute. It is already at the desk.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2875 to amendment No. 2874.

Mr. REID. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the end, add the following:

This Act shall become effective 1 day after enactment.

Mr. REID. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 2876 TO AMENDMENT NO. 2875

Mr. REID. Mr. President, I have a second-degree amendment to the substitute which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2876 to amendment No. 2875.

The amendment is as follows:

In the amendment, strike "1 day" and insert "2 days".

CLOTURE MOTION

Mr. REID. Mr. President, I have a cloture motion at the desk.

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

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 substitute amendment No. 2874 to H.R. 3979, an act to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act.

Harry Reid, Jack Reed, Patrick J. Leahy, Thomas R. Carper, Elizabeth Warren, Tammy Baldwin, Edward J. Markey, Christopher A. Coons, Tom Harkin, Cory A. Booker, Tom Udall, Kirsten E. Gillibrand, Barbara Boxer, Angus S. King, Jr., Christopher Murphy, Al Franken, Bernard Sanders.

AMENDMENT NO. 2877

Mr. REID. Mr. President, I have an amendment to the bill at the desk.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2877 to the language proposed to be stricken by amendment No. 2874.

Mr. REID. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the end, add the following:

This Act shall become effective 3 days after enactment.

Mr. REID. Mr. President, I ask for the yeas and nays on that amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 2878 TO AMENDMENT NO. 2877

Mr. REID. Mr. President, I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2878 to amendment No. 2877.

The amendment is as follows:

In the amendment, strike "3 days" and insert "4 days".

MOTION TO COMMIT WITH AMENDMENT NO. 2879

Mr. REID. Mr. President, I have a motion to commit H.R. 3979, but it also has instructions, and that is at the desk.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID] moves to commit the bill to the Committee on Finance with instructions to report back forthwith with the following amendment numbered 2879.

The amendment is as follows:

At the end, add the following:

This Act shall become effective 4 days after enactment.

Mr. REID. Mr. President, I ask for the yeas and nays on that motion.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 2880

Mr. REID. Mr. President, I have an amendment to the instructions at the desk.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2880 to the instructions of the motion to commit H.R. 3979.

The amendment is as follows:

In the amendment, strike "4 days" and insert "5 days".

Mr. REID. Mr. President, I ask for the yeas and nays on that amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 2881 TO AMENDMENT NO. 2880

Mr. REID. Mr. President, I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2881 to amendment No. 2880.

The amendment is as follows:

In the amendment, strike "5 days" and insert "6 days".

CLOTURE MOTION

Mr. REID. Mr. President, I have a cloture motion at the desk, and I ask that the Chair order it reported.

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

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 H.R. 3979, an act to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act.

Harry Reid, Jack Reed, Patrick J. Leahy, Thomas R. Carper, Elizabeth Warren, Tammy Baldwin, Edward J. Markey, Christopher A. Coons, Tom Harkin, Cory A. Booker, Tom Udall, Kirsten E. Gillibrand, Barbara Boxer, Angus S. King, Jr., Christopher Murphy, Al Franken, Bernard Sanders.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. REID. Mr. President, on the matter before the body before the quorum call was ordered, I ask unanimous consent that the mandatory quorums required under rule XXII be waived.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

MINIMUM WAGE FAIRNESS ACT— MOTION TO PROCEED

Mr. REID. Mr. President, I move to proceed to Calendar No. 250, S. 1737, the Minimum Wage Fairness Act.

The PRESIDING OFFICER. The clerk will report the motion.

The bill clerk read as follows:

Motion to proceed to Calendar No. 250, S. 1737, a bill to provide for an increase in the Federal minimum wage and to amend the Internal Revenue Code of 1986 to extend increased expensing limitations and the treatment of certain real property as section 179 property.

The PRESIDING OFFICER. The Senator from New Jersey.

UNANIMOUS CONSENT REQUEST—S. RES. 404

Mr. MENENDEZ. Mr. President, I shortly am going to make a unanimous consent request on S. Res. 404, a resolution I submitted honoring the life and legacy of Cesar Chavez. This resolution has been blocked by my colleagues on the other side of the aisle every time it has come up for the last 7 consecutive years—every time.

Now, today, on what would have been Cesar Chavez's 87th birthday, I ask my Republican colleagues to find it in their hearts to honor a man who really made a difference in our country. Frankly, I do not understand their reluctance. I do not understand their obstructionism. I do not understand how they can look back at that time in history, at the sacrifices Cesar Chavez made for our country, asking for nothing more than fair treatment and justice.

I realize it is uncommon to make a live unanimous consent request for a

commemorative resolution, but if Republicans are going to object yet again—for an eighth year in a row—to honoring, in my view, a great American hero, I really want it to be on the record. I think Republicans need to answer to the American people as to why, as a party, they can agree to passing resolutions honoring World Plumbing Day or congratulating the Penn State Dance Marathon—both Senate resolutions that were adopted this month by unanimous consent—but insist on standing in the way of honoring a civil rights trailblazer who changed the course of our Nation's history.

Cesar Chavez was a man before his time, and he deserves proper recognition. He dedicated his life to fighting for equality, justice, and dignity—not only for Hispanic farm workers but for all workers in the United States. Yet our friends on the other side cannot find it in their hearts to honor him. I have to ask why. Why can't they simply say yes, he was an extraordinary man who gave of himself for his cause and deserves to be remembered and honored by the U.S. Senate?

The President of the United States proclaimed today, March 31, 2014, as Cesar Chavez Day. Over 10 States honor his life and legacy each year on this day. The Secretary of the Interior established a national monument in his honor, and across the country you will find schools, parks, streets, libraries, and other public facilities named after Cesar Chavez as well.

So I implore Senate Republicans to reconsider denying Cesar Chavez's legacy for an eighth year in a row. Adopt this commemorative resolution by unanimous consent. Give Cesar Chavez the recognition he so deserves. That is all we ask—nothing more.

This year there is a new movie chronicling the life of Cesar Chavez—a life lived with honor and dignity and decency for the betterment of all of us. The film is long overdue. That life, that dedication, that spirit will always be missed.

He was born near his family's farm in Yuma, AZ. When he was 10, in the hard times of the Depression, the family lost their farm, like millions of Americans, and they became migrant farm workers, laboring in vineyards across the Southwest, where he learned of the injustice and hardship of a farm worker's life. He never left those fields. He never left the land. He never turned his back on the people who worked it. And the rest is history.

Robert Kennedy called him one of the most heroic figures of our time. I think it is because Cesar Chavez understood and believed in one fundamental truth. He always said: "The fight is never about grapes or lettuce; it's always about people."

He was right. And that fight continues today. The struggle for fairness and dignity for every American goes on, and Cesar Chavez was and is its inspiration. He certainly is an American hero but most definitely a hero to the

Hispanic community. He paved the way for the contributions of Hispanic Americans—for innovative progress and social improvements. If there is one man who redefined leadership, it is Cesar Chavez.

I think my colleagues need to know that the community stands with me today and stands firmly behind my resolution honoring the life and legacy of Cesar Chavez.

Mr. President, I have a list—and in the interest of time, I will not read it—of 37 national Hispanic and labor organizations that all support the resolution. I ask unanimous consent to have that list printed in the RECORD.

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

2014 CESAR CHAVEZ RESOLUTION (S. RES. 404)

ENDORSEMENTS
(LIST IN PROGRESS)
LATINO ORGANIZATIONS

1. Aspira
2. Casa de Esperanza: National Latin@ Network
3. Cuban American National Council, Inc. (CNC)
4. Farmworker Justice
5. Friends of the American Latino Museum
6. Hispanic Federation
7. Hispanic Association of Colleges and Universities (HACU)
8. Latino Justice PRLDEF
9. Labor Council for Latin American Advancement (LCLAA)
10. League of United Latin American Citizens (LULAC)
11. Mexican American Legal Defense and Educational Fund (MALDEF)
12. MANA, A National Latina Organization
13. National Alliance of Latin American & Caribbean Communities (NALACC)
14. National Association of Latino Elected and Appointed Officials (NALEO) Educational Fund
15. National Association of Hispanic Federal Executives (NAHFE)
16. National Council of La Raza (NCLR)
17. National Hispanic Environmental Council (NHEC)
18. National Hispanic Caucus of State Legislators (NHCSL)
19. National Hispanic Leadership Agenda (NHLA)
20. National Hispanic Media Coalition (NHMC)
21. National Hispanic Medical Association (NHMA)
22. National Institute for Latino Policy (NILP)
23. National Latina Institute for Reproductive Health (NLIRH)
24. SER Jobs for Progress National, Inc.
25. Southwest Voter Registration Education Project (SVREP)
26. U.S. Hispanic Leadership Institute (USHLI)
27. US Mexico Foundation
28. National Latino Farmers & Ranchers Trade Association
29. Minority Business RoundTable

LABOR GROUPS

1. AFL-CIO
2. American Federation of Government Employees
3. American Federation of Teachers
4. Communications Workers of America (CWA)
5. International Organization of Masters, Mates & Pilots

6. International Union of Bricklayers and Allied Craftworkers

7. International Union, United Automobile, Aerospace & Agricultural Implement Workers of America (UAW)

8. Marine Engineers' Beneficial Association.

Mr. MENENDEZ. We all eagerly await the day when politics will no longer preclude its passage.

Cesar Chavez's profound legacy and lasting influence can be reduced to three words—the motto of the United Farm Workers—that recall his fight for justice and have echoed from the fields of Delano, CA, across America all the way to the White House: "Si se puede." These three words, while simple in nature, harbored the power to move entire communities from the dark shadows of injustice toward a brighter light of hope. These three words represent at their very core the spirit that breathes life into Americans' struggle for a better life.

As the leader of the first successful farm workers union in the United States, he fought to ensure those working tirelessly to provide Americans with food received the benefits they deserved. Nonetheless, his service extends far beyond our agricultural fields and provides inspiration to those working to improve human rights, empowering workers, regardless of race or ethnicity. His countless efforts to ensure equality, justice, and dignity for all people in the United States are a testament of his leadership and success—a success that can only be measured by the lasting impact he has made toward ending workplace discrimination, unsafe and unfair working conditions, low wages, and child labor. He was more than just a farmer with a vision. He was a civil rights leader who embodied the pursuit of justice that continues to inspire millions of Americans today.

So I come to the floor today to honor the life and achievements of Cesar Chavez, to ask my Republican colleagues to put aside their politics and do what is right by a man whose life and legacy deserve the recognition of this Nation—one Nation and one Congress.

Let's stand together and recognize the accomplishments of a great American hero but, most importantly, let's honor the values that make our country great—the values of tolerance, hope, and freedom, upon which this country was founded. And let's always remember, as Chavez said, the fight is always about the people.

With that, Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 404, 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. Is there objection?

The Senator from Alabama.

Mr. SESSIONS. Mr. President, reserving the right to object, I would note that the resolution has not come out of the Judiciary Committee and

that Senator VITTER, who has filed an amendment to the resolution, asks that that amendment be accepted or voted on, which has been not agreed to. The amendment would say a couple things.

One:

Whereas Cesar Estrada Chavez strongly believed in enforcing immigration laws, thereby reducing the deleterious effects of inexpensive labor on the wages of farm workers in the United States, as recognized by the Congressional Budget Office in the June 2013 report entitled "The Economic Impact of S. 744, the Border Security, Economic Opportunity, and Immigration Modernization Act.

... And he offers this "whereas," a second one:

Whereas Cesar Estrada Chavez recognized the importance of a secure southern border with Mexico, through citizen participation in the enforcement of immigration laws, by encouraging members of the United Farm Workers of America to contact the Immigration and Naturalization Service to report instances of illegal labor. . . .

So that not having been accepted, I would ask that be accepted. It is at the desk. I ask it be agreed to prior to adoption of this resolution.

The PRESIDING OFFICER. Does the Senator from New Jersey so modify his request?

Mr. MENENDEZ. Reserving the right to object, this is not about Cesar Chavez. This is about immigration. I know my distinguished colleague has a different view about immigration than I do. I know Senator VITTER, for whom he is offering this amendment, also has a different view.

The Senate has spoken on the question of immigration. Sixty-seven Senators, two-thirds of the Senate has already sent an immigration reform bill to the House of Representatives. So while we may have different views, that is not the issue of Cesar Chavez. In my view it is an injustice to his memory to offer such an amendment. That is why I will have to object.

The PRESIDING OFFICER. Is there objection to the original request?

Mr. SESSIONS. I would object and would note I do have a different view on these issues. With regard to the impact of S. 744, had it passed, it would have been adverse to farmworkers who are in this country working hard, need pay raises, and need better job opportunities. I think these are important parts of Mr. Chavez's career. It seems to me that the Senator would be pleased to accept that, but I understand we have a disagreement. I express my respect for Senator MENENDEZ and his leadership on the Foreign Relations Committee, but we disagree on this subject.

I yield the floor.

The PRESIDING OFFICER. Objection is heard.

Mr. MENENDEZ. Mr. President, I have a deep respect for Senator SESSIONS. But I will just simply say this is the 8th year, the 8th year in which under some figleaf—before they could hide through their objections. But this

is really a fig leaf. The Senate has expressed itself on immigration reform. This is not about immigration reform. This is about Cesar Chavez. This is about a man who led boycotts across the country to bring to justice the rights of farmworkers and of all workers across the land.

There is no bigger supporter, by the way, than the United Farm Workers, which he helped build, create, and today is one of the strongest voices for that immigration reform.

It is, from my view, shameful that we can pass commemorative resolutions on some of the most insignificant issues, but on the life of someone who changed the course of this country for millions of Latinos who understand that life and history and would want to see that life commemorated, that there can be a continuing objection for 8 years. I will keep coming each year to the floor to make this happen. At some point it will.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Before the distinguished Senator from New Jersey leaves, I wish to thank him for his diligence and advocacy on behalf of a distinguished American. I can say, as chair of the agriculture committee, without the work of Cesar Chavez, without those who toiled in the fields picking the fruits and vegetables and providing the backbone of the agricultural workforce, we would not have an agricultural economy in many places in this country.

To say on the date of his birth that we recognize Cesar Chavez is something that is straightforward and ought to be happening and should have happened 8 years ago.

COMMUNITY MENTAL HEALTH CARE

Mr. President, today marks the culmination of a long fight to improve community mental health care in our country. Last Thursday the House of Representatives passed the Protecting Access to Medicare Act, which includes a demonstration project based on the Excellence in Mental Health Act that my friend and partner from Missouri ROY BLUNT and I authored.

I wish to recognize Senator MARIA CANTWELL, who is one of our cosponsors who is on the floor, for her wonderful, passionate support and voice helping us get this done. I wish to thank our House sponsors. This is a House-Senate Republican-Democratic initiative. Who says we cannot work together when we want to get things done?

Congresswoman MATSUI, a Democrat from Hawaii; Congressman LANCE, a Republican from New Jersey, were our sponsors. We also had significant partnership and advocacy from Congressman TIM MURPHY, a leader in mental health in the Congress, a Republican from Pennsylvania.

I wish to thank SUSAN COLLINS who, as a Senator from Maine, has been a passionate advocate as well and Sen-

ator JACK REED, who has worked with me for years on this legislation. He and I were partners for a long time to get this done. I wish to thank the chairman of the Ways and Means Committee in the House, Chairman CAMP, and Chairman UPTON for working with us, both from my home State of Michigan—for working and partnering with us.

I wish to thank the Speaker and Majority Leader REID, who put together a proposal, not what most of us would have liked to have seen in terms of permanently fixing this issue of the SGR or Medicare reimbursement for physicians, but even in looking at a fix for just 1 year, they came together and supported our vision for positively moving forward on a demonstration project to increase community mental health services.

Certainly, last but not least, I wish to thank Senator RON WYDEN, who has been there since day one and now as chairman of the Finance Committee has been unequivocal in his passionate support for what we are doing. I wish to thank Chairman WYDEN for his leadership and support.

Our legislation is a landmark step forward for community mental health funding, one of the most significant advances we have seen in decades. This bill will improve the lives of people all across the country by providing funding to create 24-hour emergency psychiatric services and higher standards and funding for community care.

We authored this bill because mental illness touches all of our families in some way, one out of four Americans. For me, it was my father who suffered from bipolar disorder and was not diagnosed for at least 10 years when I was growing up. I saw the impact on my dad, the most loving, wonderful father someone could have, on my mom, on my brothers, our whole family, as we struggled to figure out what was going on and get him the help and support he needed.

When he finally was accurately diagnosed and received the right treatment and support, got the right tools to manage this disease, he was able to go back to work and live a happy and rewarding life for the rest of his life. Similar to my dad, too many people who need treatment do not get it, including one-third of all people living with mood disorders and more than half of those with severe mental diseases.

That is because in this country we treat mental health and physical health differently. If you have diabetes, you monitor your sugar levels, you take insulin to manage your disease. You go on with your life as you are managing your disease. If you are bipolar, meaning you have a chemical imbalance in the brain, you may receive zero treatment, maybe lose your job or worse your family, maybe end up in jail or on the streets.

Diabetes and bipolar disorders are both chemical imbalances in different

parts of the body. Both deserve treatment. People deserve to be able to get effective treatment for both. Both are treatable—both are treatable. The same is true for schizophrenia and many other behavioral diseases. There is hope when people get help.

There is treatment available and from that the ability to manage diseases, as we do for so many physical diseases that people have. This bill which we just passed in the Senate will make it more likely to happen that people can get the treatment and support they need. This bill makes great improvements in the way we treat mental health care as well. It will expand access, make sure people get treatment at a higher quality level, because just as we do with federally qualified health centers, we are now creating federally qualified behavioral health clinics.

If you meet higher standards, you get higher reimbursements and therefore more services available. This legislation authorizes eight States to be designated to receive enhanced funding for community mental health services, based on meeting high-quality standards for services, as I said before, for the designation of federally qualified behavioral health clinics.

This is voluntary. States will compete to be designated as one of the eight demonstration States. I expect many States and communities across the country to be working together to do that. I fully expect this demonstration project will save lives and save money to communities in every State that is housing people in jails who should be getting the treatment they need in the community in order to manage their diseases and live productive lives.

It has taken a long time to get here. The fight began 50 years ago, when President John F. Kennedy called on Congress to create a new type of health care facility that would improve the quality of mental health care in the community—in the community—and reduce stigma. He pushed Congress to take action on mental health care because he had a vision to bring mental health treatment out of institutions and into communities across America.

Following his lead, Congress sent him the Community Mental Health Act. It was the last bill he signed before he was murdered in Dallas. It is one of the most important bills that he signed. Senator BLUNT and I spoke on the Senate floor last fall to commemorate the 50th anniversary of that bill's signing because it marked a major change in the way we treat mental health.

Unfortunately, over the past few decades, instead of increasing funding for mental health services, we have seen cut after cut after cut. We are seeing the consequences. Inpatient facilities all across the country have closed their doors, but they have not been replaced by services in the community. Too often we are turning the emergency

room or worse to jails or prisons as our primary mental health treatment facilities.

As Cook County, IL, Sheriff Tom Dart testified in the House of Representatives just last week, “The unfortunate and undeniable conclusion is, that because of dramatic and sustained cuts in mental health funding, we have criminalized mental illness in this country.”

The ER and the jails are not the place to treat mental illness. We can do better than that in this country. We have now taken a major step to do that. Our families deserve better. That is why our former colleagues Senator Pete Domenici and Senator Paul Wellstone, a dear friend to so many of us and whom we miss dearly, and later another dear friend, Senator Ted Kennedy, whom we also miss dearly, a towering figure on so many issues, joined together with Senator Kennedy's son, Representative PATRICK KENNEDY, and wrote the bipartisan Mental Health Parity and Addiction Act. They wanted to make sure we had parity in how insurance companies treat mental and physical health. That bill became law finally in 2008. It was a huge step forward.

I was proud to offer mental health parity in the Affordable Care Act, which was the next big step forward. Today we voted on the final step in mental health parity in the community, the ability to get funding for quality mental health care services the same way we fund quality community health services.

I have met and heard from so many people who personally felt the effects of mental illness and who wanted us to pass this bill so they and others could get the treatment they need.

One of those people who joined us—in fact, today at a press conference, flew in from Michigan—is Malkia Newman, who lived for over 30 years with undiagnosed bipolar disorder. She finally got the treatment she needed through the Oakland County Community Mental Health Authority in the Detroit suburbs.

She recovered, is now managing her illness, and is the board chair of the very same mental health board community she turned to for help so she can help others. Her message to Congress is: “Please pass this bill so everyone can get the mental health help they need.”

Not everyone is as lucky as Malkia, though. There are many who still need our help, which is why what we have done today is so important.

Today, one in four returning veterans from Iraq and Afghanistan is in some need of some form of mental health care treatment. I recently heard from Marcia in Dearborn about her friend.

She said:

My friend bravely served two tours in Iraq for this country. Before he left for war, he was so outgoing and all he wanted was to put a smile on everyone's face. He had the biggest heart of anyone I know.

But when he came home from war with PTSD, her friend was in trouble.

Marcia writes:

What is done for these men and women when they come home? They go to war, they see things no one should ever see and do things no one should ever do, and they're expected to return home and live normally?

Her friend killed himself after suffering from PTSD for 8 years. Marcia's friend is only 1 of the 22 veterans who take their own lives every single day in America. This is where our bill comes in. This bipartisan bill expands access to mental health care, working with outpatient VA clinics, working with community mental health centers, and federally qualified mental health centers, all working together. I thank so much the Iraq and Afghanistan veterans for being with us every step of the way, advocating, all of the veterans organizations that have been so supportive. This bill will create a broad range of mental health services, such as 24-hour crisis psychiatric services in communities that are selected, integrated preventive screenings, integrated treatment for mental illness and substance abuse, and expanded peer support and counseling for families and patients alike.

It allows community mental health centers to finally be reimbursed the same as physical health providers. We are finally saying that as a country we are going to treat illnesses from the neck up, the same way we treat illnesses from the neck down.

Instead of merely talking about mental health in the wake of tragedies such as the Navy Yard in Washington last fall that took 13 lives or the tragedy at Sandy Hook, we have taken action this evening.

Mental health isn't a partisan issue. Senators Domenici and Wellstone understood it just as Senator BLUNT, Senator CANTWELL, Senator COLLINS, and I understand.

Senator Wellstone isn't here to see the progress we have made, but he once said:

Politics is not about power. Politics is not about money. Politics is not about winning for the sake of winning. Politics is about the improvement of people's lives.

That is exactly what we are doing, improving people's lives and creating hope and opportunity for people to get the help they need to live long, successful lives.

I thank all of our colleagues for working together to get this done. It will be something, as we move forward, of which we can all be proud.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MORAN. I ask unanimous consent to address the Senate as in morning business for less than 15 minutes.

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

Mr. MORAN. Mr. President, first I wish to address legislation that passed the Senate earlier this evening. The sustainable growth rate is such an important issue to the people from the

State of Kansas. I come from a State in which senior citizens are a very prevalent portion of our population, and access to health care is so dependent upon whether Medicare reimburses a physician, a hospital, a home health care agency or a nursing home in an adequate amount. I fear that in the absence of that adequate Medicare reimbursement we will see a lot fewer doctors, and hospital doors will close.

I have been an advocate of and in fact I never voted to create the sustainable growth rate, and I suppose I should explain what that is. In the broadest of terms it means there is a formula that ultimately reduces the reimbursement a physician receives under Medicare. It has become a very dramatic issue. This year I believe it is around a 24 percent reduction that will occur April 1, tomorrow, if the sustainable growth rate formula is not altered.

The reality is that Congress has altered that formula to avoid those reductions, because we know when a health care provider is not compensated in a way that covers the cost of providing the service, most likely we are going to have fewer health care providers. Hospitals will not be there, physicians will no longer be in practice, and, particularly in areas of our country that are rural where, again, a significant portion of the population is senior citizens whose medical bills are paid, in part, through Medicare.

My discouragement, my dissatisfaction, is once again the Senate has demonstrated its dysfunction by passing a very short-term fix to this long-term problem. If history is any indication, we will be back 1 year from now in the same predicament. We have made alterations 16 times previously. This is the 17th time in which we have done a short-term fix to a long-term problem. To me, it is one more symptom of our inability as a Senate to function in a way that benefits the American people: in this case, patients who are served by physicians who will be harmed.

In instances across Kansas, our hospitals are now employers of physicians, and so they have entered into a contract with a physician. When the reimbursement rate for the physician is reduced, it means less revenue to the hospital and a tighter squeeze to the many hospitals that barely hang on by a thread.

I express my appreciation to Senator WYDEN, the chairman of the Finance Committee, for his efforts to find a long-term solution, a permanent repeal of the SGR and again express my willingness to him and to others to work with Democrats in the Senate, to work with Republicans in the Senate, to find the necessary numbers of us who will come together to support legislation that would permanently end the SGR, and that we would not be then asked a few months from now to come back once again to solve the problem.

We know the problem is there. We know we will have to find a solution. The consequences of failing are so

great, but we were unwilling to take the necessary steps today to pass a permanent repeal and an elimination of the SGR formula.

Again, to Senator WYDEN, he and I have had conversations since last Thursday about my willingness to have conversations with Republican Members of the Senate to find the necessary votes to pass legislation for a permanent repeal. I expressed that offer again to Senator WYDEN, that we are still interested in doing that, and that the country, its health care providers and their patients, deserve better than what we were able to do today.

REMEMBERING THE MULL FAMILY

I turn to a story about a very special Kansas family. Unfortunately, it is a sad story.

I often describe to my friends and colleagues in Washington, DC, how special Kansas is and in a special way how we live our lives there.

Families are important. The values of family run deep in our communities. We have neighbors who care for each other and we all know each other one on one, name by name, family by family. We know where they go to church, we know what schools their kids are in, and we know how their families are doing. When tragedy strikes, the entire community is shaken.

I pay tribute today to a family from north central Kansas, the Mulls. Glenn Mull and his wife Elaine, their daughter Amy Harter and their granddaughter Samantha Harter were traveling to the National Cattlemen's Beef Association trade show in Nashville on February 3 when the plane they were in crashed during its second landing attempt. The jet went down about 10 miles from the airport in Bellevue, TN.

I saw on the Internet a Bellevue resident, who I don't know. She wrote this tribute to Glenn Mull, the pilot.

She said:

Glenn had reached the most bustling section of our community at the busiest time of the day. . . . He would have seen hundreds of homes with cars in the driveway. A Kroger packed with shoppers. An assisted living community. And an enormous YMCA, where hundreds of families were streaming in and out to swim in the indoor pool, exercise and take classes. Glenn didn't know this, but school was cancelled for our kids . . . so a larger number than usual were at the Y with their parents. Some experts are saying now that the last-second sharp turn Glenn made in the seconds before the plane crashed indicates that he made a heroic decision to hit the one spot in the immediate vicinity where no one on the ground would be hurt. . . . Glenn managed to spare all of their lives.

The Bellevue resident went on to describe her own community as one which is "filled with people who shared Glenn's obvious affinity for family." She said that Bellevue residents:

. . . are all talking about Glenn Mull, the hero, who we believe had the extraordinary courage and presence of mind to save our families, even as he realized he couldn't save his own.

Glenn was born in Great Bend and raised on his family farm near there,

where his parents instilled in him a strong work ethic and a sense of integrity. He went on to graduate from Kansas State University with a business degree, and K-State is where he met his wife Elaine. They moved back to north central Kansas to grow the three-generation family farm and eventually to raise their three children. He promoted his life's work through representation of Kansas farmers and ranchers in organizations such as the Kansas Livestock Association and the National Cattlemen's Beef Association.

Glenn and Elaine were well respected not only in the cattle industry but also in their community for their generous commitment to improving the lives of their neighbors. As a founding board member of Pawnee Valley Community Hospital Foundation, one of Glenn's top priorities was improving health care in Larned, KS. Their hospital was faced with potential closure in 2009 until efforts were made by the city of Larned and community members such as Glenn to solve the problem and to keep the hospital doors open. For rural communities such as Larned, access to the types of health care facilities offered by Pawnee Valley Community Hospital is essential to their community's future.

Elaine, his wife, had a tireless heart for service and volunteered in a number of organizations, including the Fort Larned Historical Society, the Larned Hospital Auxiliary, the Santa Fe Trail Center, Larned Music Club, 4-H, Girl Scouts, and was a K-State trustee, just to name a few of her activities.

She played the piano and taught Bible study classes at Grace Community Church in Great Bend where the pastor said that he loved to talk with Glenn about the weather, which is a very common Kansas conversation, and that he always used the farmer's expertise to analyze the day.

The pastor said:

He knew exactly how much moisture we had and what we needed, whether this was good for the wheat versus the milo and how it might affect the feed yards.

The pastor continued:

There has been talk that Glenn behaved in a very heroic way. I have no idea whether that is true, but I will tell you that he is the kind of guy who would absolutely have done the right thing.

Glenn and Elaine's legacies of selflessness, philanthropy, and leadership undoubtedly live on. I have met many people in my life, and I don't know that I have ever met a couple with more optimism, with more care and concern for other people, with a sense that things will be better tomorrow, and that the idea that hard work and living your life with integrity and as a companion to your Creator, would mean that good things would happen for you and your family.

Amy Harter, their daughter, and her family lived in a house on the Mulls' land and worked in the family business, while she and her husband Doug raised their children, Chase and Samantha.

Sixteen-year-old Samantha, the granddaughter, was killed in that plane crash. She was described by one of her classmates at Larned High School, which has a student body of about 300, as a silly girl but a serious enough one to be a member of the honor choir. She would have the most energy in the honor choir practice at 7 in the morning. She would either be there—tired—with caramel rolls her mom had made or laughing and having fun.

Kansans know what it means to persevere, and certainly the Mull family has persevered through many difficulties. No farmer or rancher escapes that in our State. We embrace our State's motto—"Ad astra per aspera"—"To the stars through difficulties." During difficult times we often see the very best in people—as in Glenn's decision to save lives in Tennessee when he couldn't save himself or his family.

Amidst the loss of Glenn and Elaine, their daughter and granddaughter, and the suffering of this Kansas community, what stands out is the outpouring in Larned and Great Bend in central Kansas of care and compassion shown by their friends and neighbors but also by the residents of Bellevue, NE, who were united in their care and concern for this family they never knew.

Glenn, Elaine, their daughter Amy, and granddaughter Samantha will be greatly missed, and all we can do now is model our lives after the lives they led and ask that God comfort them, their families and be a source of support for all who knew them as we go through this continued time of grief.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, I thank the Senator from Kansas for his remarks and extend my sympathies to the family. I thank the Senator for his rendition of his State's fortitude. My State is working with fortitude right now too in the Oso-Darrington mudslides, and perseverance is a good word.

So I thank him.

Mr. MORAN. I thank my colleague.

EXCELLENCE IN MENTAL HEALTH ACT

Ms. CANTWELL. Mr. President, we took an important step today to improve the lives of millions of Americans who deal with mental illness. I am talking about the Excellence in Mental Health Act, which was included in the provisions of the legislation we just passed this evening.

I thank my colleagues, Senators STABENOW and BLUNT, for their leadership on this bill. Senator STABENOW just gave a very passionate history of why she has been so involved with this issue. People may not realize that she has been working on this since 2005. So I thank her for that leadership because around here it takes time to get things done, and she has never forgotten how important this is for those with mental illness and the loved ones and family members who care about them.

This legislation was bipartisan legislation, and that certainly helped us get

the bill passed. It was something I was happy to cosponsor with Senator STABENOW when we worked it through the committee and then also when we tried to get it included in this latest package. So I am proud to be here tonight to thank her and Senator BLUNT for their leadership in getting this done.

This legislation improves access to community health centers and leads to better quality of care. It will give access to those participating States that are fortunate enough to be in this first phase of a pilot program, and it will help local governments and health care systems that are all plagued by these challenges. Most importantly, it will help save lives.

Community mental health treatment centers are struggling because they are trying to meet the demand and do so within the balance of their budgets. According to the National Alliance on Mental Illness, States have cut more than \$1.6 billion in mental health funds since 2009. So here we are with a very pervasive problem and budget tightening, which, obviously, causes big challenges. What are those challenges? Basically too many people falling through the cracks.

Nationally, more than half of those with serious mental disorders don't get the treatment they need to lead productive healthy lives. In my State, the State of Washington, 55 percent of those with mental illness are not getting treatment. That translates to 500,000 people who are not getting the help they need, according to the Substance Abuse and Mental Health Service Administration. When they reach a crisis point, it is not just a burden on them and their families but on our communities, our hospitals, and our criminal justice systems. As a result, our jails and our emergency rooms have become the mental health clinic of last resort.

As the Tacoma News Tribune wrote in a recent editorial, "Jails and prisons have become our de facto mental institutions."

Not only is that approach ineffective, it is also extremely expensive. It means local governments spend more for housing and court services and medication and treatment of the mentally ill while in their custody. For emergency rooms it means they fill up with mentally ill patients they are often ill equipped to deal with.

In Washington we have seen a dramatic rise in psychiatric boarding—or warehousing. Boarding happens when involuntarily committed patients must wait for hours in a hospital emergency room because psychiatric facilities have no open beds.

A recent investigation by the Seattle Times found that boarding has become routine in our State, "traumatizing thousands of mentally ill residents, wreaking havoc on hospitals, and wasting millions [in] taxpayer dollars." Patients are "frequently parked in hallways or bound to beds, usually given medication but otherwise no psychiatric care."

This report is the basis of why this legislation is so important. The report also talked about financial costs. Boarding costs Washington State's health care system \$10.5 million a year, according to the State.

I believe we can do better, and this legislation helps us do that. We can support proven models that improve efficiency and reduce spending. One such model is this legislation we just passed—community-based care that focuses on prevention, early intervention, and coordination between providers. All of that is why the legislation is so important. It helps increase efficiency while bolstering the community health centers with increased Medicaid support.

It will also enable the State to improve the quality and range of services. It requires the State to certify community mental health centers and meet higher standards. Some of those services would be things such as 24-hour crisis management, screening assessments and diagnosis, outpatient mental health substance abuse services, outpatient primary care screenings to monitor the indicators of health conditions, peer support and counseling, better coordination with veterans' clinics, acute care hospitals, and inpatient psychiatric and substance abuse services.

All of these are missing in our communities, and oftentimes those individuals end up, as I just said, in either the emergency room of a hospital or in a jail. Currently, there are no standards for mental health services in community health facilities. States that will participate in this program will be able to get a Medicaid reimbursement equal to what federally qualified health centers receive for primary care services.

This is so important, and something Senator STABENOW mentioned—putting this on equal footing. More than 50 mental health, medical, and law enforcement groups and organizations supported this important legislation because it is what they need to help do their job in these communities. Some of those organizations that supported this legislation are the National Sheriffs' Association, the National Association of Police Organizations, the American Psychological Association, the American Medical Association, and the American Foundation for Suicide Prevention.

In Washington we have seen how some of these community-based services are paying off. In rural central Washington, the counties of Yakima, Kittitas, and Klickitat have reduced their hospitalization through strengthening outpatient services and investing in early intervention programs, such as community treatment teams that meet with patients in their homes.

This region in my State now has the lowest per capita psychiatric hospitalizations, according to an editorial in the Seattle Times just last week. This demonstration project builds on what we already know can be successes.

Clearly, we have a lot of work to do, but this important legislation will help us be smarter about community-based care that will keep people out of the emergency rooms and out of our jails, keeping them from becoming the mental health clinics of last resort.

As Chris Imhoff, an official with the Washington State Department of Social and Health Services, remarked:

It's exciting for a community when something like this happens. . . . It helps us not strand people with psychiatric emergencies in emergency rooms, which is a good thing.

That is why this legislation is taking us in the right direction. So again, I thank the Senators from Michigan and Missouri for their leadership on this legislation. It is so important we got it passed, and, hopefully, now it will move towards the President's desk and implementation.

MORNING BUSINESS

Ms. CANTWELL. 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.

WORLD WATER DAY

Mr. LEAHY. Mr. President, March 21 was the 21st anniversary of World Water Day. On this day, we call attention to the centrality of water in our lives and communities, and we recognize the vital work that must continue to ensure that every person has access to clean water and sanitation.

The acute challenges in improving access to clean water and sanitation in developing countries are well known. Nearly 800 million people lack clean water and more than 2 billion people are without basic sanitation. In a world of increasing water scarcity and climate unpredictability, the risks associated with an unstable water supply will only intensify. A wide assortment of global health and development challenges can be traced directly, or indirectly, to a lack of access to clean water and integrated water resource management.

In recent years, the depth and pervasiveness of these problems have gained increasing attention. In 2000, the U.S. signed the Millennium Development Goals, one of which seeks to halve the number of people without access to clean water and basic sanitation by 2015. This attention has also led to the formation of international partnerships such as Water and Sanitation for All in 2012, of which the United States is an active member. As projections stand now, the MDG clean water target has already been met while there is still a long way to go in reaching the sanitation goal by 2015.

The United States has long been a leader in supporting efforts to improve global access to water, sanitation, and hygiene (WASH) and water resource

management. The Paul Simon Water for the Poor Act of 2005, a bill which I strongly supported, was the first major legislation enacted to make access to clean water and sanitation a U.S. foreign policy priority. Each year, as chairman of the Appropriations Subcommittee on the Department of State and Foreign Operations, I have included increasing amounts of funding to implement the Paul Simon Act.

We should reflect on the legacy of the late Senator Simon and take a moment to recognize and appreciate his contributions to making clean water a development priority. His work is carried on through the programs and policies of the legislation that bears his name.

On World Water Day, we should also recognize the indispensable work that has been done by governments, NGO's, and private companies to provide access to clean water and sanitation. I have visited Haiti three times in recent years to inspect the work of rebuilding crucial infrastructure, shattered by the earthquake. My wife Marcelle worked for many years as a registered nurse. In 2012 she saw, firsthand, some of these vital clean water and sanitation initiatives. A nonprofit organization, Pure Water for the World, based in Rutland, VT, implements a sustainable model for clean water programs in developing countries by building low-cost water filtration systems, installing latrines to improve sanitation, and providing hygiene education in local communities.

We must also realize how much work is still left to do in this area of development, and understand that to tackle 21st century problems we need innovative solutions. The release of the U.S. Agency for International Development's new water strategy last year was an important step, especially with its focus on sustainability and enhanced monitoring and evaluation of projects.

I will continue to support USAID's work to carry out its mission and the strategic objectives in the water strategy. More than \$365 million was included for WASH programs in the 2014 omnibus appropriations bill that was signed into law on January 17. Congress should also pass the Water for the World Act, which would give USAID additional tools to address these critical issues.

Lastly, I want to highlight the theme of this year's World Water Day, which is "water and energy." The links between water and energy cannot be ignored. Nearly eight percent of all global energy is used to transport, pump, and treat water for a variety of consumers, while energy generation and transmission also requires massive water resources. With more than a billion people also lacking access to electricity, we need to address both these issues together.

World Water Day reminds us how fortunate we are in the United States to be able to turn on a faucet and have clean water, because for many hun-

dreds of millions of people this luxury is not close to a reality. While we have made progress in bringing clean water and sanitation to millions across the world, there is still much work to be done.

GUN SHOW LOOPHOLE

Mr. LEVIN. Mr. President, on March 14, 2014, a popular teacher named Michelle Wilcox got into an argument. People get into arguments all the time. It is part of life. But this argument ended, as all too many do around our Nation, in tragedy: suddenly, the man with whom Ms. Wilcox had been arguing pulled out a firearm, chased after her, shot her, and left her body in a grassy patch near a preschool.

In this case, as in so many others, the presence of a gun turned an ordinary altercation into a horrific murder. Had a firearm not been present, Ms. Wilcox might have been able to walk away that fateful morning—frustrated, angry, but alive. Instead, she was murdered, her husband of 12 years now awaits trial, and their child has lost its mother. A momentary bad decision ended one life and has irrevocably changed so many more.

We may not know if anything could have prevented this tragedy, but we do know that this grim scene repeats itself all around our Nation, almost every day. Statistics compiled by the Law Center to Prevent Gun Violence show an indisputable correlation between domestic violence incidents and firearms: that, for instance, abused women are "five times more likely to be killed by their abuser if the abuser owns a firearm." Other statistics indicate that domestic violence assaults involving a gun are "23 times more likely to result in death" than those involving other weapons, and that over "two-thirds of spouse and ex-spouse homicide victims in a 28-year span were killed with firearms." And in 2011, almost two-thirds of women killed with guns were killed by their intimate partners.

These sad figures show the importance of keeping firearms out of the hands of domestic abusers. But all too often, our Nation's system to prevent such dangerous individuals from getting guns fails. It failed in the case of Christen Naujoks, a student at the University of North Carolina. For a brief time in 2004, Ms. Naujoks dated another student, John Peck, before ending the relationship. Mr. Peck had previously been convicted of sexually assaulting another woman, and as a result was legally prohibited from purchasing a gun. This didn't stop him, however, from exploiting a loophole in current law that allows individuals to purchase guns from private sellers' without undergoing a background check. Mr. Peck bought an assault rifle from a private seller, and on June 4, 2004, murdered Ms. Naujoks by shooting her 11 times in front of her apartment building. Three days later, Mr.

Peck committed suicide during a police shootout.

There is legislation pending before the Senate that, if enacted, could prevent future convicted domestic abusers from evading background checks to buy murder weapons. These bills could be the critical difference in preventing another domestic argument from becoming something so much worse. We owe it to the memory of victims of domestic violence around this country to take every step possible to prevent similar incidents in the future. I urge my colleagues to pass gun safety legislation that closes the gun show loophole.

2014 OLYMPIANS

Mr. LEVIN. Mr. President, every 4 years elite athletes from across the globe gather together to share their prodigious talent and skill with a world audience through friendly competition. This year's Winter Games in Sochi, Russia was no different. Indeed, it is a tradition families across the Nation have gathered together to watch on TV and shared for generations.

We are transfixed by the Winter Olympics and the athletes who take part for many reasons. We enjoy the intense competition that is the hallmark of the games. We enjoy the gravity-defying athletes who only seem to get more daring with each passing year. And, we enjoy the speed and precision that is required to excel at the Olympic level. There are also many personal and heartwarming stories of triumph and perseverance that are highlighted at the games. They remind us of what is possible. We witness athletes both in victory and defeat, but always at their best. We admire their journey and the Olympic spirit that is embodied by each of them.

To become an Olympian is no easy task. Each athlete has sacrificed much to earn a spot at the Olympics. These games and the performances we bear witness to are often the capstone of careers that have spanned many years and are the product of an enormous amount of training, dedication, and focus. This year, as in years past, we glimpsed into the lives of these athletes, which includes parents, coaches and family members who shaped these athletes from the very beginning, spending countless hours and effort in training, travelling from competition to competition, and molding young athletes into the competitors we see before us.

The Winter Olympics seamlessly blends the events and traditions we have come to enjoy for many years with newer, fresher disciplines that leave us in awe and bravely test our limits. Young people are shaped by these moments. Some will even grow up and follow this impressive path.

Michigan was well-represented at the 2014 Winter Olympic Games. One area where Michigan shined was in ice dancing. Impressively, 15 of the 24 teams

participating in the ice dancing trained in metro Detroit in one of three rinks: the Detroit Skating Club, Novi Ice Arena, and Arctic Edge in Canton, which is where the Gold and Silver Medal teams trained. This reflects the level of coaching and talent that resides in Michigan.

There were many inspired performances at these games. Fittingly, the couple that captured our imagination for the second straight Olympic Games, Meryl Davis and Charlie White, capped their Olympic career with a captivating, Gold Medal performance in ice dancing, adding this to their Silver Medal performance in 2010 and their team Bronze in Sochi. The list of ice dancers with strong ties to Michigan is long and includes Maia Shibutani, Alex Shibutani, Evan Bates, Madison Chock, Tessa Virtue, Scott Moir, Kaitlyn Weaver, Andrew Poje, Alexandra Paul, Mitch Islam, Anna Cappellini, Luca Lanotte, Charlene Guignard, Marco Fabbrì, Nathalie Pechalat, Fabian Bourzat, Pernelle Carron, Lloyd Jones, Nelli Zhiganshina, Alexander Gazsi, Julia Zlobina, Alexei Sitnikov, Isabella Tobias, Deividas Stagniunas, Danielle O'Brien, Greg Merriam, Cathy Reed and Chris Reed.

Olympic hockey also showcased the talent Michigan has to offer. Players with ties to Michigan represented a number of different countries. They included Americans Ryan Miller, Ryan Kessler, Cam Fowler, Jimmy Howard, Patrick Kane, Phil Kessel, Justin Faulk, Kevin Shattenkirk, Ryan Suter, James van Riemsdyk, Max Pacioretty and Dan Bylsma. Those who skated for other countries included Henrik Zetterberg, Daniel Alfredsson, Niklas Kronwall, Jonathon Ericsson, Johan Franzen, Jonas Gustavsson, Pavel Datsyuk, Tomas Tatar, Tomas Jurco, Duncan Keith, Chris Kunitz, Mike Babcock and Brian Lebler. Each made a significant contribution and provided us ample reason to be proud.

In addition to these incredible athletes are Narumi Takahashi, Ryuichi Kihara, Jeremy Abbott, Valentina Marchei and Patrick Chan who competed admirably in figure skating. Jessica Smith, Jilleanne Rookard, Shani Davis, Jordan Malone, Kyle Carr, Chris Creveling and Anthony Lobello graced the speed skating track. And there were snowboarders Karly Shorr, Danny Davis and Nick Bumgartner whose style and flair was unmistakable.

Rounding out Michigan's contribution in Sochi was Lauryn Williams, a Summer Olympic star who became the first woman, and fifth person overall, to medal in both the Summer and Winter Olympics. Her Silver as part of a two-person bobsled team was one of the most memorable moments of the games.

I join many across Michigan in congratulating each of these athletes. It was gratifying to watch and reminds us all, especially young people across Michigan, that reaching for the stars, or in this case the Olympics, is firmly

within their grasp. As one Olympic figure skater so aptly put it, "To be able to come up here and feel stiff and white as a ghost but stare fear in the face is what I'm all about." That's the true Olympic spirit we tune in to watch, and that is a fitting way to describe the grit, grace, and athletic prowess we witnessed day after day in Sochi. This is why I am delighted to honor these athletes here today by placing their names in the CONGRESSIONAL RECORD.

TRIBUTE TO CATHY MYERS

Ms. AYOTTE. Mr. President, I wish to recognize and thank Cathy Myers—a valued member of my staff who left Senate service today after 35 years on Capitol Hill.

Cathy has worked in Congress since 1979 when she was hired to serve as a secretary in the office of Congressman Samuel Devine of Ohio. She subsequently held the same position in the office of Congressman Gene Snyder of Kentucky, and first came to the Senate in 1983, when she took a job as secretary to Senator Bob Kasten of Wisconsin.

In 1993, Cathy went to work for New Hampshire Senator Judd Gregg, serving as his executive assistant for 18 years. Senator Gregg is well-known in the Granite State for his service to constituents, and Cathy played an indispensable role in helping him stay in close contact with the people of New Hampshire.

When Senator Gregg retired, I was so pleased that she agreed to continue serving the people of New Hampshire as a member of my Washington staff. Cathy has been so helpful to me as I have gotten my Senate office up and running. She does a tremendous job keeping the trains running on time, and I have been so deeply grateful for her dedicated service.

During the 3 years Cathy worked as a member of my staff, I have also appreciated her personal warmth and generous spirit. Cathy is perhaps best known in my office for the candy dish she keeps on her desk, which is always stocked with chocolates. It is no secret that Cathy has a sweet tooth, and she has been so kind to share her candy with the rest of the office.

Cathy Myers has served the people of New Hampshire and the Senate with honor and distinction. On behalf of all those whose lives Cathy has touched in the Granite State and on Capitol Hill, I wish her the very best as she starts this new chapter in her life.

ADDITIONAL STATEMENTS

TRIBUTE TO ZEV YAROSLAVSKY

• Mrs. FEINSTEIN. Mr. President, I wish to honor Zev Yaroslavsky, who is retiring at the end of this year, after a distinguished and illustrious career spanning 40 years as a public servant in the State of California. We wish to extend to Mr. Yaroslavsky our sincere

congratulations for the decades of dedicated service that he has given to his Nation, his State, his city, and his county.

Mr. Yaroslavsky was first elected to the Los Angeles County Board of Supervisors in 1994 and is in the final year of his fifth term on the Board. He has served as chair of the Board, which is rotated annually among the supervisors, four times. For the past 20 years, he has represented the Third Supervisorial District, where he will be remembered as a devoted public servant who amassed numerous accomplishments and innumerable awards.

Mr. Yaroslavsky represents nearly 2 million residents in his district. His efforts primarily have focused on fiscal, health care, transportation, the environment, veterans affairs, homelessness, and the arts. Prior to representing the Third Supervisorial District, he served on the Los Angeles City Council from 1975 to 1994 to which he was elected and re-elected six times.

As a Los Angeles City councilman, Mr. Yaroslavsky honed his fiscal skills as the respected chair of the Council's Finance Committee, and he also earned a reputation as a politician who was willing to take on issues that others would not, including the highly controversial excessive use of force and intelligence gathering policies of the Los Angeles Police Department. As councilman, he also co-authored two landmark initiatives with his colleague, the late Councilman Marvin Braude: Proposition U (1986) which cut by half the commercial development rights adjacent to residential neighborhoods, and Proposition O (1988) which repealed a drilling permit previously issued to the Occidental Petroleum Company.

Most notably, a few of his major accomplishments as supervisor include authoring the 1996 Proposition 'A' park bond that resulted in the preservation of rural open space and the development of urban parks throughout the county. He also authored the 2002 Proposition 'B' trauma tax, approved by over 73 percent of county voters, which is largely credited with stabilizing the county's health care finances.

Mr. Yaroslavsky was the driving force behind the Orange Line busway across the San Fernando Valley which opened in 2005 to record ridership (22,000 daily boardings). He led the effort to rebuild and modernize the world famous Hollywood Bowl amphitheater which re-opened in 2004, and he was instrumental in the development of Walt Disney Concert Hall, the home of the L.A. Philharmonic Orchestra, which opened in 2003. He has also helped fund major investments in the L.A. County Museum of Art and the County's Museum of Natural History. He is regarded as the county's fiscal watchdog, insisting that it live within its means.

Since 1991, Mr. Yaroslavsky has also been associated with the National Democratic Institute for International Affairs, NDI, a non-governmental organization headquartered in Washington,

DC, that promotes the development of democratic institutions in burgeoning democracies. He has monitored three international elections for NDI: Romania (1990), Mexico (2000), and Ukraine (2004). He also has conducted seminars on democratic institution-building in Russia, Ukraine, Turkey, and Bosnia-Herzegovina.

While these are just some of Zev Yaroslavsky's significant accomplishments, on behalf of the U.S. Senate and the State of California, we extend our heartfelt gratitude for his inestimable contributions throughout his renowned career. With sincere best wishes, we congratulate Mr. Yaroslavsky upon his retirement from the Los Angeles County Board of Supervisors. We are pleased to join his many co-workers, family, friends, and associates in wishing him health, happiness, and continued good fortune in his future endeavors.●

ASSOCIATION OF JEWISH AGING SERVICES

● Mr. NELSON. Mr. President, I wish to recognize an important meeting taking place in Jacksonville, FL. The Association of Jewish Aging Services—AJAS—is holding its 54th annual conference this week.

The theme of this year's conference is "Bringing the Future Home." AJAS has set itself apart as the central address for Jewish eldercare. This theme reflects AJAS's commitment to making a positive impact on the lives of seniors and emphasizes the importance of keeping seniors in their homes. It also indicates the growing importance of continuing to plan for the future and demonstrate the value of and necessity for providing resources for Jewish aging services.

As chairman of the Senate Special Committee on Aging, I am well aware of the need to make sure our long-term care system is meeting the needs of our aging population. As our Nation's seniors continue to age in to the need for greater supports and services, we must evolve to meet the cultural, social, and physical needs of Jewish seniors. In fact, we have shined a spotlight on this issue in the Aging Committee.

Conversations such as those at AJAS's conference this week are evermore critical to ensure that as a Nation we continue to innovate and adapt our existing system to meet the demands of America's seniors.●

REMEMBERING JOAB L. THOMAS

● Mr. SESSIONS. Mr. President, I wish to commemorate and celebrate the life and contributions of Dr. Joab Langston Thomas of Tuscaloosa, AL, who served as chief executive officer of three of the country's well established public universities, including the University of Alabama, Pennsylvania State University, and North Carolina State University. We too often fail to appreciate the contributions our university leaders make to our State's and Nation's

progress. We often think of these leaders as people unconnected to our States and constituents. But as I have known our university leaders in Alabama, such is not the case. They are men and women of stability, common sense, and management skills. Dr. Thomas was no exception.

Dr. Thomas was a native of the wonderful small Alabama town of Russellville. His integrity, work ethic, and native ability were outstanding, and he translated those qualities into three degrees in biological science from Harvard University, where he was a member of the Phi Beta Kappa and Sigma Xi academic honor societies. In 1961, he became a member of the biology faculty at the University of Alabama.

In 1981, Dr. Thomas became the president of the University of Alabama. Dr. Thomas is credited with tripling UA's research funding, leading a major fundraising campaign, raising admission and curriculum standards, building economic development initiatives that saved local jobs and improving relations with the State legislature, resulting in increased State funding for the university. He also established a university-wide honors program and initiated the highly successful Presidential Scholars program to help recruit top students to University of Alabama.

In the words of University of Alabama's current chancellor, Robert Witt, "From his days as a teaching fellow at Harvard to his tenure at the helm of three of America's premier public universities, Joab Thomas was at the forefront as a leader in higher education. His research focus and emphasis on excellence inspired all of us who were fortunate to follow in his footsteps."

Dr. Thomas was an outstanding university president and was held in the highest esteem and affection by the many people he served so ably. I ask my colleagues to join me in honoring Dr. Thomas for his dedication and many contributions to public universities.●

TRIBUTE TO EDITH MILDRED TAYLOR

● Mr. WARNER. Mr. President, I would like to take a few moments to recognize the 102nd birthday of an incredible Virginian, Edith Mildred Taylor. Edith was born on April Fools' Day in 1912, which could help explain her lifelong good nature and reputation for well-executed pranks, including once wrapping a live mouse as a birthday gift for her teenaged sister.

Edith was born on a farm in Culpeper and has lived there for all of her 102 years. As a young widow, she raised Sarah Ellen Taylor while working at the Culpeper Baptist Nursing Home, caring for seniors and undoubtedly brightening the days of many. After many decades of service to Virginia seniors, she retired to care for her 90-year-old father, who also lived into his 100th year.

Edith loves animals and plants, and is a vegetarian, although I have been told she refuses to admit it. If there is any connection between eating beans and longevity, she is living proof. She does not take any medications, and has only visited a doctor two times in more than 100 years.

Edith lives at home with her daughter but even at 102, still cares for herself. Her daughter provides care for other elders less blessed with good health than her 102-year-old mother.

I would like to thank Edith for her service to the Commonwealth's seniors, and wish her a very happy birthday.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

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

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-5026. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(d) of the Arms Export Control Act (DDTC 13-181); to the Committee on Foreign Relations.

EC-5027. 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 14-014); to the Committee on Foreign Relations.

EC-5028. 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 13-167); to the Committee on Foreign Relations.

EC-5029. 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 13-184); to the Committee on Foreign Relations.

EC-5030. 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 13-162); to the Committee on Foreign Relations.

EC-5031. 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 13-185); to the Committee on Foreign Relations.

EC-5032. A communication from the Secretary of Commerce, transmitting, pursuant

to law, a report relative to the export to the People's Republic of China of items not detrimental to the U.S. space launch industry; to the Committee on Foreign Relations.

EC-5033. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the elimination of the danger pay allowance for Cote d'Ivoire; to the Committee on Foreign Relations.

EC-5034. A communication from the Secretary of the Treasury, transmitting, pursuant to Executive Order 13313 of July 31, 2003, a semiannual report detailing telecommunications-related payments made to Cuba pursuant to Department of the Treasury licenses; to the Committee on Foreign Relations.

EC-5035. A communication from the Acting 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 2014-0014-2014-0019); to the Committee on Foreign Relations.

EC-5036. A communication from the Prime Minister, Kurdistan Regional Government, transmitting, a request that the Obama Administration remove the Kurdistan Democratic Party (KDP) and the Patriotic Union of Kurdistan (PUK) from the Foreign Terrorist Organizations list; to the Committee on Foreign Relations.

EC-5037. A communication from the General Counsel, National Endowment for the Humanities, transmitting, pursuant to law, the report of a rule entitled "Public Access to NEH Records Under the Freedom of Information Act" (RIN3136-AA32) received in the Office of the President of the Senate on March 25, 2014; to the Committee on Health, Education, Labor, and Pensions.

EC-5038. A communication from the Director of Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Food Additives Permitted in Feed and Drinking Water of Animals; Benzoic Acid" (Docket No. FDA-2012-F-1100) received during adjournment of the Senate in the Office of the President of the Senate on March 14, 2014; to the Committee on Health, Education, Labor, and Pensions.

EC-5039. A communication from the Director of Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "New Animal Drug Applications; Confidentiality of Data and Information in a New Animal Drug Application File" (Docket No. FDA-2014-N-0108) received during adjournment of the Senate in the Office of the President of the Senate on March 21, 2014; to the Committee on Health, Education, Labor, and Pensions.

EC-5040. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Basic Health Program: State Administration of Basic Health Programs . . . Trust Fund and Financial Integrity" (RIN0938-AR93) received in the Office of the President of the Senate on March 11, 2014; to the Committee on Health, Education, Labor, and Pensions.

EC-5041. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Report to Congress on the Evaluation of the Medicare Care Management Performance (MCMP) Demonstration"; to the Committee on Health, Education, Labor, and Pensions.

EC-5042. A communication from the Program Manager, Department of Health and

Human Services, transmitting, pursuant to law, the report of a rule entitled "Patient Protection and Affordable Care Act; HHS Notice of Benefit and Payment Parameters for 2015" (RIN0938-AR89) received in the Office of the President of the Senate on March 11, 2014; to the Committee on Health, Education, Labor, and Pensions.

EC-5043. 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 "Olives Grown in California; Decreased Assessment Rate" (Docket No. AMS-FV-14-0002; FV14-932-1 IR) received in the Office of the President of the Senate on March 26, 2014; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5044. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Importation of Potatoes From Mexico" ((RIN0579-AD78) (Docket No. APHIS-2013-0037)) received in the Office of the President of the Senate on March 26, 2014; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5045. A communication from the Board Chair and Chief Executive Officer, Farm Credit Administration, transmitting the Agency's proposed fiscal year 2015 budget; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5046. A communication from the Acting Chairman of the Consumer Product Safety Commission, transmitting, pursuant to law, the Commission's Annual Performance Report for fiscal year 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-5047. A communication from the Chairman of the Merit Systems Protection Board, transmitting, pursuant to law, the Board's Strategic Plan for fiscal years 2014-2018 and the Annual Performance Plan for fiscal year 2013 and Annual Performance Plan for fiscal years 2014-2015; to the Committee on Homeland Security and Governmental Affairs.

EC-5048. A communication from the Chief Human Resources Officer, United States Postal Service, transmitting, pursuant to law, the Postal Service'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-5049. A communication from the Chairman, Occupational Safety and Health Review Commission, transmitting, pursuant to law, a report of the Commission's Strategic Plan for 2014-2018; to the Committee on Homeland Security and Governmental Affairs.

EC-5050. A communication from the Human Resources Specialist, Office of the Executive Director, Office of Navajo and Hopi Indian Relocation, transmitting, pursuant to law, a report relative to the No FEAR Act for fiscal year 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-5051. A communication from the Director, Office of Economic Impact and Diversity, Department of Energy, transmitting, pursuant to law, the Department's fiscal year 2013 report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-5052. A communication from the Secretary of Labor, transmitting, pursuant to law, the Pension Benefit Guaranty Corporation's Office of Inspector General's Semiannual Report to Congress and the Director's Semiannual Report to Congress on Management Decisions for the periods from April 1,

2012 through September 30, 2012, October 1, 2012 through March 31, 2013, and April 1, 2013 through September 30, 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-5053. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Implementation of the Understandings Reached at the June 2013 Australia Group (AG) Plenary Meeting and the December 2012 AG Inter-Sessional Decisions" (RIN0694-AG04) received in the Office of the President of the Senate on March 26, 2014; to the Committee on Banking, Housing, and Urban Affairs.

EC-5054. A communication from the Director, Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Wyoming Regulatory Program" (Docket No. WY-044-FOR) received in the Office of the President of the Senate on March 26, 2014; to the Committee on Energy and Natural Resources.

EC-5055. A communication from the Director, Office of Surface Mining Reclamation and Enforcement, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Civil Monetary Penalties" (RIN 1029-AC67) received in the Office of the President of the Senate on March 26, 2014; to the Committee on Energy and Natural Resources.

EC-5056. A communication from the Administrator, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, a report relative to the cost of response and recovery efforts for FEMA-3366-EM in the State of West Virginia having exceeded the \$5,000,000 limit for a single emergency declaration; to the Committee on Homeland Security and Governmental Affairs.

EC-5057. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20-291, "Fiscal Year 2014 Budget Support Technical Clarification Amendment Act of 2014"; to the Committee on Homeland Security and Governmental Affairs.

EC-5058. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20-292, "Vending Regulations Temporary Amendment Act of 2014"; to the Committee on Homeland Security and Governmental Affairs.

EC-5059. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 20-300, "Classroom Animal for Education Purposes Clarification Temporary Amendment Act of 2014"; to the Committee on Homeland Security and Governmental Affairs.

EC-5060. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the position of Director, United States Citizenship and Immigration Services, Department of Homeland Security, received during adjournment of the Senate in the Office of the President of the Senate on March 19, 2014; to the Committee on Homeland Security and Governmental Affairs.

EC-5061. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary, U.S. Immigration and Customs Enforcement, Department of Homeland Security, received during adjournment of the Senate in the Office of the President of the Senate on March 19, 2014; to the Committee on Homeland Security and Governmental Affairs.

EC-5062. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the position of Under Secretary, National Protection and Programs Directorate, Department of Homeland Security, received during adjournment of the Senate in the Office of the President of the Senate on March 20, 2014; to the Committee on Homeland Security and Governmental Affairs.

EC-5063. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the position of Inspector General, Office of Inspector General, Department of Homeland Security, received during adjournment of the Senate in the Office of the President of the Senate on March 19, 2014; to the Committee on Homeland Security and Governmental Affairs.

EC-5064. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the position of Deputy Administrator, Federal Emergency Management Agency, Department of Homeland Security, received in the Office of the President of the Senate on March 26, 2014; to the Committee on Homeland Security and Governmental Affairs.

EC-5065. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the position of Commissioner, U.S. Customs and Border Protection, Department of Homeland Security, received during adjournment of the Senate in the Office of the President of the Senate on March 20, 2014; to the Committee on Homeland Security and Governmental Affairs.

EC-5066. A communication from the Associate General Counsel for Legislation and Regulations, Office of Public and Indian Housing, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled "Conforming Amendment to the Section 184 Indian Housing Loan Guarantee Program Regulations" (RIN2577-AC91) received during adjournment of the Senate in the Office of the President of the Senate on March 19, 2014; to the Committee on Indian Affairs.

EC-5067. A communication from the Staff Director, U.S. Sentencing Commission, transmitting, pursuant to law, a report relative to the compliance of federal district courts with documentation submission requirements; to the Committee on the Judiciary.

EC-5068. A communication from the Principal Deputy Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, the third quarter of fiscal year 2013 quarterly report of the Department of Justice's Office of Privacy and Civil Liberties; to the Committee on the Judiciary.

EC-5069. A communication from the Chief of the Office of Regulatory Affairs, Bureau of Alcohol, Tobacco, Firearms, and Explosives, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Importation of Arms, Ammunition and Defense Articles—Removal of Certain Defense Articles Currently on the U.S. Munitions Import List That No Longer Warrant Import Control Under the Arms Export Control Act" (RIN1140-AA45) received in the Office of the President of the Senate on March 27, 2014; to the Committee on the Judiciary.

EC-5070. A communication from the Director, Congressional Affairs, Federal Election Commission, transmitting, pursuant to law,

the Commission's Strategic Plan for fiscal years 2014 through 2019; to the Committee on Rules and Administration.

EC-5071. A communication from the Deputy Director of the Regulation Policy and Management Office of the General Counsel, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "VA Dental Insurance Program—Federalism" (RIN2900-AO85) received in the Office of the President of the Senate on March 25, 2014; to the Committee on Veterans' Affairs.

EC-5072. A communication from the Deputy Director of the Regulation Policy and Management Office of the General Counsel, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Vocational Rehabilitation and Employment Program: Changes Related to the Honoring America's Veterans and Caring for Camp Lejeune Families Act of 2012" (RIN2900-AO87) received in the Office of the President of the Senate on March 25, 2014; to the Committee on Veterans' Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Ms. LANDRIEU, from the Committee on Energy and Natural Resources, with an amendment:

S. 404. A bill to preserve the Green Mountain Lookout in the Glacier Peak Wilderness of the Mount Baker-Snoqualmie National Forest (Rept. No. 113-140).

By Ms. LANDRIEU, from the Committee on Energy and Natural Resources, without amendment:

S. 1044. A bill to direct the Secretary of the Interior to install in the area of the World War II Memorial in the District of Columbia a suitable plaque or an inscription with the words that President Franklin D. Roosevelt prayed with the United States on D-Day, June 6, 1944 (Rept. No. 113-141).

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. WYDEN (for himself and Mr. MERKLEY):

S. 2184. A bill to designate the community based outpatient clinic of the Department of Veterans Affairs located in The Dalles, Oregon, as the "Loren R. Kaufman Memorial Veterans' Clinic"; to the Committee on Veterans' Affairs.

By Mr. JOHNSON of Wisconsin (for himself and Ms. BALDWIN):

S. 2185. A bill to designate the facility of the United States Postal Service located at 123 South 9th Street in De Pere, Wisconsin, as the "Corporal Justin D. Ross Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

By Mr. BEGICH:

S. 2186. A bill to amend title XVIII of the Social Security Act to provide for a minimum Medicare payment rate for primary care services furnished by primary care physicians; to the Committee on Finance.

By Mr. BEGICH:

S. 2187. A bill to amend title XVIII of the Social Security Act to provide for a five-year extension of the rural community hospital demonstration program; to the Committee on Finance.

By Mr. TESTER (for himself, Mr. MORAN, Mr. UDALL of New Mexico, Mr. BEGICH, Ms. HEITKAMP, Mrs. MURRAY, Mr. HEINRICH, and Mr. WALSH):

S. 2188. A bill to amend the Act of June 18, 1934, to reaffirm the authority of the Secretary of the Interior to take land into trust for Indian tribes; to the Committee on Indian Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mrs. MURRAY (for herself, Mr. BLUNT, Mr. MENENDEZ, Mr. JOHNSON of South Dakota, and Mr. SCHATZ):

S. Res. 405. A resolution expressing support for the designation of the week of March 31 through April 4, 2014, as "National Assistant Principals Week"; considered and agreed to.

By Mr. WICKER (for himself and Mr. PRYOR):

S. Res. 406. A resolution designating April 4, 2014, as "National Association of Junior Auxiliaries Day"; considered and agreed to.

By Mr. SESSIONS (for himself, Mr. SHELBY, Mr. REID, Mr. MCCONNELL, Mr. ALEXANDER, Ms. AYOTTE, Ms. BALDWIN, Mr. BARRASSO, Mr. BEGICH, Mr. BENNET, Mr. BLUMENTHAL, Mr. BLUNT, Mr. BOOKER, Mr. BOOZMAN, Mrs. BOXER, Mr. BROWN, Mr. BURR, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CHAMBLISS, Mr. COATS, Mr. COBURN, Mr. COCHRAN, Ms. COLLINS, Mr. COONS, Mr. CORKER, Mr. CORNYN, Mr. CRAPO, Mr. CRUZ, Mr. DONNELLY, Mr. DURBIN, Mr. ENZI, Mrs. FEINSTEIN, Mrs. FISCHER, Mr. FLAKE, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mrs. HAGAN, Mr. HARKIN, Mr. HATCH, Mr. HEINRICH, Ms. HEITKAMP, Mr. HELLER, Ms. HIRONO, Mr. HOEVEN, Mr. INHOFE, Mr. ISAKSON, Mr. JOHANNES, Mr. JOHNSON of Wisconsin, Mr. JOHNSON of South Dakota, Mr. KAINE, Mr. KING, Mr. KIRK, Ms. KLOBUCHAR, Ms. LANDRIEU, Mr. LEAHY, Mr. LEE, Mr. LEVIN, Mr. MANCHIN, Mr. MARKEY, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Mr. MORAN, Ms. MURKOWSKI, Mr. MURPHY, Mrs. MURRAY, Mr. NELSON, Mr. PAUL, Mr. PORTMAN, Mr. PRYOR, Mr. REED, Mr. RISCH, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. RUBIO, Mr. SANDERS, Mr. SCHATZ, Mr. SCHUMER, Mr. SCOTT, Mrs. SHAHEEN, Ms. STABENOW, Mr. TESTER, Mr. THUNE, Mr. TOOMEY, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. VITTER, Mr. WALSH, Mr. WARNER, Ms. WARREN, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN):

S. Res. 407. A resolution honoring former Senator and Rear Admiral Jeremiah Andrew Denton, Jr; considered and agreed to.

ADDITIONAL COSPONSORS

S. 84

At the request of Ms. MIKULSKI, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 84, a bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes.

S. 113

At the request of Mr. DURBIN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 113, a bill to amend the Truth in Lending Act and the Higher Education Act of 1965 to require certain creditors to obtain certifications from institutions of higher education, and for other purposes.

S. 192

At the request of Mr. BARRASSO, the names of the Senator from Virginia (Mr. KAINE) and the Senator from Ohio (Mr. PORTMAN) were added as cosponsors of S. 192, a bill to enhance the energy security of United States allies, and for other purposes.

S. 231

At the request of Mr. PORTMAN, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 231, a bill to reauthorize the Multinational Species Conservation Funds Semipostal Stamp.

S. 462

At the request of Mrs. BOXER, the name of the Senator from Arizona (Mr. FLAKE) was added as a cosponsor of S. 462, a bill to enhance the strategic partnership between the United States and Israel.

S. 539

At the request of Mrs. SHAHEEN, the name of the Senator from Illinois (Mr. KIRK) 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. 727

At the request of Mr. MORAN, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 727, a bill to improve the examination of depository institutions, and for other purposes.

S. 822

At the request of Mr. LEAHY, the names of the Senator from Colorado (Mr. BENNET) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. 822, a bill to protect crime victims' rights, to eliminate the substantial backlog of DNA samples collected from crime scenes and convicted offenders, to improve and expand the DNA testing capacity of Federal, State, and local crime laboratories, to increase research and development of new DNA testing technologies, to develop new training programs regarding the collection and use of DNA evidence, to provide post conviction testing of DNA evidence to exonerate the innocent, to improve the performance of counsel in State capital cases, and for other purposes.

S. 917

At the request of Mr. CARDIN, the name of the Senator from Hawaii (Mr. SCHATZ) 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 do-

mestically by certain qualifying producers.

S. 945

At the request of Mrs. SHAHEEN, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 945, a bill to amend title XVIII of the Social Security Act to improve access to diabetes self-management training by authorizing certified diabetes educators to provide diabetes self-management training services, including as part of telehealth services, under part B of the Medicare program.

S. 1011

At the request of Mr. JOHANNES, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 1011, a bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of Boys Town, and for other purposes.

S. 1116

At the request of Mr. SCHUMER, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1116, a bill to amend the Internal Revenue Code of 1986 to equalize the exclusion from gross income of parking and transportation fringe benefits and to provide for a common cost-of-living adjustment, and for other purposes.

S. 1155

At the request of Mr. TESTER, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 1155, a bill to provide for advance appropriations for certain information technology accounts of the Department of Veterans Affairs, to include mental health professionals in training programs of the Department, and for other purposes.

S. 1405

At the request of Mr. SCHUMER, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 1405, a bill to amend title XVIII of the Social Security Act to provide for an extension of certain ambulance add-on payments under the Medicare program.

S. 1431

At the request of Mr. WYDEN, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 1431, a bill to permanently extend the Internet Tax Freedom Act.

S. 1468

At the request of Mr. BROWN, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 1468, a bill to require the Secretary of Commerce to establish the Network for Manufacturing Innovation and for other purposes.

S. 1803

At the request of Mr. DURBIN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1803, a bill to require certain protections for student loan borrowers, and for other purposes.

S. 1862

At the request of Mr. BLUNT, the name of the Senator from New Jersey

(Mr. BOOKER) was added as a cosponsor of S. 1862, a bill 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.

S. 1961

At the request of Mr. MANCHIN, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 1961, a bill to protect surface water from contamination by chemical storage facilities, and for other purposes.

S. 2008

At the request of Ms. LANDRIEU, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 2008, a bill to strengthen resources for entrepreneurs by improving the SCORE program, and for other purposes.

S. 2094

At the request of Mr. BEGICH, the names of the Senator from Alabama (Mr. SESSIONS), the Senator from Maine (Mr. KING), the Senator from Alabama (Mr. SHELBY), the Senator from Georgia (Mr. CHAMBLISS) and the Senator from South Carolina (Mr. GRAHAM) were added as cosponsors of S. 2094, a bill to provide for the establishment of nationally uniform and environmentally sound standards governing discharges incidental to the normal operation of a vessel.

S. 2103

At the request of Mr. BOOZMAN, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 2103, a bill to direct the Administrator of the Federal Aviation Administration to issue or revise regulations with respect to the medical certification of certain small aircraft pilots, and for other purposes.

S. 2121

At the request of Mr. WALSH, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 2121, a bill to repeal title II of the REAL ID Act of 2005.

S. 2122

At the request of Mr. HATCH, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 2122, a bill to amend titles XVIII and XIX of the Social Security Act to repeal the Medicare sustainable growth rate and to improve Medicare and Medicaid payments, and for other purposes.

At the request of Mr. JOHANNIS, his name was added as a cosponsor of S. 2122, *supra*.

S. 2125

At the request of Mr. JOHNSON of South Dakota, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 2125, a bill to amend the Communications Act of 1934 to ensure the integrity of voice communications and to prevent unjust or unreasonable discrimination among

areas of the United States in the delivery of such communications.

S. 2153

At the request of Mr. RUBIO, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 2153, a bill to establish a National Regulatory Budget, and for other purposes.

S. 2157

At the request of Mr. WYDEN, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 2157, a bill to amend titles XVIII and XIX of the Social Security Act to repeal the Medicare sustainable growth rate and to improve Medicare and Medicaid payments, and for other purposes.

S. 2161

At the request of Mr. INHOFE, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 2161, a bill to prohibit the Administrator of the Environmental Protection Agency from issuing any final rule under the Clean Air Act until the date on which the Administrator improves certain employment effect analyses under that Act.

S. 2182

At the request of Mr. WALSH, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 2182, a bill to expand and improve care provided to veterans and members of the Armed Forces with mental health disorders or at risk of suicide, to review the terms or characterization of the discharge or separation of certain individuals from the Armed Forces, to require a pilot program on loan repayment for psychiatrists who agree to serve in the Veterans Health Administration of the Department of Veterans Affairs, and for other purposes.

S. RES. 384

At the request of Mr. KAINE, the names of the Senator from Arkansas (Mr. BOOZMAN) and the Senator from Minnesota (Mr. FRANKEN) were added as cosponsors of S. Res. 384, a resolution expressing the sense of the Senate concerning the humanitarian crisis in Syria and neighboring countries, resulting humanitarian and development challenges, and the urgent need for a political solution to the crisis.

S. RES. 403

At the request of Mr. MURPHY, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. Res. 403, a resolution condemning the actions of the Government of Turkey in restricting free expression and Internet freedom on social media.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. TESTER (for himself, Mr. MORAN, Mr. UDALL of New Mexico, Mr. BEGICH, Ms. HEITKAMP, Mrs. MURRAY, Mr. HEINRICH, and Mr. WALSH):

S. 2188. A bill to amend the Act of June 18, 1934, to reaffirm the authority

of the Secretary of the Interior to take land into trust for Indian tribes; to the Committee on Indian Affairs.

Mr. TESTER. Mr. President, I rise today to introduce legislation to correct a historical wrong.

My legislation is a necessary amendment to the Indian Reorganization Act of June 18, 1934. It addresses a Supreme Court ruling that was, in my opinion, wrong.

On February 24, 2009, the Supreme Court issued its decision in the *Carcieri v. Salazar* case. In that decision the Supreme Court held that the Secretary of the Interior exceeded his authority in taking land into trust for a tribe that was not under Federal jurisdiction, or recognized, at the time the Indian Reorganization Act was enacted in 1934.

It has now been 5 years since that decision. This decision has had a significant impact on tribes in every part of this country, whether it is the Poarch Band of Creek Indians, which is facing spurious litigation over its status as a tribe; the Samish Tribe of Washington, which has been waiting 4 years for a *Carcieri* determination; or the Little Shell Tribe of my home State of Montana, who could be affected by this ruling if they are granted Federal recognition, as they should be.

Moreover, the *Carcieri* decision has spawned more harmful litigation, including *Salazar v. Patchak*, where the Supreme Court ruled that individuals have 6 years to challenge a tribe's trust land acquisition, and *Big Lagoon Rancheria v. California*, where the Ninth Circuit essentially ruled that there is no time limit on challenging a tribe's status or its trust land acquisitions.

The legislation I am introducing today is a necessary step in the process to reaffirm the Secretary's authority to take land into trust for tribes, regardless of when they were recognized by the Federal Government. The amendment ratifies the prior trust acquisitions of the Secretary, who, for the past 75 years, has been exercising the authority to take lands into trust, as intended by the Indian Reorganization Act.

Perhaps the most serious impact for tribes if Congress lets this decision stand is the creation of two classes of tribes—those who were recognized as of 1934, whose rights and status are secure, and those who were recognized after 1934, whose rights and status can be perpetually challenged. Allowing two classes of tribes is unacceptable and is contrary to prior Acts of this Congress. In 1994, Congress passed the Federally Recognized Indian Tribe List Act to ensure that all tribes are treated equally, regardless of their date of recognition.

Finally, I know that there are a number of my colleagues who have an interest in this legislation and would like to see changes to this bill. I want to let you know that I stand ready to work with each of you to craft a bill that the

Senate can enact and that will end this problem of two classes of tribes forever.

I want to thank Senators MORAN, UDALL of New Mexico, BEGICH, HEITKAMP, MURRAY, HEINRICH, and my fellow Montana Senator WALSH, for their support on this legislation. My cosponsors are well aware of the impact this decision has had on our tribal communities. Affected tribes deserve our timely consideration of this bill. I urge my colleagues to join me in supporting its passage.

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. 2188

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. REAFFIRMATION OF AUTHORITY.

(a) MODIFICATION.—

(1) IN GENERAL.—The first sentence of section 19 of the Act of June 18, 1934 (commonly known as the “Indian Reorganization Act”) (25 U.S.C. 479), is amended—

(A) by striking “The term” and inserting “Effective beginning on June 18, 1934, the term”; and

(B) by striking “any recognized Indian tribe now under Federal jurisdiction” and inserting “any federally recognized Indian tribe”.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect as if included in the Act of June 18, 1934 (commonly known as the “Indian Reorganization Act”) (25 U.S.C. 479), on the date of enactment of that Act.

(b) RATIFICATION AND CONFIRMATION OF ACTIONS.—Any action taken by the Secretary of the Interior pursuant to the Act of June 18, 1934 (commonly known as the “Indian Reorganization Act”) (25 U.S.C. 461 et seq.), for any Indian tribe that was federally recognized on the date of that action is ratified and confirmed, to the extent such action is subjected to challenge based on whether the Indian tribe was federally recognized or under Federal jurisdiction on June 18, 1934, as if the action had, by prior Act of Congress, been specifically authorized and directed.

(c) EFFECT ON OTHER LAWS.—

(1) IN GENERAL.—Nothing in this section or the amendments made by this section shall affect—

(A) the application or effect of any Federal law other than the Act of June 18, 1934 (25 U.S.C. 461 et seq.), as amended by subsection (a); or

(B) any limitation on the authority of the Secretary of the Interior under any Federal law or regulation other than the Act of June 18, 1934 (25 U.S.C. 461 et seq.), as so amended.

(2) REFERENCES IN OTHER LAWS.—An express reference to the Act of June 18, 1934 (25 U.S.C. 461 et seq.), contained in any other Federal law shall be considered to be a reference to that Act as amended by subsection (a).

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 405—EX-PRESSING SUPPORT FOR THE DESIGNATION OF THE WEEK OF MARCH 31 THROUGH APRIL 4, 2014, AS “NATIONAL ASSISTANT PRINCIPALS WEEK”

Mrs. MURRAY (for herself, Mr. BLUNT, Mr. MENENDEZ, Mr. JOHNSON of South Dakota, and Mr. SCHATZ) submitted the following resolution; which was considered and agreed to:.

S. RES. 405

Whereas the National Association of Secondary School Principals (NASSP) and the National Association of Elementary School Principals have designated the week of March 31 through April 4, 2014, as “National Assistant Principals Week”;

Whereas an assistant principal, as a member of the school administration, interacts with many sectors of the school community, including support staff, instructional staff, students, and parents;

Whereas assistant principals are responsible for establishing a positive learning environment and building strong relationships between school and community;

Whereas assistant principals play a pivotal role in the instructional leadership of their schools by supervising student instruction, mentoring teachers, recognizing the achievements of staff, encouraging collaboration among staff, ensuring the implementation of best practices, monitoring student achievement and progress, facilitating and modeling data-driven decision-making to inform instruction, and guiding the direction of targeted intervention and school improvement;

Whereas the day-to-day logistical operations of schools require assistant principals to monitor and address facility needs, attendance, transportation issues, and scheduling challenges, as well as supervise extra- and co-curricular events;

Whereas assistant principals are entrusted with maintaining an inviting, safe, and orderly school environment that supports the growth and achievement of each and every student by nurturing positive peer relationships, recognizing student achievement, mediating conflicts, analyzing behavior patterns, providing interventions, and, when necessary, taking disciplinary actions;

Whereas since its establishment in 2004, the NASSP/Virco National Assistant Principal of the Year Program recognizes outstanding middle and high school assistant principals who demonstrate success in leadership, curriculum, and personalization; and

Whereas the week of March 31 through April 4, 2014, is an appropriate week to designate as National Assistant Principals Week: Now, therefore, be it

Resolved, That the Senate—

(1) supports the designation of March 31 through April 4, 2014, as “National Assistant Principals Week”;

(2) honors the contributions of assistant principals to the success of students in the United States; and

(3) encourages the people of the United States to observe National Assistant Principals Week with appropriate ceremonies and activities that promote awareness of the role played by assistant principals in school leadership and ensuring that every child has access to a high-quality education.

SENATE RESOLUTION 406—DESIGNATING APRIL 4, 2014, AS “NATIONAL ASSOCIATION OF JUNIOR AUXILIARIES DAY”

Mr. WICKER (for himself and Mr. PRYOR) submitted the following resolution; which was considered and agreed to:

S. RES. 406

Whereas the National Association of Junior Auxiliaries and the members of the National Association of Junior Auxiliaries provide valuable service and leadership opportunities for women who wish to take an active role in their communities;

Whereas the mission of the National Association of Junior Auxiliaries is to encourage member chapters to render charitable services that—

(1) are beneficial to the general public; and
(2) place a particular emphasis on providing for the needs of children; and

Whereas since the founding of the National Association of Junior Auxiliaries in 1941, the organization has provided strength and inspiration to women who want to effect positive change in their communities: Now, therefore, be it

Resolved, That the Senate—

(1) designates April 4, 2014, as “National Association of Junior Auxiliaries Day”;

(2) recognizes the great contributions made by members of the National Association of Junior Auxiliaries to their communities and to the people of the United States; and

(3) especially commends the work of the members of the National Association of Junior Auxiliaries to better the lives of children in the United States.

SENATE RESOLUTION 407—HONORING FORMER SENATOR AND REAR ADMIRAL JEREMIAH ANDREW DENTON, JR

Mr. SESSIONS (for himself, Mr. SHELBY, Mr. REID of Nevada, Mr. MCCONNELL, Mr. ALEXANDER, Ms. AYOTTE, Ms. BALDWIN, Mr. BARRASSO, Mr. BEGICH, Mr. BENNET, Mr. BLUMENTHAL, Mr. BLUNT, Mr. BOOKER, Mr. BOOZMAN, Mrs. BOXER, Mr. BROWN, Mr. BURR, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CHAMBLISS, Mr. COATS, Mr. COBURN, Mr. COCHRAN, Ms. COLLINS, Mr. COONS, Mr. CORKER, Mr. CORNYN, Mr. CRAPO, Mr. CRUZ, Mr. DONNELLY, Mr. DURBIN, Mr. ENZI, Mrs. FEINSTEIN, Mrs. FISCHER, Mr. FLAKE, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mrs. HAGAN, Mr. HARKIN, Mr. HATCH, Mr. HEINRICH, Ms. HEITKAMP, Mr. HELDER, Ms. HIRONO, Mr. HOEVEN, Mr. INHOFE, Mr. ISAKSON, Mr. JOHANNES, Mr. JOHNSON of Wisconsin, Mr. JOHNSON of South Dakota, Mr. KAINE, Mr. KING, Mr. KIRK, Ms. KLOBUCHAR, Ms. LANDRIEU, Mr. LEAHY, Mr. LEE, Mr. LEVIN, Mr. MANCHIN, Mr. MARKEY, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Mr. MORAN, Ms. MURKOWSKI, Mr. MURPHY, Mrs. MURRAY, Mr. NELSON, Mr. PAUL, Mr. PORTMAN, Mr. PRYOR, Mr. REED, Mr. RISCH, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. RUBIO, Mr. SANDERS, Mr. SCHATZ, Mr. SCHUMER, Mr. SCOTT, Mrs. SHAHEEN, Ms. STABENOW, Mr. TESTER, Mr. THUNE, Mr. TOOMEY, Mr. UDALL of

Colorado, Mr. UDALL of New Mexico, Mr. VITTER, Mr. WALSH, Mr. WARNER, Ms. WARREN, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN) submitted the following resolution; which was considered and agreed to:

S. RES. 407

Whereas Jeremiah Andrew Denton, Jr. (referred to in this preamble as “Senator Denton”) was born in Mobile, Alabama, on July 15, 1924, and graduated from the United States Naval Academy in 1946;

Whereas Senator Denton married Kathryn Jane Maury in 1946 and had 7 children with her before she passed away in 2007;

Whereas Senator Denton is survived by his second wife, Mary Belle Bordone, and his children, Jeremiah A. Denton III, William C. Denton, Donald A. Denton, James S. Denton, Michael C. Denton, Madeleine D. Doak, and Mary D. Lewis;

Whereas Senator Denton had a distinguished military career as a Naval Aviator—

(1) receiving credit in 1957 as the architect of the “Haystack Concept”, which revolutionized the way in which the Navy deployed ships to ensure that a single Russian nuclear attack could not destroy an entire fleet;

(2) serving in World War II, the Korean War, and the Vietnam War;

(3) providing significant support during the Cuban Missile Crisis as the Commander of the Guantanamo Defense Force;

(4) receiving awards that include the Navy Cross, the Defense Distinguished Service Medal, the Navy Distinguished Service Medal, 3 Silver Stars, the Distinguished Flying Cross, 5 Bronze Stars, 2 Air Medals, 2 Purple Hearts, and numerous combat theater and campaign awards;

(5) retiring in 1977 at the rank of Rear Admiral after serving as Commandant of the Armed Forces Staff College; and

(6) being inducted into the Alabama Military Hall of Honor in 2003;

Whereas Senator Denton was shot down on July 18, 1965, while leading a squadron of 28 A-6 Intruders on his twelfth mission over North Vietnam and spent the next 7 years and 7 months as a prisoner of war in North Vietnamese prison camps, including the “Hanoi Hilton”, where he suffered torture, beatings, and starvation, and spent 4 years in solitary confinement until his release in 1973;

Whereas despite extreme hardship, Senator Denton was revered by his fellow prisoners and maintained a chain of command that lasted throughout his imprisonment and helped prisoners of war stick together in resistance against abuse from their captors;

Whereas in a televised propaganda interview released by the North Vietnamese in 1966, Senator Denton became a national hero when he answered the questions of his interviewer and simultaneously blinked the letters “T-O-R-T-U-R-E” in Morse code, confirming to the world the harsh and inhumane treatment of United States prisoners of war by the North Vietnamese;

Whereas after returning to the United States, Senator Denton had a successful legislative career, becoming in 1980 the first Republican elected to the Senate from Alabama since the Reconstruction Era, maintaining a strong conservative record, and working tirelessly with President Ronald Reagan to combat the rise of Communism in Latin America;

Whereas Senator Denton was particularly proud of the “Denton Program”, authorizing the United States military to carry humanitarian aid on a space-available basis to countries in need at no cost to the donor and providing humanitarian aid for almost 30 years;

Whereas in 2007, the National Archives designated Senator Denton as 1 of the 25 most influential men in United States history; and

Whereas the life of service of Senator Denton should serve as an example to all people of the United States: Now, therefore, be it

Resolved, That—

(1) the Senate—

(A) has heard with profound sorrow and deep regret the announcement of the death of the Honorable Jeremiah Andrew Denton, Jr., former member of the Senate;

(B) honors the legacy and service of the former Senator and retired Rear Admiral, Jeremiah Andrew Denton Jr. (referred to in this resolution as “Senator Denton”), for his life of loyalty, duty, integrity, and moral sincerity;

(C) extends its deepest condolences and sympathy to the family and friends of Senator Denton who have lost an inspiring leader and confidant;

(D) honors the dauntless valor of Senator Denton, beloved son of Alabama, for his dedication and life of selfless service to the people of the United States;

(E) recognizes that Senator Denton was a champion for humanitarian aid and international assistance programs through his legislative work and initiatives;

(F) reiterates the resolute character of Senator Denton as a paragon of bravery who lived a life of honor guided by his values and commitment to the defense of the United States;

(G) expresses admiration and profound respect for the legacy of Senator Denton as a truly courageous and inspirational leader; and

(H) directs the Secretary of the Senate to communicate this resolution to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased; and

(2) when the Senate adjourns today, it will stand adjourned as a further mark of respect for the memory of the Honorable Jeremiah Andrew Denton, Jr.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2874. Mr. REID (for Mr. REED (for himself, Mr. HELLER, Mr. MERKLEY, Ms. COLLINS, Mr. BOOKER, Mr. PORTMAN, Ms. MURKOWSKI, Mr. DURBIN, and Mr. KIRK)) proposed an amendment to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act.

SA 2875. Mr. REID proposed an amendment to amendment SA 2874 proposed by Mr. REID (for Mr. REED (for himself, Mr. HELLER, Mr. MERKLEY, Ms. COLLINS, Mr. BOOKER, Mr. PORTMAN, Mr. BROWN, Ms. MURKOWSKI, Mr. DURBIN, and Mr. KIRK)) to the bill H.R. 3979, supra.

SA 2876. Mr. REID proposed an amendment to amendment SA 2875 proposed by Mr. REID to the amendment SA 2874 proposed by Mr. REID (for Mr. REED (for himself, Mr. HELLER, Mr. MERKLEY, Ms. COLLINS, Mr. BOOKER, Mr. PORTMAN, Mr. BROWN, Ms. MURKOWSKI, Mr. DURBIN, and Mr. KIRK)) to the bill H.R. 3979, supra.

SA 2877. Mr. REID proposed an amendment to the bill H.R. 3979, supra.

SA 2878. Mr. REID proposed an amendment to amendment SA 2877 proposed by Mr. REID to the bill H.R. 3979, supra.

SA 2879. Mr. REID proposed an amendment to the bill H.R. 3979, supra.

SA 2880. Mr. REID proposed an amendment to amendment SA 2879 proposed by Mr. REID to the bill H.R. 3979, supra.

SA 2881. Mr. REID proposed an amendment to amendment SA 2880 proposed by Mr. REID to the amendment SA 2879 proposed by Mr. REID to the bill H.R. 3979, supra.

SA 2882. Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill H.R. 3979, supra; which was ordered to lie on the table.

SA 2883. Mr. VITTER submitted an amendment intended to be proposed by him to the resolution S. Res. 404, honoring the accomplishments and legacy of Cesar Estrada Chavez; which was ordered to lie on the table.

SA 2884. Mr. VITTER submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2874. Mr. REID (for Mr. REED (for himself, Mr. HELLER, Mr. MERKLEY, Ms. COLLINS, Mr. BOOKER, Mr. PORTMAN, Mr. BROWN, Ms. MURKOWSKI, Mr. DURBIN, and Mr. KIRK)) proposed an amendment to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; as follows:

Strike all after the first word and insert the following:

1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Emergency Unemployment Compensation Extension Act of 2014”.

(b) **TABLE OF CONTENTS.**—The table of contents of this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Extension of emergency unemployment compensation program.
- Sec. 3. Temporary extension of extended benefit provisions.
- Sec. 4. Extension of funding for reemployment services and reemployment and eligibility assessment activities.
- Sec. 5. Additional extended unemployment benefits under the Railroad Unemployment Insurance Act.
- Sec. 6. Flexibility for unemployment program agreements.
- Sec. 7. Ending unemployment payments to jobless millionaires and billionaires.
- Sec. 8. GAO study on the use of work suitability requirements in unemployment insurance programs.
- Sec. 9. Funding stabilization.
- Sec. 10. Prepayment of certain PBGC premiums.
- Sec. 11. Extension of customs user fees.
- Sec. 12. Emergency services, government, and certain nonprofit volunteers.

SEC. 2. EXTENSION OF EMERGENCY UNEMPLOYMENT COMPENSATION PROGRAM.

(a) **EXTENSION.**—Section 4007(a)(2) of the Supplemental Appropriations Act, 2008 (Public Law 110-252; 26 U.S.C. 3304 note) is amended by striking “January 1, 2014” and inserting “June 1, 2014”.

(b) **FUNDING.**—Section 4004(e)(1) of the Supplemental Appropriations Act, 2008 (Public Law 110-252; 26 U.S.C. 3304 note) is amended—

(1) in subparagraph (I), by striking “and” at the end;

(2) in subparagraph (J), by inserting “and” at the end; and

(3) by inserting after subparagraph (J) the following:

“(K) the amendment made by section 2(a) of the Emergency Unemployment Compensation Extension Act of 2014;”

(c) **EFFECTIVE DATE.**—The amendments made by this section shall take effect as if included in the enactment of the American Taxpayer Relief Act of 2012 (Public Law 112-240).

SEC. 3. TEMPORARY EXTENSION OF EXTENDED BENEFIT PROVISIONS.

(a) **IN GENERAL.**—Section 2005 of the Assistance for Unemployed Workers and Struggling Families Act, as contained in Public Law 111-5 (26 U.S.C. 3304 note), is amended—

(1) by striking “December 31, 2013” each place it appears and inserting “May 31, 2014”; and

(2) in subsection (c), by striking “June 30, 2014” and inserting “November 30, 2014”.

(b) **EXTENSION OF MATCHING FOR STATES WITH NO WAITING WEEK.**—Section 5 of the Unemployment Compensation Extension Act of 2008 (Public Law 110-449; 26 U.S.C. 3304 note) is amended by striking “June 30, 2014” and inserting “November 30, 2014”.

(c) **EXTENSION OF MODIFICATION OF INDICATORS UNDER THE EXTENDED BENEFIT PROGRAM.**—Section 203 of the Federal-State Extended Unemployment Compensation Act of 1970 (26 U.S.C. 3304 note) is amended—

(1) in subsection (d), by striking “December 31, 2013” and inserting “May 31, 2014”; and

(2) in subsection (f)(2), by striking “December 31, 2013” and inserting “May 31, 2014”.

(d) **EFFECTIVE DATE.**—The amendments made by this section shall take effect as if included in the enactment of the American Taxpayer Relief Act of 2012 (Public Law 112-240).

SEC. 4. EXTENSION OF FUNDING FOR REEMPLOYMENT SERVICES AND REEMPLOYMENT AND ELIGIBILITY ASSESSMENT ACTIVITIES.

(a) **EXTENSION.**—

(1) **IN GENERAL.**—Section 4004(c)(2)(A) of the Supplemental Appropriations Act, 2008 (Public Law 110-252; 26 U.S.C. 3304 note) is amended by striking “through fiscal year 2014” and inserting “through the first five months of fiscal year 2015”.

(2) **EFFECTIVE DATE.**—The amendment made by this subsection shall take effect as if included in the enactment of the American Taxpayer Relief Act of 2012 (Public Law 112-240).

(b) **TIMING FOR SERVICES AND ACTIVITIES.**—

(1) **IN GENERAL.**—Section 4001(i)(1)(A) of the Supplemental Appropriations Act, 2008 (Public Law 110-252; 26 U.S.C. 3304 note) is amended by adding at the end the following new sentence:

“At a minimum, such reemployment services and reemployment and eligibility assessment activities shall be provided to an individual within a time period (determined appropriate by the Secretary) after the date the individual begins to receive amounts under section 4002(b) (first tier benefits) and, if applicable, again within a time period (determined appropriate by the Secretary) after the date the individual begins to receive amounts under section 4002(d) (third tier benefits).”

(2) **EFFECTIVE DATE.**—The amendment made by this subsection shall apply on and after the date of the enactment of this Act.

(c) **PURPOSES OF SERVICES AND ACTIVITIES.**—The purposes of the reemployment services and reemployment and eligibility assessment activities under section 4001(i) of the Supplemental Appropriations Act, 2008 (Public Law 110-252; 26 U.S.C. 3304 note) are—

(1) to better link the unemployed with the overall workforce system by bringing individuals receiving unemployment insurance benefits in for personalized assessments and referrals to reemployment services; and

(2) to provide individuals receiving unemployment insurance benefits with early access to specific strategies that can help get them back into the workforce faster, including through—

(A) the development of a reemployment plan;

(B) the provision of access to relevant labor market information;

(C) the provision of access to information about industry-recognized credentials that are regionally relevant or nationally portable;

(D) the provision of referrals to reemployment services and training; and

(E) an assessment of the individual's ongoing eligibility for unemployment insurance benefits.

SEC. 5. ADDITIONAL EXTENDED UNEMPLOYMENT BENEFITS UNDER THE RAILROAD UNEMPLOYMENT INSURANCE ACT.

(a) **EXTENSION.**—Section 2(c)(2)(D)(iii) of the Railroad Unemployment Insurance Act (45 U.S.C. 352(c)(2)(D)(iii)) is amended—

(1) by striking “June 30, 2013” and inserting “November 30, 2013”; and

(2) by striking “December 31, 2013” and inserting “May 31, 2014”.

(b) **CLARIFICATION ON AUTHORITY TO USE FUNDS.**—Funds appropriated under either the first or second sentence of clause (iv) of section 2(c)(2)(D) of the Railroad Unemployment Insurance Act shall be available to cover the cost of additional extended unemployment benefits provided under such section 2(c)(2)(D) by reason of the amendments made by subsection (a) as well as to cover the cost of such benefits provided under such section 2(c)(2)(D), as in effect on the day before the date of enactment of this Act.

(c) **FUNDING FOR ADMINISTRATION.**—Out of any funds in the Treasury not otherwise appropriated, there are appropriated to the Railroad Retirement Board \$105,000 for administrative expenses associated with the payment of additional extended unemployment benefits provided under section 2(c)(2)(D) of the Railroad Unemployment Insurance Act by reason of the amendments made by subsection (a), to remain available until expended.

SEC. 6. FLEXIBILITY FOR UNEMPLOYMENT PROGRAM AGREEMENTS.

(a) **FLEXIBILITY.**—

(1) **IN GENERAL.**—Subsection (g) of section 4001 of the Supplemental Appropriations Act, 2008 (Public Law 110-252; 26 U.S.C. 3304 note) shall not apply with respect to a State that has enacted a law before December 1, 2013, that, upon taking effect, would violate such subsection.

(2) **EFFECTIVE DATE.**—Paragraph (1) is effective with respect to weeks of unemployment beginning on or after December 29, 2013.

(b) **PERMITTING A SUBSEQUENT AGREEMENT.**—Nothing in title IV of the Supplemental Appropriations Act, 2008 (Public Law 110-252; 26 U.S.C. 3304 note) shall preclude a State whose agreement under such title was

terminated from entering into a subsequent agreement under such title on or after the date of the enactment of this Act if the State, taking into account the application of subsection (a), would otherwise meet the requirements for an agreement under such title.

SEC. 7. ENDING UNEMPLOYMENT PAYMENTS TO JOBLESS MILLIONAIRES AND BILLIONAIRES.

(a) **PROHIBITION.**—Notwithstanding any other provision of law, no Federal funds may be used for payments of unemployment compensation under the emergency unemployment compensation program under title IV of the Supplemental Appropriations Act, 2008 (Public Law 110-252; 26 U.S.C. 3304 note) to an individual whose adjusted gross income in the preceding year was equal to or greater than \$1,000,000.

(b) **COMPLIANCE.**—Unemployment Insurance applications shall include a form or procedure for an individual applicant to certify the individual's adjusted gross income was not equal to or greater than \$1,000,000 in the preceding year.

(c) **AUDITS.**—The certifications required by subsection (b) shall be auditable by the U.S. Department of Labor or the U.S. Government Accountability Office.

(d) **STATUS OF APPLICANTS.**—It is the duty of the States to verify the residency, employment, legal, and income status of applicants for Unemployment Insurance and no Federal funds may be expended for purposes of determining whether or not the prohibition under subsection (a) applies with respect to an individual.

(e) **EFFECTIVE DATE.**—The prohibition under subsection (a) shall apply to weeks of unemployment beginning on or after the date of the enactment of this Act.

SEC. 8. GAO STUDY ON THE USE OF WORK SUITABILITY REQUIREMENTS IN UNEMPLOYMENT INSURANCE PROGRAMS.

(a) **STUDY.**—The Comptroller General of the United States shall conduct a study on the use of work suitability requirements to strengthen requirements to ensure that unemployment insurance benefits are being provided to individuals who are actively looking for work and who truly want to return to the labor force. Such study shall include an analysis of—

(1) how work suitability requirements work under both State and Federal unemployment insurance programs; and

(2) how to incorporate and improve such requirements under Federal unemployment insurance programs; and

(3) other items determined appropriate by the Comptroller General.

(b) **BRIEFING.**—Not later than 90 days after the date of the enactment of this Act, the Comptroller General of the United States shall brief Congress on the ongoing study required under subsection (a). Such briefing shall include preliminary recommendations for such legislation and administrative action as the Comptroller General determines appropriate.

SEC. 9. FUNDING STABILIZATION.

(a) **FUNDING STABILIZATION UNDER THE INTERNAL REVENUE CODE.**—The table in subsection (II) of section 430(h)(2)(C)(iv) of the Internal Revenue Code of 1986 is amended to read as follows:

“If the calendar year is:	The applicable minimum percentage is:	The applicable maximum percentage is:
2012, 2013, 2014, 2015, 2016, or 2017	90%	110%
2018	85%	115%
2019	80%	120%
2020	75%	125%

"If the calendar year is:		The applicable minimum percentage is:	The applicable maximum percentage is:
After 2020	70%	130%".	
<div>(b) FUNDING STABILIZATION UNDER ERISA.—(1) IN GENERAL.—The table in subclause (II) of section 303(h)(2)(C)(iv) of the Employee Retirement Income Security Act of 1974 is amended to read as follows:</div>			
"If the calendar year is:		The applicable minimum percentage is:	The applicable maximum percentage is:
2012, 2013, 2014, 2015, 2016, or 2017	90%	110%	
2018	85%	115%	
2019	80%	120%	
2020	75%	125%	
After 2020	70%	130%".	

(2) CONFORMING AMENDMENT.—

(A) IN GENERAL.—Clause (ii) of section 101(f)(2)(D) of such Act is amended by striking “2015” and inserting “2020”.

(B) STATEMENTS.—The Secretary of Labor shall modify the statements required under subclauses (I) and (II) of section 101(f)(2)(D)(i) of such Act to conform to the amendments made by this section.

(C) STABILIZATION NOT TO APPLY FOR PURPOSES OF CERTAIN ACCELERATED BENEFIT DISTRIBUTION RULES.—

(1) INTERNAL REVENUE CODE OF 1986.—The second sentence of paragraph (2) of section 436(d) of the Internal Revenue Code of 1986 is amended by striking “of such plan” and inserting “of such plan (determined by not taking into account any adjustment of segment rates under section 430(h)(2)(C)(iv))”.

(2) EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974.—The second sentence of subparagraph (B) of section 206(g)(3) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1056(g)(3)(B)) is amended by striking “of such plan” and inserting “of such plan (determined by not taking into account any adjustment of segment rates under section 303(h)(2)(C)(iv))”.

(3) EFFECTIVE DATE.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the amendments made by this subsection shall apply to plan years beginning after December 31, 2014.

(B) COLLECTIVELY BARGAINED PLANS.—In the case of a plan maintained pursuant to 1 or more collective bargaining agreements, the amendments made by this subsection shall apply to plan years beginning after December 31, 2015.

(4) PROVISIONS RELATING TO PLAN AMENDMENTS.—

(A) IN GENERAL.—If this paragraph applies to any amendment to any plan or annuity contract, such plan or contract shall be treated as being operated in accordance with the terms of the plan during the period described in subparagraph (B)(ii).

(B) AMENDMENTS TO WHICH PARAGRAPH APPLIES.—

(i) IN GENERAL.—This paragraph shall apply to any amendment to any plan or annuity contract which is made—

(I) pursuant to the amendments made by this subsection, or pursuant to any regulation issued by the Secretary of the Treasury or the Secretary of Labor under any provision as so amended, and

(II) on or before the last day of the first plan year beginning on or after January 1, 2016, or such later date as the Secretary of the Treasury may prescribe.

(ii) CONDITIONS.—This subsection shall not apply to any amendment unless, during the period—

(I) beginning on the date that the amendments made by this subsection or the regulation described in clause (i)(I) takes effect (or in the case of a plan or contract amendment not required by such amendments or such

regulation, the effective date specified by the plan), and

(II) ending on the date described in clause (i)(II) (or, if earlier, the date the plan or contract amendment is adopted),

the plan or contract is operated as if such plan or contract amendment were in effect, and such plan or contract amendment applies retroactively for such period.

(C) ANTI-CUTBACK RELIEF.—A plan shall not be treated as failing to meet the requirements of section 204(g) of the Employee Retirement Income Security Act of 1974 and section 411(d)(6) of the Internal Revenue Code of 1986 solely by reason of a plan amendment to which this paragraph applies.

(d) MODIFICATION OF FUNDING TARGET DETERMINATION PERIODS.—

(1) INTERNAL REVENUE CODE OF 1986.—Clause (i) of section 430(h)(2)(B) of the Internal Revenue Code of 1986 is amended by striking “the first day of the plan year” and inserting “the valuation date for the plan year”.

(2) EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974.—Clause (i) of section 303(h)(2)(B) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1083(h)(2)(B)(i)) is amended by striking “the first day of the plan year” and inserting “the valuation date for the plan year”.

(e) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by subsections (a), (b), and (d) shall apply with respect to plan years beginning after December 31, 2012.

(2) ELECTIONS.—A plan sponsor may elect not to have the amendments made by subsections (a), (b), and (d) apply to any plan year beginning before January 1, 2014, either (as specified in the election)—

(A) for all purposes for which such amendments apply, or

(B) solely for purposes of determining the adjusted funding target attainment percentage under sections 436 of the Internal Revenue Code of 1986 and 206(g) of the Employee Retirement Income Security Act of 1974 for such plan year.

A plan shall not be treated as failing to meet the requirements of section 204(g) of such Act and section 411(d)(6) of such Code solely by reason of an election under this paragraph.

SEC. 10. PREPAYMENT OF CERTAIN PBGC PREMIUMS.

(a) IN GENERAL.—Section 4007 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1307) is amended by adding at the end the following new subsection:

“(f) ELECTION TO PREPAY FLAT DOLLAR PREMIUMS.—

“(1) IN GENERAL.—The designated payor may elect to prepay during any plan year the premiums due under clause (i) or (v), whichever is applicable, of section 4006(a)(3)(A) for the number of consecutive subsequent plan years (not greater than 5) specified in the election.

“(2) AMOUNT OF PREPAYMENT.—

“(A) IN GENERAL.—The amount of the prepayment for any subsequent plan year under paragraph (1) shall be equal to the amount of the premium determined under clause (i) or (v), whichever is applicable, of section 4006(a)(3)(A) for the plan year in which the prepayment is made.

“(B) ADDITIONAL PARTICIPANTS.—If there is an increase in the number of participants in the plan during any plan year with respect to which a prepayment has been made, the designated payor shall pay a premium for such additional participants at the premium rate in effect under clause (i) or (v), whichever is applicable, of section 4006(a)(3)(A) for such plan year. No credit or other refund shall be granted in the case of a plan that has a decrease in number of participants during a plan year with respect to which a prepayment has been made.

“(C) COORDINATION WITH PREMIUM FOR UNFUNDED VESTED BENEFITS.—The amount of the premium determined under section 4006(a)(3)(A)(i) for the purpose of determining the prepayment amount for any plan year shall be determined without regard to the increase in such premium under section 4006(a)(3)(E). Such increase shall be paid in the same amount and at the same time as it would otherwise be paid without regard to this subsection.

“(3) ELECTION.—The election under this subsection shall be made at such time and in such manner as the corporation may prescribe.”.

(b) CONFORMING AMENDMENT.—The second sentence of subsection (a) of section 4007 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1307) is amended by striking “Premiums” and inserting “Except as provided in subsection (f), premiums”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to plan years beginning after the date of the enactment of this Act.

SEC. 11. EXTENSION OF CUSTOMS USER FEES.

Section 13031(j)(3) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(j)(3)) is amended—

(1) in subparagraph (A), by striking “September 30, 2023” and inserting “September 30, 2024”; and

(2) in subparagraph (B)(i), by striking “September 30, 2023” and inserting “September 30, 2024”.

SEC. 12. EMERGENCY SERVICES, GOVERNMENT, AND CERTAIN NONPROFIT VOLUNTEERS.

(a) IN GENERAL.—Section 4980H(c) of the Internal Revenue Code of 1986 is amended by redesignating paragraphs (5), (6), and (7) as paragraphs (6), (7), and (8), respectively, and by inserting after paragraph (4) the following new paragraph:

“(5) SPECIAL RULES FOR CERTAIN EMERGENCY SERVICES, GOVERNMENT, AND NONPROFIT VOLUNTEERS.—

“(A) EMERGENCY SERVICES VOLUNTEERS.—Qualified services rendered as a bona fide volunteer to an eligible employer shall not

be taken into account under this section as service provided by an employee. For purposes of the preceding sentence, the terms ‘qualified services’, ‘bona fide volunteer’, and ‘eligible employer’ shall have the respective meanings given such terms under section 457(e).

“(B) CERTAIN OTHER GOVERNMENT AND NON-PROFIT VOLUNTEERS.—

“(i) IN GENERAL.—Services rendered as a bona fide volunteer to a specified employer shall not be taken into account under this section as service provided by an employee.

“(ii) BONA FIDE VOLUNTEER.—For purposes of this subparagraph, the term ‘bona fide volunteer’ means an employee of a specified employer whose only compensation from such employer is in the form of—

“(I) reimbursement for (or reasonable allowance for) reasonable expenses incurred in the performance of services by volunteers, or

“(II) reasonable benefits (including length of service awards), and nominal fees, customarily paid by similar entities in connection with the performance of services by volunteers.

“(iii) SPECIFIED EMPLOYER.—For purposes of this subparagraph, the term ‘specified employer’ means—

“(I) any government entity, and

“(II) any organization described in section 501(c) and exempt from tax under section 501(a).

“(iv) COORDINATION WITH SUBPARAGRAPH (A).—This subparagraph shall not fail to apply with respect to services merely because such services are qualified services (as defined in section 457(e)(1)(C)).”

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to months beginning after December 31, 2013.

SA 2875. Mr. REID proposed an amendment to amendment SA 2874 proposed by Mr. REID (for Mr. REED (for himself, Mr. HELLER, Mr. MERKLEY, Ms. COLLINS, Mr. BOOKER, Mr. PORTMAN, Mr. BROWN, Ms. MURKOWSKI, Mr. DURBIN, and Mr. KIRK)) to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; as follows:

At the end, add the following:

This Act shall become effective 1 day after enactment.

SA 2876. Mr. REID proposed an amendment to amendment SA 2875 proposed by Mr. REID to the amendment SA 2874 proposed by Mr. REID (for Mr. REED (for himself, Mr. HELLER, Mr. MERKLEY, Ms. COLLINS, Mr. BOOKER, Mr. PORTMAN, Mr. BROWN, Ms. MURKOWSKI, Mr. DURBIN, and Mr. KIRK)) to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; as follows:

In the amendment, strike “1 day” and insert “2 days”.

SA 2877. Mr. REID proposed an amendment to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account

as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; as follows:

At the end, add the following:

This Act shall become effective 3 days after enactment.

SA 2878. Mr. REID proposed an amendment to amendment SA 2877 proposed by Mr. REID to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; as follows:

In the amendment, strike “3 days” and insert “4 days”.

SA 2879. Mr. REID proposed an amendment to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; as follows:

At the end, add the following:

This Act shall become effective 4 days after enactment.

SA 2880. Mr. REID proposed an amendment to amendment SA 2879 proposed by Mr. REID to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; as follows:

In the amendment, strike “4 days” and insert “5 days”.

SA 2881. Mr. REID proposed an amendment to amendment SA 2880 proposed by Mr. REID to the amendment SA 2879 proposed by Mr. REID to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; as follows:

In the amendment, strike “5 days” and insert “6 days”.

SA 2882. Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

Strike sections 2 through 6 and insert the following:

SEC. 2. EXTENSION AND MODIFICATION OF THE EMERGENCY UNEMPLOYMENT COMPENSATION PROGRAM.

(a) EXTENSION.—Section 4007 of the Supplemental Appropriations Act, 2008 (Public Law 110-252; 26 U.S.C. 3304 note) is amended—

(1) in subsection (a)(2), by striking “January 1, 2014” and inserting “January 1, 2015”; and

(2) by striking subsection (b) and inserting the following:

“(b) PAYMENT OF AMOUNTS REMAINING IN ACCOUNT.—

“(1) IN GENERAL.—Subject to paragraph (2), in the case of an individual who has amounts remaining in an account established under section 4002 as of the last day of the last week (as determined in accordance with the applicable State law) ending on or before January 1, 2015, the following rules shall apply:

“(A) Taking into account any augmentation under subparagraph (B), emergency unemployment compensation shall continue to be payable to such individual under this title for any week beginning after such last day as long as the individual meets the eligibility requirements of this title.

“(B) Augmentation under subsection (c), (d), and (e) of section 4002 may occur after such date as long as the requirements for such augmentation are otherwise met.

“(2) LIMIT ON COMPENSATION.—No compensation under this title shall be payable for any week beginning after October 3, 2015.”

(b) MODIFICATIONS RELATING TO WEEKS OF EMERGENCY UNEMPLOYMENT COMPENSATION.—

(1) FIRST TIER.—Section 4002(b) of the Supplemental Appropriations Act, 2008 (26 U.S.C. 3304 note; Public Law 110-252) is amended—

(A) by striking paragraph (1) and inserting the following:

“(1) IN GENERAL.—The amount established in an account under subsection (a) shall be equal to—

“(A) for an account established after December 28, 2013, and before March 30, 2014, the lesser of—

“(i) 54 percent of the total amount of regular compensation (including dependents’ allowances) payable to the individual during the individual’s benefit year under such law; or

“(ii) 14 times the individual’s average weekly benefit amount for the benefit year;

“(B) for an account established after March 29, 2014, and before June 29, 2014, the lesser of—

“(i) 43 percent of the total amount of regular compensation (including dependents’ allowances) payable to the individual during the individual’s benefit year under such law; or

“(ii) 11 times the individual’s average weekly benefit amount for the benefit year;

“(C) for an account established after June 28, 2014, and before September 27, 2014, the lesser of—

“(i) 27 percent of the total amount of regular compensation (including dependents’ allowances) payable to the individual during the individual’s benefit year under such law; or

“(ii) 7 times the individual’s average weekly benefit amount for the benefit year; or

“(D) for an account established after September 26, 2014, and before January 1, 2015, the lesser of—

“(i) 16 percent of the total amount of regular compensation (including dependents’ allowances) payable to the individual during the individual’s benefit year under such law; or

“(ii) 4 times the individual’s average weekly benefit amount for the benefit year.”

(B) by striking paragraph (3); and

(C) by redesignating paragraph (3) as paragraph (2).

(2) SECOND TIER.—Section 4002(c)(1) of the Supplemental Appropriations Act, 2008 (26 U.S.C. 3304 note; Public Law 110-252) is amended by striking subparagraphs (A) and (B) and inserting the following:

“(A) for an account established under subsection (a) after December 28, 2013, and before March 30, 2014, the lesser of—

“(i) 54 percent of the total amount of regular compensation (including dependents’ allowances) payable to the individual during the individual’s benefit year under such law; or

“(ii) 14 times the individual’s average weekly benefit amount for the benefit year;

“(B) for an account established under subsection (a) after March 29, 2014, and before June 29, 2014, the lesser of—

“(i) 43 percent of the total amount of regular compensation (including dependents’ allowances) payable to the individual during the individual’s benefit year under such law; or

“(ii) 11 times the individual’s average weekly benefit amount for the benefit year;

“(C) for an account established under subsection (a) after June 28, 2014, and before September 27, 2014, the lesser of—

“(i) 27 percent of the total amount of regular compensation (including dependents’ allowances) payable to the individual during the individual’s benefit year under such law; or

“(ii) 7 times the individual’s average weekly benefit amount for the benefit year; or

“(D) for an account established under subsection (a) after September 26, 2014, and before January 1, 2015, the lesser of—

“(i) 16 percent of the total amount of regular compensation (including dependents’ allowances) payable to the individual during the individual’s benefit year under such law; or

“(ii) 4 times the individual’s average weekly benefit amount for the benefit year.”

(3) **THIRD TIER.**—Section 4002(d) of the Supplemental Appropriations Act, 2008 (26 U.S.C. 3304 note; Public Law 110-252) is amended—

(A) in paragraph (1), by striking subparagraphs (A) and (B) and inserting the following:

“(A) for an account established under subsection (a) after December 28, 2013, and before March 30, 2014, the lesser of—

“(i) 35 percent of the total amount of regular compensation (including dependents’ allowances) payable to the individual during the individual’s benefit year under such law; or

“(ii) 9 times the individual’s average weekly benefit amount for the benefit year;

“(B) for an account established under subsection (a) after March 29, 2014, and before June 29, 2014, the lesser of—

“(i) 27 percent of the total amount of regular compensation (including dependents’ allowances) payable to the individual during the individual’s benefit year under such law; or

“(ii) 7 times the individual’s average weekly benefit amount for the benefit year;

“(C) for an account established under subsection (a) after June 28, 2014, and before September 27, 2014, the lesser of—

“(i) 20 percent of the total amount of regular compensation (including dependents’ allowances) payable to the individual during the individual’s benefit year under such law; or

“(ii) 5 times the individual’s average weekly benefit amount for the benefit year;

“(D) for an account established under subsection (a) after September 26, 2014, and before January 1, 2015, the lesser of—

“(i) 12 percent of the total amount of regular compensation (including dependents’ allowances) payable to the individual during the individual’s benefit year under such law; or

“(ii) 3 times the individual’s average weekly benefit amount for the benefit year.”; and

(B) by striking paragraph (5).

(4) **FOURTH TIER.**—Section 4002(e) of the Supplemental Appropriations Act, 2008 (26

U.S.C. 3304 note; Public Law 110-252) is amended—

(A) in paragraph (1), by striking subparagraphs (A) and (B) and inserting the following:

“(A) for an account established under subsection (a) after December 28, 2013, and before March 30, 2014, the lesser of—

“(i) 39 percent of the total amount of regular compensation (including dependents’ allowances) payable to the individual during the individual’s benefit year under such law; or

“(ii) 10 times the individual’s average weekly benefit amount for the benefit year;

“(B) for an account established under subsection (a) after March 29, 2014, and before June 29, 2014, the lesser of—

“(i) 27 percent of the total amount of regular compensation (including dependents’ allowances) payable to the individual during the individual’s benefit year under such law; or

“(ii) 7 times the individual’s average weekly benefit amount for the benefit year;

“(C) for an account established under subsection (a) after June 28, 2014, and before September 27, 2014, the lesser of—

“(i) 20 percent of the total amount of regular compensation (including dependents’ allowances) payable to the individual during the individual’s benefit year under such law; or

“(ii) 5 times the individual’s average weekly benefit amount for the benefit year; or

“(D) for an account established after September 26, 2014, and before January 1, 2015, the lesser of—

“(i) 12 percent of the total amount of regular compensation (including dependents’ allowances) payable to the individual during the individual’s benefit year under such law; or

“(ii) 3 times the individual’s average weekly benefit amount for the benefit year.”; and

(B) by striking paragraph (5).

(c) **FUNDING.**—Section 4004(e)(1) of the Supplemental Appropriations Act, 2008 (Public Law 110-252; 26 U.S.C. 3304 note) is amended—

(1) in subparagraph (I), by striking “and” at the end;

(2) in subparagraph (J), by inserting “and” at the end; and

(3) by inserting after subparagraph (J) the following:

“(K) the amendments made by subsections (a) and (b) of section 2 of the Emergency Unemployment Compensation Extension Act;”.

(d) **EFFECTIVE DATE.**—The amendments made by this section shall apply to weeks of unemployment beginning on or after December 29, 2013.

SEC. 3. FLEXIBILITY FOR UNEMPLOYMENT PROGRAM AGREEMENTS.

(a) **FLEXIBILITY.**—

(1) **IN GENERAL.**—Subsection (g) of section 4001 of the Supplemental Appropriations Act, 2008 (Public Law 110-252; 26 U.S.C. 3304 note) shall not apply with respect to a State that has enacted a law before December 1, 2013, that, upon taking effect, would violate such subsection.

(2) **EFFECTIVE DATE.**—Paragraph (1) is effective with respect to weeks of unemployment beginning on or after December 29, 2013.

(b) **PERMITTING A SUBSEQUENT AGREEMENT.**—Nothing in title IV of the Supplemental Appropriations Act, 2008 (Public Law 110-252; 26 U.S.C. 3304 note) shall preclude a State whose agreement under such title was terminated from entering into a subsequent agreement under such title on or after the date of the enactment of this Act if the State, taking into account the application of subsection (a), would otherwise meet the requirements for an agreement under such title.

SEC. 4. DISQUALIFICATION ON RECEIPT OF DISABILITY INSURANCE BENEFITS IN A MONTH FOR WHICH UNEMPLOYMENT COMPENSATION IS RECEIVED.

(a) **IN GENERAL.**—Section 223(d)(4) of the Social Security Act (42 U.S.C. 423(d)(4)) is amended by adding at the end the following:

“(C)(i) If for any month an individual is entitled to unemployment compensation, such individual shall be deemed to have engaged in substantial gainful activity for such month.

“(ii) For purposes of clause (i), the term ‘unemployment compensation’ means—

“(I) ‘regular compensation’, ‘extended compensation’, and ‘additional compensation’ (as such terms are defined by section 205 of the Federal-State Extended Unemployment Compensation Act (26 U.S.C. 3304 note)); and

“(II) trade adjustment assistance under title II of the Trade Act of 1974 (19 U.S.C. 2251 et seq.).”.

(b) **TRIAL WORK PERIOD.**—Section 222(c) of the Social Security Act (42 U.S.C. 422(c)) is amended by adding at the end the following:

“(6)(A) For purposes of this subsection, an individual shall be deemed to have rendered services in a month if the individual is entitled to unemployment compensation for such month.

“(B) For purposes of subparagraph (A), the term ‘unemployment compensation’ means—

“(i) ‘regular compensation’, ‘extended compensation’, and ‘additional compensation’ (as such terms are defined by section 205 of the Federal-State Extended Unemployment Compensation Act (26 U.S.C. 3304 note)); and

“(ii) trade adjustment assistance under title II of the Trade Act of 1974 (19 U.S.C. 2251 et seq.).”.

(c) **DATA MATCHING.**—The Commissioner of Social Security shall implement the amendments made by this section using appropriate electronic data.

(d) **EFFECTIVE DATE.**—The amendments made by this section shall apply with respect to months after December 2013.

SEC. 5. SOCIAL SECURITY NUMBER REQUIRED TO CLAIM THE REFUNDABLE PORTION OF THE CHILD TAX CREDIT.

(a) **IN GENERAL.**—Subsection (d) of section 24 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

“(5) **IDENTIFICATION REQUIREMENT WITH RESPECT TO TAXPAYER.**—

“(A) **IN GENERAL.**—Paragraph (1) shall not apply to any taxpayer for any taxable year unless the taxpayer includes the taxpayer’s Social Security number on the return of tax for such taxable year.

“(B) **JOINT RETURNS.**—In the case of a joint return, the requirement of subparagraph (A) shall be treated as met if the Social Security number of either spouse is included on such return.”.

(b) **OMISSION TREATED AS MATHEMATICAL OR CLERICAL ERROR.**—Subparagraph (I) of section 6213(g)(2) of the Internal Revenue Code of 1986 is amended to read as follows:

“(I) an omission of a correct Social Security number required under section 24(d)(5) (relating to refundable portion of child tax credit), or a correct TIN under section 24(e) (relating to child tax credit), to be included on a return.”.

(c) **CONFORMING AMENDMENT.**—Subsection (e) of section 24 of the Internal Revenue Code of 1986 is amended by inserting “With Respect to Qualifying Children” after “Identification Requirement” in the heading thereof.

(d) **EFFECTIVE DATE.**—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

SEC. 6. LIMITATION ON PAYMENT OF PORTION OF PREMIUM BY FEDERAL CROP INSURANCE CORPORATION.

Section 508(e) of the Federal Crop Insurance Act (7 U.S.C. 1508(e)) is amended by adding at the end the following:

“(8) LIMITATION.—

“(A) IN GENERAL.—Notwithstanding any other provision of this title, the total amount of premium paid by the Corporation on behalf of a person or legal entity, directly or indirectly, with respect to all policies issued to the person or legal entity under this title for a crop year shall be limited to a maximum of \$50,000.

“(B) RELATIONSHIP TO OTHER LAW.—To the maximum extent practicable, the Corporation shall carry out this paragraph in accordance with sections 1001 through 1001F of the Food Security Act of 1985 (7 U.S.C. 1308 et seq.).”.

SA 2883. Mr. VITTER submitted an amendment intended to be proposed by him to the resolution S. Res. 404, honoring the accomplishments and legacy of Cesar Estrada Chavez; which was ordered to lie on the table; as follows:

Insert after the fourteenth whereas clause of the preamble the following:

Whereas César Estrada Chávez strongly believed in enforcing immigration laws, thereby reducing the deleterious effects of inexpensive labor on the wages of farm workers in the United States, as recognized by the Congressional Budget Office in the June 2013 report entitled “The Economic Impact of S. 744, the Border Security, Economic Opportunity, and Immigration Modernization Act”;

Whereas César Estrada Chávez recognized the importance of a secure southern border with Mexico, through citizen participation in the enforcement of immigration laws, by encouraging members of the United Farm Workers of America to contact the Immigration and Naturalization Service to report instances of illegal labor;

SA 2884. Mr. VITTER submitted an amendment intended to be proposed by him to the bill H.R. 3979, to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . DISQUALIFICATION ON RECEIPT OF DISABILITY INSURANCE BENEFITS IN A MONTH FOR WHICH UNEMPLOYMENT COMPENSATION IS RECEIVED.

(a) IN GENERAL.—Section 223(d)(4) of the Social Security Act (42 U.S.C. 423(d)(4)) is amended by adding at the end the following:

“(C)(i) If for any month an individual is entitled to unemployment compensation, such individual shall be deemed to have engaged in substantial gainful activity for such month.

“(ii) For purposes of clause (i), the term ‘unemployment compensation’ means—

“(I) ‘regular compensation’, ‘extended compensation’, and ‘additional compensation’ (as such terms are defined by section 205 of the Federal-State Extended Unemployment Compensation Act (26 U.S.C. 3304 note)); and

“(II) trade adjustment assistance under title II of the Trade Act of 1974 (19 U.S.C. 2251 et seq.).”.

(b) TRIAL WORK PERIOD.—Section 222(c) of the Social Security Act (42 U.S.C. 422(c)) is amended by adding at the end the following:

“(6)(A) For purposes of this subsection, an individual shall be deemed to have rendered services in a month if the individual is entitled to unemployment compensation for such month.

“(B) For purposes of subparagraph (A), the term ‘unemployment compensation’ means—

“(i) ‘regular compensation’, ‘extended compensation’, and ‘additional compensation’ (as such terms are defined by section 205 of the Federal-State Extended Unemployment Compensation Act (26 U.S.C. 3304 note)); and

“(ii) trade adjustment assistance under title II of the Trade Act of 1974 (19 U.S.C. 2251 et seq.).”.

(c) DATA MATCHING.—The Commissioner of Social Security shall implement the amendments made by this section using appropriate electronic data.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to months beginning after the date of the enactment of this Act.

NOTICE OF HEARINGS

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, April 2, 2014, in room SD-628 of the Dirksen Senate Office Building, at 2:30 p.m., to conduct a business meeting to consider the following legislation: H.R. 841, to amend the Grand Ronde Reservation Act to make technical corrections, and for other purposes; S. 161, to extend the Federal recognition to the Little Shell Tribe of Chippewa Indians of Montana, and for other purposes; S. 1074, to extend Federal recognition to the Chickahominy Indian Tribe, the Chickahominy Indian Tribe-Eastern Division, the Upper Mattaponi Tribe, the Rappahannock Tribe, Inc., the Monacan Indian Nation, and the Nansemond Indian Tribe; and S. 1219, to authorize the Pechanga Band of Luiseno Mission Indians Water Rights Settlement, 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 HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. KAINE. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on March 31, 2014, at 3 p.m. to conduct a hearing entitled “Management Matters: Creating a 21st Century Government—Part II, Outside Views.”

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

PRIVILEGES OF THE FLOOR

Mr. WYDEN. Mr. President, I ask unanimous consent that Anne Dwyer, a staff member on the Finance Com-

mittee, have floor privileges for the 113th Congress.

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Ms. CANTWELL. I ask unanimous consent that the Senate proceed to executive session to consider the following nominations: Calendar Nos. 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, and 728, and all nominations placed on the Secretary's desk in the Air Force, Army, Marine Corps, and Navy; that the nominations be confirmed, en bloc; the motions to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be made in order to any of these nominations; and that the President be immediately notified of the Senate's action.

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

The nominations considered and confirmed en bloc are as follows:

IN THE AIR FORCE

The following named officer for appointment in the United States Air Force 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. Anthony J. Rock

The following named officer for appointment in the United States Air Force 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. Thomas J. Trask

The following named officer for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

To be brigadier general

Col. Andrew J. Toth

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be general

Lt. Gen. Darren W. McDew

The following named officer for appointment in the United States Air Force 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

Lt. Gen. Bradley A. Heithold

The following named officer for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

To be brigadier general

Col. Robert I. Miller

IN THE ARMY

The following named officer for appointment in the United States Army 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

Lt. Gen. William B. Garrett, III

The following named officer for appointment in the United States Army 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. Herbert R. McMaster, Jr.

The following named officer for appointment in the United States Army Medical Service Corps to the grade indicated under title 10, U.S.C., section 624 and 3064:

To be brigadier general

Col. Robert D. Tenhet

The following named officer for appointment in the United States Army Medical Corps to the grade indicated under title 10, U.S.C., section 624 and 3064:

To be brigadier general

Col. Bertram C. Providence

The following named officer for appointment in the United States Army 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. Bennet S. Sacolick

IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be admiral

Vice Adm. Michael S. Rogers

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Vice Adm. John W. Miller

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral (lower half)

Capt. David A. Lane

IN THE MARINE CORPS

The following named officer for appointment in the United States Marine Corps to the grade indicated under title 10, U.S.C., section 624:

To be major general

Brig. Gen. Brian D. Beaudreault
Brig. Gen. Vincent A. Coglianese
Brig. Gen. James W. Lukeman
Brig. Gen. Carl E. Mundy, III
Brig. Gen. Daniel J. ODonohue
Brig. Gen. Richard L. Simcock, II
Brig. Gen. Gary L. Thomas

NOMINATIONS PLACED ON THE SECRETARY'S DESK

IN THE AIR FORCE

PN1481 AIR FORCE nomination of Darwin E. Winters, Jr., which was received by the Senate and appeared in the Congressional Record of February 26, 2014.

PN1482 AIR FORCE nominations (3) beginning BRUCE E. STERNKE, and ending ELIZABETH M. F. LIBAO, which nominations were received by the Senate and appeared in the Congressional Record of February 26, 2014.

PN1513 AIR FORCE nomination of Jose A. Sanchez, which was received by the Senate and appeared in the Congressional Record of March 10, 2014.

IN THE ARMY

PN1483 ARMY nomination of Jeffrey A. Uherka, which was received by the Senate

and appeared in the Congressional Record of February 26, 2014.

PN1484 ARMY nomination of Steven K. White, which was received by the Senate and appeared in the Congressional Record of February 26, 2014.

PN1485 ARMY nominations (6) beginning DANIEL B. THOMPSON, and ending TODD A. MORRIS, which nominations were received by the Senate and appeared in the Congressional Record of February 26, 2014.

PN1514 ARMY nominations (63) beginning PETER P. ALERIA, and ending SHAY L. D. WORTHY, which nominations were received by the Senate and appeared in the Congressional Record of March 10, 2014.

IN THE MARINE CORPS

PN1486 MARINE CORPS nomination of Jason K. Fettig, which was received by the Senate and appeared in the Congressional Record of February 26, 2014.

PN1487 MARINE CORPS nomination of Michelle A. Rakers, which was received by the Senate and appeared in the Congressional Record of February 26, 2014.

IN THE NAVY

PN1488 NAVY nomination of Ogwo U. Ogwo, which was received by the Senate and appeared in the Congressional Record of February 26, 2014.

PN1489 NAVY nomination of William Rabchenia, which was received by the Senate and appeared in the Congressional Record of February 26, 2014.

PN1490 NAVY nominations (45) beginning MATTHEW M. ANTHONY, and ending THOMAS A. WILLIAMS, which nominations were received by the Senate and appeared in the Congressional Record of February 26, 2014.

NOMINATION DISCHARGED

Ms. CANTWELL. Mr. President, I ask unanimous consent that the Commerce Committee be discharged from further consideration of PN1058; that the Senate proceed to vote on the nomination; that the motion to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order to the nomination; that any related statements be printed in the RECORD; and that the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report the nomination.

The legislative clerk read as follows:

Nomination of Kelly R. Welsh, of Illinois, to be General Counsel of the Department of Commerce.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Kelly R. Walsh to be General Counsel of the Department of Commerce?

The nomination was confirmed.

OWENS NOMINATION

Ms. CANTWELL. Mr. President, I ask unanimous consent that with respect to the Owens nomination confirmed today, the motions to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action and the Senate then resume legislative session.

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

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

NATIONAL ASSISTANT PRINCIPALS WEEK

Ms. CANTWELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 405, submitted earlier today.

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

The assistant legislative clerk read as follows:

A resolution (S. Res. 405) expressing support for the designation of the week of March 31 through April 4, 2014, as "National Assistant Principals Week."

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

Ms. CANTWELL. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table, with no intervening action or debate.

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

The resolution (S. Res. 405) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

NATIONAL ASSOCIATION OF JUNIOR AUXILIARIES DAY

Ms. CANTWELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 406, submitted earlier today.

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

The assistant legislative clerk read as follows:

A resolution (S. Res. 406) designating April 4, 2014, as "National Association of Junior Auxiliaries Day."

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

Ms. CANTWELL. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and that 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. 406) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

HONORING FORMER SENATOR AND REAR ADMIRAL JEREMIAH ANDREW DENTON, JR.

Ms. CANTWELL. Mr. President, I ask unanimous consent the Senate proceed to the consideration of S. Res. 407, submitted earlier today.

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

The assistant legislative clerk read as follows:

A resolution (S. Res. 407) honoring former Senator and Rear Admiral Jeremiah Andrew Denton, Jr.

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

Ms. CANTWELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be considered made and laid upon the table, with no intervening action or debate.

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

The resolution (S. Res. 407) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

ORDERS FOR TUESDAY, APRIL 1, 2014

Ms. CANTWELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Tuesday, April 1, 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 for 1 hour with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans controlling the final half; and that following morning business, the Senate resume consideration of H.R. 3979, the vehicle for the unemployment insurance extension; further, that the Senate recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly caucuses.

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

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Ms. CANTWELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the provisions of S. Res. 407, as a further mark of respect in memory of the late Senator Jeremiah Denton of Alabama.

There being no objection, the Senate, at 8:02 p.m., adjourned until Tuesday, April 1, 2014, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

CONSUMER PRODUCT SAFETY COMMISSION

ELLIOT F. KAYE, OF NEW YORK, TO BE A COMMISSIONER OF THE CONSUMER PRODUCT SAFETY COMMISSION FOR A TERM OF SEVEN YEARS FROM OCTOBER 27, 2013. VICE INEZ MOORE TENENBAUM, RESIGNED.

ELLIOT F. KAYE, OF NEW YORK, TO BE CHAIRMAN OF THE CONSUMER PRODUCT SAFETY COMMISSION, VICE INEZ MOORE TENENBAUM, RESIGNED.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

ALFONSO E. LENHARDT, OF NEW YORK, TO BE DEPUTY ADMINISTRATOR OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT, VICE DONALD KENNETH STEINBERG.

DEPARTMENT OF THE TREASURY

LINDA STRUYK MILLSAPS, OF NORTH CAROLINA, TO BE A MEMBER OF THE INTERNAL REVENUE SERVICE OVERSIGHT BOARD FOR A TERM EXPIRING SEPTEMBER 14, 2018, VICE PAUL JONES, TERM EXPIRED.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

DEAN A. REUTER, OF VIRGINIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR A TERM EXPIRING SEPTEMBER 14, 2016, VICE JULIE FISHER CUMMINGS, TERM EXPIRED.

CORPORATION FOR PUBLIC BROADCASTING

ELIZABETH SEMBLER, OF FLORIDA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR PUBLIC BROADCASTING FOR A TERM EXPIRING JANUARY 31, 2020. (REAPPOINTMENT)

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE 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. WENDY M. MASIELLO

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

VICE ADM. SEAN A. PYBUS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. KATHLEEN M. CREIGHTON

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPTAIN BRIAN J. BRAKKE
CAPTAIN RICHARD A. BROWN
CAPTAIN JAMES S. BYNUM
CAPTAIN PETER J. CLARKE
CAPTAIN SCOTT D. CONN
CAPTAIN BRIAN K. COREY
CAPTAIN RICHARD A. CORRELL
CAPTAIN MARC H. DALTON
CAPTAIN COLLIN P. GREEN
CAPTAIN DALE E. HORAN
CAPTAIN MARY M. JACKSON
CAPTAIN JAMES W. KILBY
CAPTAIN ROY I. KITCHENER
CAPTAIN JAMES J. MALLOY
CAPTAIN ROSS A. MYERS
CAPTAIN JEFFREY S. RUTH
CAPTAIN LORIN C. SELBY
CAPTAIN JOHN W. TAMMEN, JR.
CAPTAIN KENT D. WHALEN
CAPTAIN KENNETH R. WHITESELL
CAPTAIN CHARLES F. WILLIAMS
CAPTAIN JESSE A. WILSON, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. SHANE G. GAHAGAN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. TIMOTHY C. GALLAUDET

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. STEVEN L. PARODE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. TODD J. SQUIRE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. JOHNNY R. WOLFE, JR.

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO A POSITION OF IMPORTANCE AND RESPONSIBILITY IN THE UNITED STATES COAST GUARD AND TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 50:

To be vice admiral

REAR ADM. THOMAS P. OSTEBO

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO A POSITION OF IMPORTANCE AND RESPONSIBILITY IN THE UNITED STATES COAST GUARD AND TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 50:

To be vice admiral

REAR ADM. WILLIAM D. LEE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO A POSITION OF IMPORTANCE AND RESPONSIBILITY IN THE UNITED STATES COAST GUARD AND TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 50:

To be vice admiral

REAR ADM. CHARLES W. RAY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO A POSITION OF IMPORTANCE AND RESPONSIBILITY IN THE UNITED STATES COAST GUARD AND TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 50:

To be vice admiral

REAR ADM. CHARLES D. MICHEL

DISCHARGED NOMINATION

The Senate Committee on Commerce, Science, and Transportation was discharged from further consideration of the following nomination by unanimous consent and the nomination was confirmed:

KELLY R. WELSH, OF ILLINOIS, TO BE GENERAL COUNSEL OF THE DEPARTMENT OF COMMERCE.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 31, 2014:

THE JUDICIARY

JOHN B. OWENS, OF CALIFORNIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE NINTH CIRCUIT.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE 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. ANTHONY J. ROCK

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE 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. THOMAS J. TRASK

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. ANDREW J. TOTH

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. DARREN W. MCDEW

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE 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

LT. GEN. BRADLEY A. HEITHOLD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. ROBERT I. MILLER

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY 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

LT. GEN. WILLIAM B. GARRETT III

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY 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. HERBERT R. MCMASTER, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be brigadier general

COL. ROBERT D. TENHET

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY MEDICAL CORPS TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be brigadier general

COL. BERTRAM C. PROVIDENCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY 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. BENNET S. SACOLICK

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be admiral

VICE ADM. MICHAEL S. ROGERS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

VICE ADM. JOHN W. MILLER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. DAVID A. LANE

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIG. GEN. BRIAN D. BEAUDREAULT
BRIG. GEN. VINCENT A. COGLIANESE
BRIG. GEN. JAMES W. LUKEMAN
BRIG. GEN. CARL E. MUNDY III
BRIG. GEN. DANIEL J. O'DONOHUE
BRIG. GEN. RICHARD L. SIMCOCK II
BRIG. GEN. GARY L. THOMAS

IN THE AIR FORCE

AIR FORCE NOMINATION OF DARVIN E. WINTERS, JR., TO BE MAJOR.

AIR FORCE NOMINATIONS BEGINNING WITH BRUCE E. STERNKE AND ENDING WITH ELIZABETH M. F. LIBAO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE

AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 26, 2014.

AIR FORCE NOMINATION OF JOSE A. SANCHEZ, TO BE COLONEL.

IN THE ARMY

ARMY NOMINATION OF JEFFREY A. UHERKA, TO BE MAJOR.

ARMY NOMINATION OF STEVEN K. WHITE, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH DANIEL B. THOMPSON AND ENDING WITH TODD A. MORRIS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 26, 2014.

ARMY NOMINATIONS BEGINNING WITH PETER P. ALERIA AND ENDING WITH SHAY L. D. WORTHY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 10, 2014.

IN THE MARINE CORPS

MARINE CORPS NOMINATION OF JASON K. FETTIG, TO BE LIEUTENANT COLONEL.

MARINE CORPS NOMINATION OF MICHELLE A. RAKERS, TO BE MAJOR.

IN THE NAVY

NAVY NOMINATION OF OGWO U. OGWO, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATION OF WILLIAM RABCHENIA, TO BE CAPTAIN.

NAVY NOMINATIONS BEGINNING WITH MATTHEW M. ANTHONY AND ENDING WITH THOMAS A. WILLIAMS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 26, 2014.

DEPARTMENT OF COMMERCE

KELLY R. WELSH, OF ILLINOIS, TO BE GENERAL COUNSEL OF THE DEPARTMENT OF COMMERCE.