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## Senate

The Senate met at 2 p.m. and was called to order by the President pro tempore (Mr. LEAHY).

### PRAYER

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

Let us pray.

Lord God, our refuge and strength, continue to shower Your blessings upon humanity. Turn sorrow into gladness, doubt into faith, and despair into hope.

May our Senators use all the circumstances of their lives to produce fruits of integrity. Lord, let them use disappointment as material for patience, danger as material for courage, praise as material for humility, and pain as material for perseverance. Guide their thinking as You bind them together in unity, for You, O God, are peace in our pressure, guidance in our confusion, and hope in our helplessness.

We pray in Your merciful Name. Amen.

### PLEDGE OF ALLEGIANCE

The PRESIDENT pro tempore led the Pledge of Allegiance, as follows:

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

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

### KEEP STUDENT LOANS AFFORDABLE ACT OF 2013—MOTION TO PROCEED

Mr. REID. I move to proceed to Calendar No. 124, S. 1238, the student loan bill offered by Senator REED of Rhode Island.

The PRESIDENT pro tempore. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1238) to amend the Higher Education Act of 1965 to extend the current reduced interest rate for undergraduate Federal Direct Stafford Loans for 1 year, to modify required distribution rules for pension plans, and for other purposes.

### SCHEDULE

Mr. REID. Mr. President, at 5 p.m. the Senate will proceed to executive session to consider the nomination of Gregory Phillips of Wyoming to be U.S. circuit judge for the Tenth Circuit. At 5:30 p.m. this evening there will be a rollcall vote on confirmation of the Phillips nomination.

### PASSING BIPARTISAN LEGISLATION

Mr. REID. I welcome back the Presiding Officer, the President pro tempore of the Senate. I hope he and all of my colleagues had a restful and productive week with the instate work that was done during the 10 days we were gone.

It was a pleasure to meet and spend time with my constituents in Nevada over the break and with my family. I had a wonderful time with my family. Four of my children were there—actually, five were there for a short period of time, all five of them. We had a wonderful Fourth of July at my son's home. Everyone was there—neighbors. There was a great party. My grandson set off the fireworks. I am not going to ask where he got them, but there were a lot of fireworks and there was a lot of fun. It was a real celebration.

Everywhere I went I saw immense enthusiasm for this historic bipartisan immigration reform bill we passed before the Fourth of July. Often I heard how pleased Nevadans were to finally see bipartisanship in the Senate. They saw bipartisanship blossom. This has happened far too rarely in recent years. Americans of all political stripes are united behind the need for common-sense reform. Even a large majority of Republicans believes immigration reform will be good for the economy and good for national security.

As everyone here knows, I don't often tout the accomplishments of President Bush—Bush No. 2—but I really appreciate what he did at the first public event at his new library in Texas. It was an event honoring into our country new immigrants to become citizens. After the event, the President spoke about the need for passing the Senate bill. When he was President, to his credit, he did everything he could to try to get it done, but Republicans would not follow the direction he felt we should go. Senate Republicans did follow that in the last vote. We had 68 votes, and 14 of my Republican colleagues voted with us. I appreciate that, and I appreciate what President Bush did to focus his attention on this again.

I appreciate all the groups around the country, from the chamber of commerce to other conservative groups, who are running paid advertisements on television saying they—the Republicans here in the House—should pass the legislation we passed here. The only Republicans who aren't yet convinced are in Washington in the House of Representatives. Republicans around the country believe it is important that we do this immigration reform legislation. As I indicated, 68 Senators voted for this historic reform, but our responsibility didn't end with that vote. It is our duty to convince our colleagues in the House that, yes, they should vote with us.

Bipartisan immigration reform that includes a pathway to citizenship makes economic sense as well as political sense. Unfortunately, over the last few weeks Speaker BOEHNER has taken a different route that is one of ignoring the needs of the American people. Rather than moving to the center and advancing a bill that would appeal to moderates on both sides of the Capitol, Speaker BOEHNER has repeatedly tried to pass legislation with only Republican votes.

The Hastert rule, named after a recent Republican Speaker—passing only

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



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bills that have the support of the majority of the majority, the only thing they are going to let happen—doesn't work, and it is bad for the country. Any major legislation passed by the House of Representatives with only Republican votes has no hope of advancing here or being signed into law by the President.

I hope the Speaker has learned his lesson from recent high-profile failures of his shortsighted Hastert rule—post office, farm bill, online sales tax, immigration. Eventually he will be forced to take up the bill we passed here or the country will be left with no immigration reform at all, which will be a bad outcome.

The Speaker should dispense with the posturing and delay and do the right thing, and he should do it now. He should take up the Senate farm bill on which Chairman STABENOW worked so hard. They should pass that bill. They should take it up over there and pass it. Farmers are waiting, and all the nutrition groups around the country are waiting. He should do that right now.

He should take up the Senate immigration bill. I say that for the second or third time today. This measure—a farm bill that passed overwhelmingly on bipartisan votes in this Chamber—the passing of the farm bill would create jobs and reduce the debt by some \$23 billion. And it is important to note that there are reforms both in the farm and food stamp programs without balancing the budget on the backs of hungry Americans. In fact, it goes a long way toward reducing our debt.

Passing the immigration bill would help 11 million people who are already contributing to our economy and our society to get right with the law. It would boost our economy and make our country safer, all the while reducing the deficit by about \$1 trillion over the next two decades.

I remind the Speaker that there is no shame in passing bills that moderates from both parties can support. Americans want their elected officials to work together to fix the Nation's problems. This is what we did in the Senate. I promise the formula will work in the House of Representatives as well. The Speaker should try that.

Sticking to the Hastert rule has prevented the House from passing legislation to reform the ailing Postal Service. Postal reform passed over here on an overwhelmingly bipartisan vote. The Speaker refused to even consider it last Congress, didn't even take it up.

Sticking to the Hastert rule prevented the House from passing a measure that would give brick-and-mortar stores parity with online competitors. We passed that on a bipartisan vote. It is heartbreaking all over America. I see it in Nevada when I go by these strip malls and see places that, if they had the advantage of not having to pay sales tax—which is what happens online—they would be in business. They would go back into business if the sales tax would have to be paid by the people

who sell their goods over the Internet. It is unfair. Why the Speaker doesn't take that up I don't know.

We already know that sticking to the Hastert rule prevented the House from passing a farm bill last month and last year.

This month sticking to the Hastert rule prevented the House from passing immigration reform that would become law.

Insisting on the Hastert rule also prevented Speaker BOEHNER from reaching across the aisle to find a sensible solution to our rising student loan interest rates. Right now, what they have done on the other side is worse for students than doing nothing at all. The legislation passed by the House would balance the budget on the backs of struggling students—would attempt to balance it, at least. The House legislation is worse for students than doing nothing at all. Under the House plan, as interest rates start to rise, student loan rates will rise with them. Soon loan rates will be more than double. I met with the White House, one of the President's assistants. I said: Tell me what happens in 3 years. He had to acknowledge that the rates would be well over 6.8 percent.

To find a responsible solution to the student loan issue and every other major issue facing this Congress, the Speaker should work with us and his Democratic colleagues in the House instead of against them. He should remember that the only way to pass meaningful legislation in either Chamber is to do so with votes from both reasonable Democrats and reasonable Republicans.

I am told the Speaker is going to come out with a statement today saying: We passed our student loan legislation. Now why can't the Senate pass it?

I repeat, the Speaker's student loan legislation that passed the House is worse than doing nothing. The Hastert rule has been bad for this country, and Speaker BOEHNER should get away from it.

#### MORNING BUSINESS

Mr. REID. I ask unanimous consent that we now proceed to a period of morning business and that Senators be allowed to speak for up to 10 minutes each prior to the executive session at 5 p.m., with the exception of Senator SCOTT, who is giving his maiden speech today.

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

#### RESERVATION OF LEADER TIME

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

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

#### ORDER OF BUSINESS

The PRESIDING OFFICER. The Senate will be in a period of morning business

until 5 p.m., with Senators permitted to speak therein for up to 10 minutes each.

The Senator from South Carolina.

Mr. SCOTT. I ask unanimous consent that I be allowed to speak as in morning business.

#### UNLEASHING OPPORTUNITIES

Mr. SCOTT. It is indeed a humbling honor to serve the great people of South Carolina in the Senate. I am so grateful for the support I have received from South Carolinians.

The success of the Palmetto State can be measured in many ways, but today, let me share the success of our economic engine. From insourcing jobs from other countries, jobs such as Otis Elevators in Florence, SC, or the high-tech boom that is happening throughout South Carolina, companies such as BMW in the upstate continue to expand. Michelin, in Anderson County expands. Continental Tires finds a home in Sumter, SC, and there are more than 5,000 new jobs on the coast of South Carolina because of Boeing. And let's not forget Aiken, SC, where Bridgestone has made a new home. South Carolina is and will continue to be a leading manufacturing engine for America.

I stand before you today on the shoulders of two very amazing Americans. One has gone home to be with the Lord. The other is my hero, my mother, Frances Scott.

Growing up in a single-parent household, my mother would have to work sometimes 16-hour days in order to keep me and my brother off of welfare. She wanted us to have a good example of someone who believed in hard work for us to follow.

My mother used to tell me all the time that if you shoot for the Moon and you miss, you will be among the stars. But I didn't always listen to my mother. By the time I was a freshman in high school, I was drifting. Have you ever noticed that you don't really drift in the right direction? As a freshman in high school, I failed out. I failed world geography. I think I am the only U.S. Senator to fail civics. I also failed Spanish and English.

When you fail Spanish and English, they don't call you bilingual. They call you bi-ignorant because you can't speak in any language.

That's where I found myself. I found myself in a very strong and hard position, but good fortune strikes. I had two blessings. One was a mother who believes that sometimes love has to come at the end of the switch. For those of you who are not aware of what a switch is, it is a motivational apparatus, and it encouraged me a lot. I will say that, along with my mentor John Moniz, who came along at the right time—I was a sophomore—I found my way back on the path. John Moniz was a Chick-fil-A operator who made such a major impact in my life over the last three decades.

John came along as I was a sophomore in high school, and he taught me some very, very valuable lessons. A couple of those lessons John started teaching me very early on were about being a business owner. John believed that you could literally think your way out of poverty. You didn't have to be an entertainer or an athlete, but you could become an entrepreneur. So John started teaching me some of the lessons of being a business owner. He said having a job is a good thing, but creating jobs is even better.

John would teach me later that in earning an income, you have done well. But if you can learn to create a profit, you have done fantastically. He taught me some other lessons about individual responsibility. John once told me: If you don't like where you are, look in the mirror. Blame yourself. John was trying to teach me some very valuable lessons about individual responsibility.

I learned very quickly from John that if you were a part of the problem, you were also part of the promise; that in fact if you saw yourself as a part of your obstacle, you may have found the key ingredient to your opportunities. It took a little time before the lessons of my mentor and the strong discipline of my mother started to germinate in my soul, but it finally did.

After 4 years of having John as my mentor, something very tragic happened. At the young age of 38, John suddenly passed away. I remember the day before his funeral as though it were yesterday. I sat down and wrote out my mission statement: to positively impact the lives of a billion people with the message of hope and opportunity—hope being my faith in Christ Jesus and opportunity being the lessons of financial literacy and financial independence I learned from my mentor John Moniz.

I decided to follow in the footsteps of my mentor John. I started my own business, and I learned very quickly the challenges of signing the front of the paycheck when you could not sign the back for yourself. Over the last two decades, as a business owner and as an elected official—whether it was as a member of the county council or a member of the South Carolina House of Representatives or being elected to the U.S. Congress—I have used as my foundation the lessons I learned from my mentor and my mother.

During my time here in the Senate I will focus on a few key issues, including education, economic empowerment, and controlling our spending addiction. As a small business owner over the last 15 years I can tell you firsthand that our Tax Code is broken. With the highest corporate tax rate in all the world, and the taxing of small and family-owned businesses at an alarming rate, we will continue to produce a slow-growth economy.

The regulatory nightmare facing our small business owners today is only worsened by the “Unaffordable Care Act,” as my good friend Congressman Kucinich said yesterday.

Further, with over 70,000 pages of new regulations in the last 5 years, the compliance cost for small business is staggering. We do not simply need a delay in the employer mandate, we need a repeal of the employer mandate.

On education, I can tell you as a poor kid, by the time I was in the fourth grade, I had already attended four schools. It is very difficult for us to fund the right school with the sometimes transient nature of poverty where you have to move a lot. I believe the system and the people closest to the child are in the best position to provide the highest quality of education for that child. So there is no way a bureaucrat in Washington, DC, can better educate a child in Lexington County than that child's parents and the teachers who are so involved in that education.

We need a national debate on education. Parents need more choices so their kids will have a chance. So let's debate it. Let's debate charter schools, let's debate public school choice, private school choice, tax credits, home schools. Whatever it takes to improve our education system should be on the table for discussion.

Let me close with this. If we create a competitive Tax Code and a fair, sensible regulatory environment, as well as a world-class education system, we will create the best economy known to man, as we have in times past. You see, the best and the brightest days are still ahead for America. Our strongest moments, our strongest stands, are still in our future. I believe in the greatness of America because I have experienced the goodness of her people. In America, an ordinary guy like me can be blessed with an extraordinary opportunity like this. Thank you, and God bless America.

The PRESIDING OFFICER. The Republican leader.

Mr. MCCONNELL. Mr. President, I congratulate our good friend from South Carolina on his maiden speech and the opportunity, obviously, to learn more about his inspirational early life and the bilingual nature of his beginning and the way he interpreted those lessons both from his mother and from his mentor into the extraordinary success he has had both in the private sector and the public sector. I wish to say, on behalf of my colleagues, it is an honor to serve with him.

Mr. SCOTT. I thank the Leader.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Mr. President, I want to join the Republican leader in expressing my appreciation of Senator SCOTT today, not just for his maiden speech but because we have new pages on the Senate floor and so it is their first time, and I see the bright eyes of these young people looking up to the Senator as he gives his maiden speech as he talks about the next generation.

I was thinking a bit, because I saw an editorial the Senator had written pub-

lished Sunday a week ago—“IRS targeting scandal shows need for reform”—and so I was happy to hear the Senator talking about some of the things happening there, because he talks about responsibility, accountability, and the kinds of things we heard in his maiden speech today. He writes in a concise way, also a courageous way, so I want to join the Republican leader in welcoming the new Senator and his comments, and I look forward to working with him for many years to come.

I thank the Chair.

Mr. SCOTT. I thank my colleague.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Mr. President, I join my colleagues in congratulating our recently arrived colleague from South Carolina on his maiden speech. It strikes me we all want the same thing pretty much. We want an opportunity and we want to make sure our kids get the best quality education so they can compete in a global economy. But to be honest about it, we do have different approaches on how to achieve those goals, it strikes me, across the aisle.

There are those who believe the government should play a bigger, more expansive role, and they have their own ideas and approach; and there are those of us who believe in limited government, and that that is most consistent with individual freedom and the opportunity to strive, to work hard, and to succeed. It is that notion of earned success. So we have a different approach, and I know the Senator from South Carolina agrees with that.

I also believe the Senator from South Carolina has been a tremendous addition because of his background and his upbringing. Some people might say we don't need more lawyers in the Senate, and he certainly is not one of those, but he is somebody who has succeeded in the private sector, been marvelously successful now both in the House and here in the Senate. So it is great to have him as part of the Senate and contributing his unique perspective and being able to articulate as he does so well how small-government, limited-government principles apply to that concept of earned success that all of us want not only for ourselves but for our families as well.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I join my colleagues in complimenting the Senator from South Carolina, No. 1, because of his work ethic. I have the privilege of being the ranking Republican member of the committee that has maybe the broadest jurisdiction, the most diversity of any of our committees—Health, Education, Labor, and Pensions—and I have observed how hard Senator SCOTT has worked and how well prepared he has been in his first several months as a Senator. He has spoken out on labor issues, he has made a major contribution to the debate we had on whether we need a national school board or local control on

elementary and secondary education. When other Senators are doing other things, he is right there at the committee hearings. So he has made a quiet, effective, principled, studious contribution to the Senate, in my experience, these first few months, and I am delighted to have him here.

He has done so well I have invited him to come to Tennessee on Friday to speak to one of the largest gatherings we have annually in the State, and he has agreed to come, and we are grateful for that.

Finally, I would compliment him on one other thing. Sometimes I like to tell stories about the person for whom I came to the Senate to work—Senator Howard Baker. When Senator Baker first came in 1967, I would say to the Senator from South Carolina, the Republican leader was his father-in-law Everett Dirksen. Senator Baker made his maiden speech, probably from a back row about like Senator SCOTT is making his, and his father-in-law was sitting right where Senator MCCONNELL sits, listening to the whole thing. It went on, and it went on, and it went on for nearly an hour. After it was over, Senator Dirksen came over to Senator Baker, and Senator Baker said to his father-in-law: Well, how did I do? Senator Dirksen, the Republican leader, said to the new Senator: Maybe, Howard, you should occasionally try to enjoy the luxury of an unexpressed thought.

So I congratulate Senator SCOTT for his succinct maiden address. He is not only effective, studious, and diligent, he knows how to speak his words clearly and succinctly, and it is wonderful to see him.

Mr. SCOTT. I thank the Senator.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

The Senator from Arkansas is recognized.

#### HONORING OUR ARMED FORCES

SPECIALIST ROBERT A. PIERCE

Mr. BOOZMAN. Mr. President, my colleagues and I are often at odds when trying to solve some of our Nation's most pressing and difficult problems. However, one thing we can all agree on is that the men and women who wear our Nation's uniforms are selfless heroes who embody the American spirit of courage and patriotism. We must continue to honor the sacrifice and service of our troops who have fought to protect and defend our freedoms. Today, I am here to pay my respects to Army SPC Robert A. Pierce, an Arkansas soldier who gave his life while in support of Operation Enduring Freedom.

Specialist Pierce graduated from Mansfield High School and spent his free time perfecting his steak cooking abilities at the Bulldog Diner in Greenwood, AK. A former coworker described these as "the best steaks ever."

Specialist Pierce's friends say the money he earned at his part-time job went to fixing his truck. His love of auto mechanics led him to do most of the work himself. Specialist Pierce's family said he joined the military in 2011 to make a difference.

He served in South Korea before his assignment at Fort Campbell. He was a member of A Company, 1st Battalion, 506th Infantry Regiment, 101st Airborne Division, Fort Campbell, KY. SPC Robert Pierce was only 20 when he gave his life for his country last month while on patrol in Afghanistan. Specialist Pierce is a true American hero who made the ultimate sacrifice.

I ask my colleagues to keep his wife Christian and the rest of his family and friends in their thoughts and prayers.

On behalf of a grateful Nation, I humbly offer my sincerest gratitude for his patriotism and selfless sacrifice.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### TRIBUTE TO JOSEPH C. MCQUAID

Mr. HARKIN. Mr. President, on Monday, July 1, 2013, Joseph C. McQuaid was laid to rest, with full military honors, in the Fort Logan National Cemetery in Denver, CO.

A proud World War II veteran, Joseph "Big Joe" McQuaid will rest beside his brother John "Hootcher" McQuaid, also a World War II veteran. Joe was one of the most unique, memorable persons I have known in my lifetime. He was also my brother-in-law.

Joe was born on March 16, 1919 in the family farmhouse near Stuart, IA. A proud Irishman, Joe always noted that his birthday was one day before St. Patrick's Day. Joe, his two brothers, and sister were born and raised in a loving, but very poor, family. His father "Willie" was a self-taught, accomplished musician, playing the fiddle and piano in local bands around Iowa.

From an early age, Joe was known as "Big Joe" because he was a big bear of a man, standing 6 feet 4 inches and tipping the scale around 240 pounds, all muscle and bone. He used to show off his strength by tearing phonebooks and decks of cards in half as if they were pieces of paper. This always impressed a lot of young kids.

Joe also liked to balance heavy, unwieldy objects, such as lawnmowers, on his chin. It wasn't only heavy objects he could balance. He is the only person I have ever seen who could balance a

straw broom on his nose. He could entertain a group of kids for hours by doing his balancing tricks.

When the Great Depression hit the Midwest, Joe's family, like so many others, was in dire economic straits. So Joe, at the age of 16, went to work in the Civilian Conservation Corps, the CCC. The legal age was 18, but because of Joe's size and the poverty at home, Joe said he was 18 and thus joined the CCC. Young men left home, lived in CCC camps, worked on building dams and dikes, cleared roads in winter, cleaned up after floods, and created State parks and recreation areas. CCC camps were run in a semimilitary fashion.

Joe worked at the CCC camps for 3 years and was paid \$36 a month. As Joe remembered, he sent \$30 home and kept \$6 for himself. He often said the CCC was President Roosevelt's best program.

The day after the attack on Pearl Harbor, Joe went right down to the recruiting office and signed up for military duty. He joined the Navy and spent most of the war years as a Boatswain Mate First Class on destroyer escorts, escorting troop ships and cargo ships the United States to Russia, England, and North Africa.

His ship, the USS *Marchand*, sank several German U-boats and rescued survivors of cargo and troopships sunk by enemy torpedoes. Joe was present at Normandy on D-day, again protecting the troopships and big cruisers from enemy submarines.

After the war in Europe ended, Joe was sent to the Pacific as a Boatswain Mate on a troopship headed to the Philippines. During his voyage, Joe's ship was attacked by Japanese kamikaze planes. As the acting Chief Boatswain Mate, Joe got all the anti-aircraft guns manned, taking a 50 caliber mount himself. They brought down all the enemy aircraft, and not one hit the ship. Joe remembered how one crashed in the water so close that ocean spray and parts of the aircraft landed on the ship's deck.

Sometime after that, on their way to the Philippines, Joe ordered—through his boatswain pipe—all hands on deck for an important announcement from the captain. The captain said that after dropping two atom bombs on Japan that wiped out two cities, President Harry S Truman said the Japanese surrendered and the war was over. There was unrestrained cheering and backslapping among the troops and sailors. Joe asked the captain if he should use his boatswain pipe to call them to order, and the captain said "No, no, let them go." They refueled at sea, and headed back to Honolulu.

After nearly 4 straight years at sea, dodging and sinking U-boats in the North Atlantic, surviving kamikaze attacks in the Pacific, "Big Joe" was back in Iowa with a chest full of medals and his beloved boatswain pipe.

For his life thereafter, Joe could keep you entranced with his war stories and what shipboard life was like in the frigid waters of the North Atlantic.

Joe was so proud of his service and his fellow World War II comrades. He was truly one of the “Greatest Generation” of young Americans.

Joe passed away on January 31, 2013, with his loving wife June by his side. He was just about 2 months shy of his 94th birthday.

Up to his 93rd birthday, Joe always marched every year in the Veteran’s Day parade wearing his original World War II Navy blues, a white sailor’s cap jauntily placed on his head, a chest full of ribbons and medals, and his cherished boatswain’s pipe hung around his neck. At age 88 he participated in one of the honor flights from Denver to Washington, DC, for World War II veterans to see the World War II Memorial.

After my mother died and Joe had married my sister Sylvia, I went to live with them, and Joe became almost a surrogate father to me. I was 13 years old. As we both grew older, we took many trips together and he became more like my older brother. Joe was so unique. He was a gifted observer of human behavior and interactions. He could fix anything. He made beautiful objects out of wood, some of which I still have in my home. He was also the best storyteller I have ever met.

Many years after my sister died of cancer, Joe met and married June, a talented artist in her own right, and they had a wonderful, loving life together.

Joe is survived by his wife June; his sister Mary Ann; his four children, Theresa, Joe Kelly, Danny, and Mary; four grandchildren, Sean, Ryan, Erin, and Ciera; and four step grandchildren, Terry, Kristen, Shauna, and Dawn.

“Big Joe” led a full, challenging, and interesting life. He was truly one of our “Greatest Generation,” a true patriot who loved his country, his family, and his many friends.

He helped to make America a better nation for all.

Mr. President, with that, I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

#### GUN VIOLENCE

Mr. MURPHY. Madam President, we are now deep in the heart of summer vacation for millions of families and students all across this country. It is a wonderful time, something families look forward to—maybe some parents more so than others. But it is a very strange summer in Newtown, CT. It is

the first summer that 20 families are waking up every morning without a 6- or 7-year-old they planned on spending days at the beach or afternoons at the park with or mornings getting ready for what would have been their second-grade year. It is a very different summer, this summer in Newtown, CT.

A lot of people ask me: How is the community recovering? How are they coming back? And while there is some rebound happening, it is still very much a community in crisis. When students go back to school in the fall, they are not going to be going back to Sandy Hook Elementary School. That school is going to be knocked down. There is no way families, teachers, and administrators can return to that place. So once again this fall the students of Sandy Hook Elementary School will be bused one town over to a school that was, up until January of this last year, a place none of them had seen, and they will once again be in a year of transition—once again, for many families, still a year of crisis.

I am not sure any of those families could imagine in the days and weeks after the shooting on December 14 of last year that when they sent their kids back to school—their surviving brothers and sisters—in the fall of 2013, that in that intervening time, in response to the most vicious mass school shooting in this country’s history, the response from the Congress would be nothing, zip, zero.

This is a summer of crisis in Newtown. It will be another difficult fall. But what leaves people in Newtown shaking their heads is that this place has done absolutely nothing; that when their kids return back to school, the laws of this Nation will be no different, will do nothing more to protect their sons and daughters when they and millions of other kids across the country return to school in September.

And it is not as though we have not seen since Newtown more evidence for why we need to change our laws. I have come to the floor virtually every week since this horrific incident to remind people that the tragedy has not ended; that since December 14, 5,893 people have been senselessly killed by guns. Since December 14, 5,893 people have been killed through gun violence.

I think we should continue to talk about who these people are; that we should give voices to these victims, so that it is not just the 20 6-year-old and 7-year-old children we have all heard so much about—about Jack Pinto and Dylan Hockley, and Noah Pozner and Grace McDonnell. We know these kids, and I will continue to talk about who they were and who they could have been, but every single day we lose about 30 more people to gun violence.

Last June we saw a mass shooting that was eerily similar to the one in Newtown—a mass shooting in Santa Monica, CA, in which five people were killed; the father and the brother of the gunman, but also three completely unrelated and innocent bystanders who

just happened to be in and around the school when this young man, 23 years old, deeply disturbed, started firing, almost indiscriminately and randomly, on his way to and at the campus.

It was eerily similar because, once again, it was an assault weapon, an AR-15 model, the weapon of choice for mass assailants in this country these days. And once again he had high-capacity magazines. Reportedly, 1,300 rounds of ammunition were on his person. Every case is unique, but over and over these mass shootings are occurring with the same type of weapons and the same type of high-capacity ammunition. Yet we do nothing to acknowledge this trend.

Let me talk a second about who these people were who were killed that day in California, because they have stories that are not unlike the 5,800-plus stories I could tell on the floor, if we had time, with respect to the people who have died since December 14.

Carlos Navarro Franco was 68 years old. He was the groundskeeper at the college for 22 years. He was dedicated to two things above all—that college and his family. That is what the president of the college said after his death—everything Carlos did was for the college and for his family. He was truly a family man, the president of the college said. He was a dedicated husband, a father, and an integral part of Santa Monica’s college family. He dedicated his work to the campus grounds and was enjoyed by students and visitors for two decades.

He was with his daughter that day. Marcela Franco was 26 years old and pursuing a degree in psychology at California State University. She had registered to take summer classes at the school where her father worked and she was on her way with her father to buy textbooks that day. She initially survived the gunfire but she never regained consciousness after the attack. She was described by her aunt as smart, beautiful, and outgoing. Her aunt said, “She was daddy’s girl.” So the blessing is they went together.

Margarita Gomez was the same age as Carlos Navarro Franco. She lost her life that day. She was fondly referred to on campus as the “recycle lady” because she could be seen almost every weekday walking around campus, rolling her cart, picking up used bottles and cans. She would plop them in her cart and then take them to get recycled. Obviously, most people thought she was homeless and that she was collecting these bottles and cans as a means to be able to survive, but that wasn’t the case. Margarita had actually been diagnosed with diabetes, and it was her doctor’s recommendation that she exercise more. She was also an active member of a senior Latino club that met every Thursday at the Virginia Avenue park and she was very interested in the St. Jude’s Children’s Research Hospital cause—a charity the senior Latino club happened to give money to. So she put these two things

together—a recommendation she should exercise more and an interest in helping this club and the charity it was affiliated with—and decided she would take this cart around town for exercise, pick up cans and bottles, recycle them, and then donate the money to charity.

The “recycle lady,” Margarita Gomez, was walking around campus that day picking up cans and bottles so she could donate the money to help sick kids, and she was gunned down by an assailant using an assault weapon with high-capacity ammunition clips. It is a pretty unbelievable story. These three special individuals, along with the father and the son, are among the 5,893.

But it is not just the mass shootings that we are talking about. Frankly, the vast majority of these killings are one-off deals over some of the most petty arguments or disputes one could imagine. But because guns are so easily found, so readily accessible in our neighborhoods, these silly arguments end up in deaths, such as one that happened in my State of Connecticut just a couple weeks ago on June 16.

Isaac Smith was a couple days away from graduating from New Britain High School. He was a great athlete, played football and baseball, and he was hoping to continue playing those sports after high school when he went to college. He apparently talked to his friends a lot about how proud he was going to be to graduate.

On the night of June 16, police received a call around midnight about gunshots. They arrived at the scene and found Isaac Smith—a couple days away from graduation—in his driveway with a gunshot wound to the back of his head. Police are still trying to figure out what happened. Apparently, he was involved in a transaction for a pair of high-end sneakers when something went wrong and the other guy he was either selling the sneakers to or buying the sneakers from, 26-year-old Jonathan Gibbs of Meriden, shot him—over a pair of sneakers.

These are who these 5,893 people are: They are victims of mass violence, they are victims of senseless gunfire, and they all share something in common. They deserve a response from the Senate and the House of Representatives. They deserve us doing something more than nothing.

At least the Senate brought up a bill on the floor earlier this year. We got 55 votes for a bill that wasn't perfect, but it at least said criminals shouldn't have guns and that we should have a system that makes sure that is the case; that gun trafficking—when someone buys a messload of guns legally and then sells them illegally on the streets of our cities—should probably be a Federal crime; that we should have more resources in our mental health system to take care of people who want and need help. We got 55 votes for that, which is pretty unbelievable given the fact that 90 percent

of the American public support all of those things. One would think we could have gotten more than 55 votes.

The House of Representatives has done nothing. It hasn't even had a debate.

These numbers will continue to mount. Next week I will be down here, and the number will probably be north of 6,000. Then, after the August recess, it will be creeping up to 7,000. We can't get rid of every single one of these deaths.

I will admit to you that Jonathan Gibbs who shot Isaac Smith was a legal gun owner. He didn't even actually have a criminal history. The fact is, while not every single one of these deaths is preventable, many of them are.

So I will continue to come down and talk about these victims with the hope that someday—perhaps this fall, perhaps next year, perhaps the year after—we can take action in the Senate that will maybe not stop the growth of this number but will at least slow its acceleration.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

#### STUDENT LOANS

Ms. WARREN. The interest rate on student loans doubled on July 1. Because Congress failed to act, our lowest income students are now paying twice as much on these new loans. While students are paying more, the Federal Government is boosting its own profits—\$51 billion in profits from the student loan programs in 2013 alone. This is just plain wrong.

The government is making obscene profits on these loans—profits we can and should cut back on to help our kids who are struggling to pay for college. But Republicans have repeatedly blocked our efforts to pass a short-term fix that would save students from higher interest rates.

This week the Senate will vote to fix this problem. The bill, Keep Student Loans Affordable Act, was introduced by Senators JACK REED and KAY HAGAN. It would drop the rate on direct student loans back down to 3.4 percent for 1 year, retroactively as of July 1, and give Congress time to develop a plan to do the three things we need to do: Reform student loan interest rates on new loans, refinance \$1 trillion in existing debt, and lower college costs for all of our kids.

Republicans have a different approach. Despite the obscene profits of the current program, they propose to make even more money from students. Their current proposal would bring in

an extra \$1 billion in profits off the backs of our students.

Listen to the numbers. New loans will produce \$184 billion in profits for the U.S. Government over the next 10 years. That includes the 6.8 percent interest on direct loans, all the borrowing costs, all the administrative costs, and all the bad debt losses for the program.

Let me say that again: The new student loans, including direct loans at 6.8 percent, will make \$184 billion in profits for the government over the next 10 years—and the Republican solution is to increase those profits for the U.S. Government. In other words, their solution to the rising interest rate problem is to make students pay even more.

Some of my colleagues are telling students the plan they have is a great deal. But their argument is the same argument that was used by the slick operators who sold teaser rate mortgages and the ones who sold zero interest rate credit cards. Sure, the first couple of years will be cheaper, but they don't want anyone to look at what happens after that.

Fortunately, our students are smarter than that. They read the fine print. They know in the end this debate boils down to simple math—math that our students understand, even if some people in Congress wish they didn't.

Our students sent a letter to Majority Leader REID and Minority Leader MCCONNELL with a clear message: A bad deal is worse than no deal at all. Our students need a plan that costs them less money, not a plan that costs them more.

I talk a lot about math, but the Senate's decision about student loans is a decision about our values and a decision about how we build a future. Investing in our students will allow them to get good jobs and give them a shot to make it in America, but that same investment will also create new industries and grow the economy for everyone.

We shouldn't treat our students like a profit center. We shouldn't ask them to pay an extra tax to go to school. And we shouldn't try to trick them by shuffling numbers around, hitting them with teaser rates, and declaring a problem is solved while the students just keep paying more and more.

There are real problems in higher education today: Skyrocketing college costs, historic levels of student debt, and high borrowing rates. It is going to take time to develop a solution that works, and there is no magic math that will make student loan profits disappear or make college tuition shrink without some sacrifice. But right now, students are the only ones who are sacrificing. They are giving up the dream of owning a home or being able to retire just so they can keep paying for college.

Congress can ease the burden on our students, and we should be committed to doing just that because this is how

we build a stronger middle class. This is how we build a better future for our entire country. It is a first step, but it is a good one.

Congress can pass the Keep Student Loans Affordable Act. It is a short-term patch to keep interest rates on new loans from doubling for 1 year while Congress develops a plan to reform student loans and to make college more affordable. I support the measure, and I urge my colleagues to do the same.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER (Mr. MANCHIN). Morning business is closed.

#### EXECUTIVE SESSION

#### NOMINATION OF GREGORY ALAN PHILLIPS TO BE UNITED STATES CIRCUIT JUDGE FOR THE TENTH 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 assistant legislative clerk read the nomination of Gregory Alan Phillips, of Wyoming, to be a United States Circuit Judge for the Tenth Circuit.

The PRESIDING OFFICER. Under the previous order, there will be 30 minutes of debate equally divided and controlled in the usual form.

The Senator from Vermont.

Mr. LEAHY. Mr. President, I don't wish to in any way cut into the time of the senior Senator from Wyoming, but I hope once he and Senator BARRASSO have finished speaking—once their time is consumed—we might agree that the vote will still be at 5:30, if possible, or as close to that time as possible.

Our Constitution provides the Senate an important role to play in providing advice to the President and in voting on whether to confirm nominees for our third branch of government. Last month, we were reminded of the importance of these confirmation votes when the Supreme Court handed down several narrowly-decided opinions that are already impacting millions of Americans. As a senior member of this chamber, I have voted on the confirmation of every one of the nine justices currently serving. Since only a tiny percentage of cases brought in Federal court ever end up at the Supreme Court, the Federal courts of appeal are often the courts of last resort for most disputes. I am glad that today we are finally voting to confirm another appellate nominee.

Before the Memorial Day recess, the minority leader asked during a floor debate when Gregory Phillips, the Wyoming nominee to the Tenth Circuit, would receive a vote. When the majority leader immediately offered a vote on that nominee, the minority leader demurred without giving any reason. Senate Republicans have now finally decided to allow the vote on Gregory Phillips to move forward, but there was no reason for this delay in his confirmation vote.

Gregory Phillips is currently the attorney general of Wyoming, a position to which he was appointed by Wyoming's Republican Governor. From 2010 to 2011 he worked in the Wyoming attorney general's office as the special assistant to the Governor for legislative affairs. Prior to working in the Wyoming attorney general's office, he was an assistant U.S. attorney in Wyoming, and spent 14 years in private practice. Attorney general Phillips has also served as a part-time deputy county attorney, an assistant municipal judge and as a state senator. Following law school, he served as a law clerk to the Honorable Alan B. Johnson of the U.S. district court for the District of Wyoming. The ABA Standing Committee on the Federal Judiciary unanimously rated Mr. Phillips "well qualified," its highest rating.

At his Judiciary Committee hearing, Attorney General Phillips was introduced by his two Republican home State Senators, Senator ENZI and Senator BARRASSO, both of whom strongly support his nomination. He was reported unanimously by the Judiciary Committee nearly 3 months ago. While his confirmation vote has not been delayed quite as long as votes on most of President Obama's nominees, he could and should have been confirmed last May when the majority leader offered.

With the confirmation of Attorney General Phillips, there will be 10 active judges on the Tenth Circuit. According to the most recent data, this means that the number of pending appeals per active judge on that court will drop from 150 to 135. I mention this because another appellate court, the DC Circuit, currently has 177 pending appeals per active judge. Despite that higher caseload, some Senate Republicans argue that the DC Circuit's caseload is too low, and that three of its judgeships should be eliminated. I suspect that many, if not all, of these Senators will vote to confirm Attorney General Phillips, even though his confirmation means that the Tenth Circuit will now have the lowest caseload in the country, just as earlier this year they supported the confirmation of Jane Kelly to the Eighth Circuit, which gave that court the lowest caseload in the country, and just as they supported the confirmation of Robert Bacharach to the Tenth Circuit, which gave that court the lowest caseload in the country. I hope those Senators will reconsider their double standard and not play politics with an independent branch of government.

Some of the same Senate Republicans who are opposing President Obama's three nominees to the DC Circuit are also criticizing him for making too few nominations and somehow claiming that many vacancies without a nominee cannot possibly be the fault of Senate Republicans. I recall that before President Obama made a single judicial nomination, all Senate Republicans sent him a letter threatening to filibuster his nominees if he did not consult Republican home State Senators. They cannot have it both ways.

I take very seriously my responsibility to make recommendations when we have vacancies in Vermont, whether the President is a Democrat or a Republican, and other Senators should do the same. After all, if there are not enough judges in our home States, it is our own constituents who suffer. It should be only a matter of weeks or months, not years, for Senators to make recommendations.

Unfortunately, in some States it appears as if there is no effort being made to recommend qualified nominees to the administration. There are three district vacancies in Georgia without nominees, and the oldest is over 4 years old. There are three district vacancies in Kentucky without nominees, and the oldest is over a year and a half old. There are seven district vacancies in Texas without nominees, and the oldest is over 4½ years old. Three months ago the Senators from Texas announced a nominations commission, but it is my understanding that it is still not accepting applications. If Senators want new judgeships in their States, they should be working especially hard to ensure that all existing ones are filled. Republican Senators who demanded to be consulted on nominations should live up to their responsibilities and fulfill their constitutional obligation to advise the President on nominations. They should follow the example of Democratic Senators: the administration has received recommendations for all current district vacancies in States represented by two Democratic Senators.

Moreover, the failure of some Republican Senators to help fill vacancies in their own States does not excuse their unwillingness to complete action on the nominations the President has made. I regret that I must correct the record, again, on how Senate Republicans have obstructed judicial nominees over the past 4 years. The continued assertion by Senate Republicans that 99 percent of President Obama's nominees have been confirmed is not accurate. President Obama has nominated 243 individuals to be circuit or district judges, and 197 have been confirmed by the Senate. That is 81 percent, not 99 percent. By way of comparison, at the same point in President Bush's second term, July 8 of his fifth year in office, President Bush had nominated 10 fewer people to be circuit or district judges, but had seen 215 of them confirmed, which is 18 more confirmations. The truth is that 92 percent



of President Bush's judicial nominees had been confirmed at the same point, 11 percentage points more than have been allowed for President Obama. That is an apples-to-apples comparison, and it demonstrates the undeniable fact that the Senate has confirmed a lower number and a lower percentage of President Obama's nominees than President Bush's nominees at the same time in their Presidencies.

I noted at the end of last year, while Senate Republicans were insisting on delaying confirmations of 15 judicial nominees that should have taken place in wrap up, we would not likely be allowed to complete work on them until May. That was precisely the Republican plan. So when Senate Republicans now seek to claim credit for their confirmations in President Obama's second term, they are inflating the confirmation statistics. The truth is that only 11 circuit and district confirmations have taken place this year that are not attributable to those nominations Senate Republicans needlessly held over from last year. To use a baseball analogy, if a baseball player goes 0 for 9, and then gets a hit, we do not say he is an all star because he is batting 1.000 in his last at bat. We recognize that he is just 1 for 10, and not a very good hitter, nor would a fair calculation of hits or home runs allow a player to credit those that occurred in one game to the next because it would make his stats look better.

If President Obama's nominees were receiving the same treatment as President Bush's, today's vote would bring us to 215 confirmations, not 198, and vacancies would be far lower. The non-partisan Congressional Research Service has noted that it will require 29 more district and circuit confirmations this year to match President Bush's 5-year total. Even with the confirmations finally concluded during the first 6 months of this year, Senate Republicans have still not allowed President Obama to match even the record of President Bush's first term. Even with an extra 6 months, we are still eight confirmations behind where we were at the end of 2004.

The assertion by some Senate Republicans that "there is no difference in how this President's nominees are being treated versus how President Bush's nominees were treated" is simply not supported by the facts. Compared to the same point in the Bush administration, there have been more nominees filibustered, fewer confirmations, and longer wait times for nominees, even though President Obama has nominated more people and there are more vacancies. And while Senate Republicans have taken to comparing President Obama's fifth year to President Bush's fifth year, the fact is that there were fewer confirmations then because we had done such good work in President Bush's first term, in particular the 100 confirmations we achieved during the 17 months in 2001 and 2002 when I was chairman of the

Judiciary Committee. In fact, from June 9, 2005, until October 20, 2005, there were no consensus judicial nominees on the Executive Calendar. So the only reason there have been more votes this year than in 2005 is that, contrary to Republicans' assertions, we have had more nominees this year, mostly because they were held over from last year by Senate Republicans.

While the routine and sustained delays over the past 4 years are without precedent, Republicans point to June 2004 as the one time that there were a number of President Bush's nominees pending on the floor. I recall that in early 2004, President Bush had bypassed the Senate and recess appointed two controversial nominees to be circuit judges and that around that time we learned that Republican committee staff hacked into a shared server to pilfer Democratic files. Still, we were able to clear nominations by confirming more than 20 consensus nominees in just 1 month. There is nothing like that to explain the years of backlogged judicial nominees during this administration.

Context matters. Anyone can point to this example or that example, but when you look at the whole picture, it is clear that President Obama's nominees have faced unprecedented delays on the Senate floor and that his nominees have been less likely to be confirmed than President Bush's at the same point.

But the context of these statistics also matters. Judicial nominations should not be about partisan tit for tat. Judicial vacancies impact millions of people, all across America, who depend on our Federal courts for justice. When you compare the Senate's record from 2001 to 2005, and from 2009 to 2013, it is clear that we are not meeting the standard we set for how quickly the Senate can act to fill judicial vacancies. Throughout my career, whether as a prosecutor or as chairman of the Judiciary Committee, I have fought for justice, and to ensure that people have access to justice and can have their day in court. That is why my recent statements have discussed not only the delays in the nominations process, but also the impact of sequestration cuts on our legal system. I continue to hear from judges and other legal professionals about the serious problems sequestration either has caused or will cause if we do not fix it.

Chief Justice John Roberts recently noted that sequestration "hit [the judiciary] particularly hard. . . . When we have sustained cuts that means people have to be furloughed or worse and that has a more direct impact on the services that we can provide." I ask unanimous consent that this article titled "Chief Justice Roberts: Sequester cuts hitting federal judiciary 'hard'" be printed in the RECORD at the conclusion of my statement. We should all be doing everything we can to help our co-equal branch meet the Constitution's promise of justice for all Americans.

The impact of sequestration on the third branch is compounded by the high level of judicial vacancies. I know we can do better because we have done better. Each day that Senate Republicans refuse to confirm the qualified judicial nominees who have been reviewed and voted on by the Judiciary Committee is another day that a judge could have been working to resolve disputes. Hard-working Americans should not have to wait years to have their cases decided.

Even if it were true, it is not good enough to say that the Senate is treating President Obama's nominees the same as it treated President Bush's. The real question is whether the Senate is meeting its duty to do everything it reasonably can to ensure the American people have access to justice. When Senate Republicans refuse to make recommendations for nominees, and then delay votes on consensus nominees, they are not somehow hurting the President, they are hurting the American people and our justice system.

Today, Attorney General Phillips will finally be confirmed by the Senate, and there are many more nominees the Senate should consider in the coming weeks. Tomorrow, the Senate Judiciary Committee will hear from James Comey, who President Obama has nominated to serve as FBI Director. Later this week the committee will begin the process of considering the first of three current nominees to the DC Circuit. The Judiciary Committee is also scheduled this week to vote on the nomination of B. Todd Jones to serve as Director of the Bureau of Alcohol, Tobacco, Firearms, and Explosives. The ATF has been without a Senate-confirmed Director since 2006. Senate Republicans refused to allow a vote on President Bush's nominee to lead the ATF and I hope they will not attempt to do the same again. Nominees to lead the Labor Department and the Environmental Protection Agency are also awaiting our consideration. I hope the Senate will be able to come together and confirm these worthy nominees without the delay that has befallen so many nominees in the past 4 years.

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

[From The Hill, June 29, 2013]

CHIEF JUSTICE ROBERTS: SEQUESTER CUTS HITTING FEDERAL JUDICIARY "HARD"

(By Ben Geman)

Supreme Court Chief Justice John Roberts on Saturday said the sequester is hurting the judicial branch and that he's hopeful Congress will provide flexibility.

Roberts, speaking at a conference in West Virginia, noted that the judicial branch of government overall is less than one percent of the federal budget.

"You get a whole branch of government under the Constitution for relative pennies, and the idea that we have to be swept along because it is good public policy to cut everybody—I am not commenting on that policy at all—but the notion that we should just be swept along with it I think is really unfounded," Roberts said of the across-the-board budget cuts.



"The cuts hit us particularly hard because we are made up of people. That is what the judicial branch is. It is not like we are the Pentagon where you can slow up a particular procurement program or a lot of the other agencies. When we have sustained cuts that mean people have to be furloughed or worse and that has a more direct impact on the services that we can provide," he added, speaking at the Fourth Circuit Judicial Conference.

Roberts said the Administrative Office of the U.S. Courts is working with congressional appropriators "to get them to go to bat for us," and that he's hopeful. "I hope we are able to make an effective case for why we need a little bit more flexibility than others," Roberts said.

And, in a bit of humor, he tried some obvious flattery.

"I just want to say publicly, that I think our appropriators in Congress are the best legislators since Henry Clay and Daniel Webster, and you can quote me on that if you'd like," Roberts said.

In other remarks, Roberts said the Supreme Court justices are asking too many questions from the bench during oral arguments.

"We do overdo it," Roberts said. "The bench has gotten more and more aggressive." He noted that lawyers trying to present their arguments "feel cheated sometimes."

He said that justices do not talk about cases before the arguments. So they use questions as a way to "bring out points that we think our colleagues ought to know about," and debate one another through questions to lawyers making arguments.

But he said, "That is an explanation. It is not meant as an excuse."

"I do think we have gone too far," Roberts said. "It is too much and I think we do need to address it a little bit."

Roberts comments came after a busy week for the court, with justices handing down rulings striking down a key portion of the Voting Rights Act and ruling the Defense of Marriage Act unconstitutional.

Mr. GRASSLEY. Mr. President, I support the nomination of Gregory Alan Phillips to be United States Circuit Judge for the Tenth Circuit. This is the 27th judicial confirmation this year. With today's confirmation, the Senate will have confirmed 198 lower court nominees; we have defeated two. That is 198-2, which is an outstanding record. That is a success rate of 99 percent.

We have been doing these at a fast pace. During the last Congress, we confirmed more judges than any Congress since the 103rd Congress, which was 1993-1994.

This year, the beginning of President Obama's second term, we have already confirmed more judges than were confirmed in the entire first year of President Bush's second term. Let me emphasize that again—we've already confirmed more nominees this year than we did during the entirety of 2005, the first year of President Bush's second term.

After today, only four article III judges remain on the executive calendar—three district nominees and one circuit nominee. Yet somehow Senate Democrats cite this as evidence of obstructionism.

Compare that to the calendar of June 2004, when 30 judicial nominations were

on the calendar—10 circuit and 20 district. I don't recall any Senate Democrats complaining about how many nominations were piling up on the calendar.

Nor do I remember protestations from my colleagues on the other side that judicial nominees were moving too slowly. Some of those nominees had been reported out more than a year earlier and most were pending for months. Some of them never got an up or down vote.

The bottom line is that the Senate is processing the President's nominees exceptionally fairly. President Obama certainly is being treated more fairly in the beginning of his second term than Senate Democrats treated President Bush in 2005. It is not clear to me how allowing more votes so far this year than President Bush got in an entire year amounts to "unprecedented delays and obstruction." Yet that is the complaint we hear over and over from the other side.

After today's votes, there will be 84 vacancies in the Federal judiciary. But 53 of those spots are without a nominee. How is it Republicans' fault that the President has not sent 53 nominees to the committee? Obviously, common sense ought to tell you that we can't act on nominees who are not presented to the Senate.

I just wanted to set the record straight—again—before we vote on this nomination.

Mr. Phillips received his B.S. in 1983 and his J.D. in 1987, both from the University of Wyoming. Upon graduation, he served as a law clerk from 1987 to 1989 to the Honorable Alan B. Johnson, U.S. district judge for the District of Wyoming. After completion of his clerkship, he worked in private practice in the town of Evanston. There he practiced a wide variety of civil law, including personal injury, wills and estates, real property, contracts, worker's compensation, employment, domestic relations, and bankruptcy. For a few months during this time, Mr. Phillips served as a part-time deputy county attorney, mostly prosecuting misdemeanor crimes until a new county attorney could be elected.

In 1998, Mr. Phillips and Matthew H. Mead, presently serving as Governor of Wyoming, opened a law practice in Cheyenne, focusing on Medicaid, insurance, banking, and Federal tort claims law. Mr. Phillips served as a special attorney general during this period, handling a Medicaid third-party and estate reimbursement for Wyoming.

Mr. Phillips joined the U.S. Attorney's office in 2003 as an assistant U.S. attorney, where he first worked on both civil and criminal issues before shifting to exclusively criminal work. In 2011, Mr. Phillips was appointed by Governor Mead to be attorney general of the State of Wyoming. As attorney general, he manages five law divisions, overseeing arguments before the Wyoming Supreme Court and the Tenth Circuit Court of Appeals.

Mr. LEAHY. So I can help speed up things, I yield back all time on the Democratic side and yield to the senior Senator from Wyoming.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, I thank the chairman of the Judiciary Committee for expediting the confirmation of Greg Phillips.

I rise this afternoon to add strong support for the confirmation of Gregory Alan Phillips to serve as a judge on the Tenth Circuit Court of Appeals. I believe Mr. Phillips has all the characteristics necessary to serve as a Federal appellate judge. I worked with Mr. Phillips in the Wyoming Legislature and can say with confidence that he is recognized throughout the Wyoming legal community as a talented, respected, and thoughtful attorney.

This vote is also important because the Tenth Circuit Court of Appeals has experienced a number of judicial vacancies recently. In February the Senate confirmed Judge Bacharach of Oklahoma to the panel, and we now have the opportunity to fill another vacancy so the Tenth Circuit can continue its work.

Mr. Phillips has served as Wyoming's attorney general since 2011. The attorney general is not an elected position in Wyoming, and it is important to note that Mr. Phillips was appointed by Governor Mead, although they do not share the same party affiliation. This speaks tremendously to Mr. Phillips' talent and legal reputation. Governor Mead and former U.S. attorney comments that Greg is a "first-rate legal thinker, a tireless worker and has an abiding sense of fair play." Governor Mead goes on to say that if confirmed, all those who appear before Mr. Phillips will find "a judge fully prepared, engaged, and respectful to all."

Mr. Phillips was reported out of the Senate Judiciary Committee with a unanimous vote on April 18. The fact that he now stands for a vote after only being nominated in January is a credit to his abilities and strong bipartisan support. I thank Chairman LEAHY, Ranking Member GRASSLEY, and members of the Judiciary Committee for reviewing and moving this nomination along so quickly.

It is no surprise that the American Bar Association unanimously gave Mr. Phillips its highest rating. Greg has extensive experience practicing law as a deputy county attorney and in private practice. Before becoming Wyoming's attorney general, Mr. Phillips served 7 years as an assistant U.S. attorney for the District of Wyoming, handling criminal prosecutions and appeals. Greg has extensive experience arguing in Federal court, including taking nearly 20 cases before the Tenth Circuit.

Mr. Phillips studied economics at the University of Wyoming and graduated with honors from the Wyoming College of Law, where he was on the Law Review. Immediately following law school

Mr. Phillips served as a clerk for U.S. district judge Alan Johnson of Wyoming. Judge Johnson writes that Greg is "devoted to the rule of law and will honor the remarkable judicial officers who preceded him." Specifically, Judge Johnson notes that Mr. Phillips' thorough study of the U.S. sentencing guidelines, experience as a Federal criminal prosecutor, and understanding of State and Federal legal issues will serve him well on the Tenth Circuit.

Mr. Phillips also has strong support from his colleagues from around the Nation. Thirty-four attorneys general wrote the Senate Judiciary Committee in March expressing their support for the nomination. I am told there would have been more signatures on that letter, but the nomination was advanced so diligently that some did not get a chance to sign the letter before Greg's hearing.

I would like to conclude by saying that I can personally attest to Mr. Phillips' qualifications to serve as a Federal judge. Greg was on the senate Judiciary Committee when we served together in the Wyoming Legislature. On the senate floor, we sat across the aisle from each other—and I do not mean just across the Republican-Democratic aisle, I mean right next to each other across the aisle—and got to visit a lot. He was a part of formulating my 80 percent rule for legislating.

Greg and his family are highly respected in their Wyoming community, and Wyoming is proud to call Greg one of our own. He will be an outstanding judge to follow Terry O'Brien, another longtime friend of mine. Terry and I, when he was a Wyoming District Court judge and I was in the Wyoming State senate, used to have dinner together to solve the world's problems. Then I became a U.S. Senator and he became a U.S. circuit court judge. I know his successor will honorably fill that seat.

Mr. Phillips is highly qualified to serve on the Tenth Circuit Court of Appeals, and I call on my colleagues to also support his confirmation. Let's get this man to work in his new job.

I yield the floor.

The PRESIDING OFFICER. The junior Senator from Wyoming.

Mr. BARRASSO. Mr. President, I join Senator ENZI in strongly supporting the nomination of Greg Phillips to a seat on the Tenth Circuit Court of Appeals. Greg Phillips will be an outstanding judge. He graduated with honors, as you heard from Senator ENZI, from the University of Wyoming College of Law. He has worked in private practice, he has worked in the Office of the U.S. Attorney for Wyoming, and he currently serves as attorney general for the State of Wyoming. The breadth of his experience, his understanding of the law and the role of a judge, as well as the thoroughness with which he approaches his responsibilities—well, they will serve him well.

The people who know him best—his peers—uniformly praise his intellect,

his diligence, and his fairness. His former boss, U.S. district judge Alan Johnson, said this in a recent letter to Senator ENZI:

Again and again, local defense attorneys have expressed their appreciation for the fair handed, respectful, and even tempered treatment they have received from Greg Phillips.

We are very fortunate in Wyoming to have Greg Phillips nominated for the bench. I have no doubt that as his career continues, he will become a successful and a respected member of the Tenth Circuit Court of Appeals. I strongly encourage all Members of the Senate to join Senator ENZI and me in voting to confirm Greg Phillips.

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. ENZI. 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. ENZI. I yield back the remainder of any of our time and ask for the yeas and nays.

The PRESIDING OFFICER. All time is yielded back.

Is there a sufficient second?

There appears to be a sufficient second.

The question is, Will the Senate advise and consent to the nomination of Gregory Alan Phillips, of Wyoming, to be United States Circuit Judge for the Tenth Circuit?

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Washington (Ms. CANTWELL), the Senator from North Dakota (Ms. HEITKAMP), and the Senator from Maine (Mr. KING) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Indiana (Mr. COATS), the Senator from Texas (Mr. CRUZ), the Senator from Arizona (Mr. FLAKE), the Senator from South Carolina (Mr. GRAHAM), the Senator from Oklahoma (Mr. INHOFE), the Senator from Arizona (Mr. MCCAIN), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Florida (Mr. RUBIO), and the Senator from Pennsylvania (Mr. TOOMEY).

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

The result was announced—yeas 88, nays 0, as follows:

[Rollcall Vote No. 169 Ex.]

YEAS—88

Alexander	Brown	Corker
Ayotte	Burr	Cornyn
Baldwin	Cardin	Cowan
Barrasso	Carper	Crapo
Baucus	Casey	Donnelly
Begich	Chambliss	Durbin
Bennet	Chiesa	Enzi
Blumenthal	Coburn	Feinstein
Blunt	Cochran	Fischer
Boozman	Collins	Franken
Boxer	Coons	Gillibrand

Grassley	Manchin	Schatz
Hagan	McCaskill	Schumer
Harkin	McConnell	Scott
Hatch	Menendez	Sessions
Heinrich	Merkley	Shaheen
Heller	Mikulski	Shelby
Hirono	Moran	Stabenow
Hoeven	Murphy	Tester
Isakson	Murray	Thune
Johanns	Nelson	Udall (CO)
Johnson (SD)	Paul	Udall (NM)
Johnson (WI)	Portman	Vitter
Kaine	Pryor	Warner
Kirk	Reed	Warren
Klobuchar	Reid	Whitehouse
Landrieu	Risch	Wicker
Leahy	Roberts	Wyden
Lee	Rockefeller	
Levin	Sanders	

#### NOT VOTING—12

Cantwell	Graham	McCain
Coats	Heitkamp	Murkowski
Cruz	Inhofe	Rubio
Flake	King	Toomey

The nomination was confirmed.

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

#### LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

The PRESIDING OFFICER. The majority leader.

#### KEEP STUDENT LOANS AFFORDABLE ACT OF 2013—MOTION TO PROCEED—Continued

Mr. REID. Mr. President, it is my understanding a motion to proceed to S. 1238 is now pending; is that correct?

The PRESIDING OFFICER. That is correct.

#### CLOTURE MOTION

Mr. REID. 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 assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate on the motion to proceed to calendar No. 124, S. 1238, a bill to amend the Higher Education Act of 1965 to extend the current reduced interest rate for undergraduate Federal Direct Stafford Loans for 1 year, to modify required distribution rules for pension plans, and for other purposes.

Harry Reid, Tom Harkin, Jack Reed, Kirsten E. Gillibrand, Patrick J. Leahy, Amy Klobuchar, Tom Udall, Sheldon Whitehouse, Ron Wyden, Benjamin L. Cardin, Richard Blumenthal, Christopher A. Coons, Sherrod Brown, Robert P. Casey Jr., Elizabeth Warren, Al Franken, Richard J. Durbin, Debbie Stabenow.

Mr. REID. I ask unanimous consent the mandatory quorum required under rule XXII be waived.

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

The Senator from California.

Mrs. BOXER. Mr. President, as I understand it, the majority leader has just filed cloture on a bill that would keep us at a 3.4-percent student loan rate for Stafford loans, which impact about 7 million Americans, for a year. Am I correct on that?

The PRESIDING OFFICER. The cloture motion is on the motion to proceed.

Mrs. BOXER. That is a very important cloture motion. I hope we will move forward on this bill in a bipartisan way. As of now, student loan rates have doubled on Stafford loans. In my State of California, 550,000 Californians are facing a doubling of their student loans, from 3.4 percent to 6.8 percent. I have asked my students to contact me and talk to me about their real-world stories and what it means to them to see a doubling of their student loan interest rate.

I will tell you they are more eloquent than I could ever be. They talk about how they look at their dreams and maybe they will become fantasy dreams. They talk about what it would be to believe you are in a ball and chain of student loan debt that is so large it overwhelms you.

In the name of those students and all the students across the country, I hope the majority leader's move to resolve this for at least a year and keep those loans at 3.4 percent—I hope that motion to proceed will go forward and that the bill itself will pass.

What are the alternatives? Every alternative I have heard from the Republicans leads to higher interest rates with no cap. I don't know if you remember the years that interest rates rose after a period of low rates, and they went up to 7, 8, 9, 10, double digits—12 percent. I remember those days. It is hard for our people to remember that, but those were crushing interest rates.

If we do not have a cap on student loan interest rates, we are facing a real problem in the future, a problem that is going to impact the quality of life of our families. We are already seeing the Fed put out statements saying the crush of the burden of student loans without these high interest rates is having an impact on our economic recovery. I have read stories of young people who were putting off marriage and having families because of the crush of student loan debt.

I am very pleased we are moving forward on this commonsense proposal to keep these rates at 3.4 percent. We offset the costs by closing tax loopholes that hardly affect anybody at all. It has to do with inheritance on a 401(k), and it will pay for this proposal.

I am very supportive of the immigration bill, but at the last minute my Republican friends came forward with an enormous proposal to build an even bigger fence and wider fence and stronger fence. I guess the song “Don't Fence Me In”—it is an old song—doesn't apply anymore. We are going to

be fenced in. The cost of that is \$20 billion, \$30 billion, \$40 billion. Surely we can find \$4 billion for a year to make sure our students do not have to face a doubling of these rates.

#### MCCARTHY NOMINATION

I also come to the floor to speak about Gina McCarthy. For those people who have not followed this debate, Gina McCarthy has been nominated by President Obama to lead the Environmental Protection Agency. To me she is the poster child of bipartisanship and one of the best qualified candidates I have ever seen for this position.

She is experienced; she is smart; she understands the law; she understands energy; she understands everything she has to understand to undertake this job; she understands court decisions; she understands the health impacts of dirty air; she also understands that without a clean environment and a healthy environment we cannot have economic growth.

I often retell the story that when the walls came down in Eastern Europe, the air was so thick you could not even see the people. One of the first things they did is ask us how to clean up their air. We have made great strides, and we will continue to do that.

Yes, we have to face carbon pollution and the President is taking a stand to say he wants to preserve this planet and he is going to follow the signs. Some people have said: We do not like that. Therefore, maybe we should not vote for Gina McCarthy.

Can I just say this? The President has his policies, and you do not have to agree with them—or you can. I do. If you do not, that is fair. That is fine. But somebody has to run the Environmental Protection Agency. If you have a problem with those policies, you are going to have to go to someone who is intelligent and wise and bipartisan in nature to talk to, and Gina McCarthy is one of those people.

This is the second time Gina McCarthy has been nominated for a top position at the EPA. She was confirmed by the Senate for her current position, which is the Assistant Administrator for the Office of Air and Radiation, without one “no” vote. Let me reiterate that. No one stood up and said no. Everyone supported her.

The Senate Environment and Public Works Committee reported out her nomination on May 16. It is July. This is the longest period that EPA has ever gone without an Administrator, and the full Senate should confirm this nominee as soon as possible.

When I say Gina McCarthy is the poster child for bipartisanship, I mean what I say. She has over three decades of public service at the local, State, and Federal levels. She has demonstrated a record of working with Republicans and Democrats. Let me just run through the Republicans: The Republican Governor of Connecticut Jodi Rell, four Republican Governors of Massachusetts, William Weld, Paul Cellucci, Jane Swift, and Mitt Romney;

and then a Democratic President, Barack Obama.

Let's look at what former Republican Governor Jane Swift said about Gina McCarthy in an opinion piece that ran in the Boston Globe. Remember, this is a former Republican Governor. She said:

Gina McCarthy . . . would bring competence, fairness and bipartisanship to Washington. . . .

And:

McCarthy's track record of accomplishment and her collaborative, pragmatic approach to policymaking are the reason she enjoys such [strong] support.

This former Republican Governor goes on to say:

[T]he Senate has an immediate opportunity to strike a blow for good government and bureaucratic competence by swiftly approving McCarthy's nomination.

The title of Governor Swift's article in support of Gina reads, “A qualified nominee for the EPA.” This was written on May 23, 2013.

Christine Todd Whitman—we all know her, she was the former EPA Administrator, a Republican—called for a fair confirmation process.

You can look at 59 businesses, health officials, environmental organizations, scientists—they all support Gina McCarthy. For example, Dr. Georges Benjamin, Executive Director of the American Public Health Association, said:

Ms. McCarthy has been a true champion for public health and has consistently demonstrated her leadership in developing sensible safeguards to protect the public's health from pollution. . . . [She] is well respected by both the public health community and industry and has a solid record of working across the aisle with Democrats and Republicans. . . .

That is a very strong statement. Then there is Gloria Bergquist, vice president of the Alliance of Automobile Manufacturers. Here is an EPA Administrator nominee getting the support of the vice president of the Alliance of Automobile Manufacturers. That is a rarity. This is what she said:

She's a pragmatic policymaker. She has aspirational environmental goals, but she accepts real-world economics.

That is why this nominee should be embraced by everyone. Yes, she has aspirational environmental goals for her grandchildren—someday when she has them—she wants them to breathe clean air and so on, drink clean water, but she understands the pragmatics that go into making policy. I believe Gina will lead the EPA to transparency, she will follow the science and the law, and, yes, she will be straight from the shoulder and she will tell Republicans and Democrats alike how she sees the issue; when we do not agree, how we can reach agreement. By the way, Gina has answered more than 1,000 questions from Republicans on the EPW employment.

The EPA has provided extensive information to Members of the Senate in connection with this nomination. This

is the longest the EPA has gone without an Administrator. How is this the right thing to do? This is the United States of America. This President deserves to have his people in place the same as a Republican President.

Gina McCarthy has a deep understanding that the health and safety of the American people and a growing economy go hand in hand. She will lead the EPA in a manner consistent with her past track record of success.

From my perspective, approving Gina McCarthy to head the EPA is a very important step toward helping the health of our children as well as future generations, and that is our most sacred obligation. We need her strong bipartisan approach to lead the EPA.

It is no great secret that in this last election both parties were fighting for the votes of women. It was a knock-down, drag-out battle. The Democrats won the women's vote, which helped to elect President Obama—by a lot. The Republicans said: You know what, we have to change, we have to reach out. This is their chance.

This woman deserves a promotion. There is nothing in her record that should make anyone fear her. She is a good woman and a hard-working person. She has won unanimous support from this body before, and there is no reason why we should not confirm her.

I am going to continue to speak out for Gina. I really do believe my colleagues are hearing the truth about Gina. I think they are getting the message that she is quite bipartisan. She has strong support in the business community as well as among scientists and others in the health community.

I am very hopeful, first of all, that there will not be a filibuster. This woman deserves an up-or-down vote. Secondly, my colleagues will think long and hard, and they will agree with so many Republican lawmakers and former Governors who served with Gina and will stand up and say: She is a good woman and deserves this promotion.

I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BLUMENTHAL. 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. BLUMENTHAL. Mr. President, I wish to thank my colleague from California Senator BOXER for her very eloquent and powerful words on behalf of my client and friend Gina McCarthy and her appointment as Administrator of the EPA. I don't make any pretense of matching the persuasiveness of her statement on behalf of Gina McCarthy, but I am going to be speaking throughout this week and for as long as it takes about Gina McCarthy because she is not only a client and friend, she is a consummate public servant and environmental protector.

I have known Gina McCarthy for many years. In fact, I was her lawyer, which is why I say she was a client. As her lawyer, as attorney general of the State, she became a friend, not just because of her personal qualities of integrity and intelligence but because of her professionalism as an environmental protector who has sought always to recognize the need for a balance between environmental activism and economic growth. She recognizes a balance involving ardent and passionate protection of environmental values as much as anyone could possibly bring to this task. She also brings a willingness to listen, a willingness to hear all sides and consider all facts and, in fact, act as a passionate fact finder and lawyer as well as someone who respects the letter and spirit of the law.

I wish to speak to my colleagues about her respect for the law. It isn't just the letter of the law she follows; it is the spirit and intent of the legislature. I think that is important and should be important to this body because she has reflected throughout her career, working for two Republican Governors in Massachusetts and Connecticut, her dedication to public interests and to the legislative intent of the laws she fulfills.

She is truly an environmental protector for all seasons. She is a woman for all seasons and a public servant for all seasons. Over the years we worked together she was consistently tough, fair, and smart as an environmental law enforcer. She recognized the need to balance environmental activism with economic growth, and she also understood that the two are almost always mutually supportive.

I am proud and delighted she has demonstrated her willingness to assume this critical position and to face the kind of difficult path this confirmation process has imposed. Achieving confirmation, which I actively support, should be truly bipartisan. Blocking a vote on her nomination is disappointing and destructive. It is paralyzing partisan gamesmanship at its worst.

My former colleague is well respected in the environmental and business community in my State of Connecticut and around the country for her dedication to listening and developing public leadership and practical solutions to environmental challenges. She protects environmental values and policies while enhancing economic opportunity. She is no foe of the business community or economic progress and job creation. In fact, she sees how protecting economic values is complementary and supportive to environmental activism.

The President couldn't have picked a more qualified person to lead the EPA at this critical time. The combination of her experience, intelligence, energy, and unquestioned expertise will make Gina McCarthy an effective EPA Administrator. She has a deep understanding that the health and safety of the American people depends on clean

air and clean water. The American people, more than ever, understand that fact. She is the right person for this job at this time.

I urge my colleagues to move forward with her confirmation, to avoid obstructionist tactics, and to embrace this nomination as good for all of the American people, for all of the interests she has sought to represent. I urge us to move forward as quickly as possible so this critical agency will have the kind of leadership that is so important at this point in our history.

I urge my colleagues to support my friend and the President's choice to lead the EPA. I assure my colleagues they will not be disappointed.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. 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.

#### MORNING BUSINESS

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

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

#### TRIBUTE TO RONALD L. FANN

Mr. REID. Mr. President, I rise today in recognition of the service of Ronald L. Fann, who will be retiring August 1, 2013, after 42 years of dedicated service to the Federal Government. Mr. Fann demonstrated great dedication to enhancing the safety and security of the U.S. Senate, its staff, and visitors.

Mr. Fann began his career in 1969, as a military intelligence officer in the U.S. Army, where he performed counterintelligence operations against East Germany and the Soviet Union. He continued his intelligence work in Germany as a U.S. Army civilian, protecting our Nation during the height of the Cold War, serving in Bremerhaven and Frankfurt. Mr. Fann went on to work at the Pentagon for the U.S. Army Assistant Chief of Staff for Intelligence, supervising intelligence operations worldwide.

In 1986 Mr. Fann was assigned to an important classified program that supported the Nation's national security and emergency preparedness operations. During his 27-year assignment to this project, he was appointed to the National Security Agency's Senior Cryptologic Executive Service in 1991, serving as its deputy and later as program director.

Mr. Fann is a proud Texas A&M Aggie alumnus and a graduate of the National War College.

I commend Mr. Fann's contributions and longstanding career in public service. I, along with my colleagues from

both sides of the aisle, congratulate him on his well-earned retirement and wish him all the best in his future endeavors.

#### WASHAKIE COUNTY, WYOMING

Mr. BARRASSO. Mr. President, it is my pleasure to honor the residents of Washakie County, WY as they celebrate their Centennial.

Located in northern Wyoming, and nestled in the Big Horn Basin, Washakie County is a great place to live and work. Nearly 8,500 residents call Ten Sleep and Worland and the surrounding rural areas home. This unique county offers a glimpse into Wyoming's traditions and proud culture.

Washakie County got its start when Wyoming Gov. Joseph M. Carey signed the enabling act on April 19, 1911. Worland was chosen over Ten Sleep in the election for county seat in November 1912 by a vote of 582 to 245. County officers took their positions to launch the county in January 1913.

Washakie County was named for the head chief of the Shoshone people, Chief Washakie. He was so important to our State and Nation that Wyoming chose to commemorate his leadership by placing a sculpture of him by Dave McGary in the U.S. Capitol Visitor Center's Emancipation Hall.

World-class archaeological sites are plentiful throughout the Big Horn Basin. Worland boasts one of the finest interpretive centers for geology, archaeology, and paleontology at the Washakie Museum and Cultural Center. Exhibits portray the historical people first inhabiting Wyoming's northern area. The Colby Mammoth Site near the Big Horn River contained some of the earliest known evidence of human activity in the Cowboy State. One of Washakie County's most famous citizens is George Frison. This world-renowned archeologist began a lifelong love of archeology when he found stone tools, rock shelters, and rock art on his family ranch near Ten Sleep. His study of the prehistoric hunters of the high plains earned him a place on the National Academy of Sciences.

In the past 100 years, Washakie County has seen a variety of industries thrive and evolve. Agriculture has long been the backbone of the area. Pioneering irrigation districts made it possible for hard-working operations to survive off the Big Horn River, fed by Wyoming's steep mountain snow runoff. Farmers spend their summer tending to the fields for a variety of crops, including barley for the hops component in MillerCoors and Budweiser products. A number of farms produce sugar beets that are processed by Wyoming Sugar Company LLC, which is owned by producer-investors. Other crops grown in the area include alfalfa, beans, beets, and corn.

Residents of Washakie County have worked hard to ensure a healthy relationship between energy, natural re-

sources, and agriculture. Oil reserves were discovered as far back as 1914. Coal bed methane has also boomed over the years, helping the United States move toward our goal of energy independence. Bentonite is abundant throughout the Basin, helping make Wyoming the leading bentonite supplier in the world.

Ten Sleep currently holds the honor of Wyoming's "Best Tasting Drinking Water" proclaimed by the Wyoming Association of Rural Water Systems. Water from the Madison Aquifer is not only bragged about, it also provides the opportunity for a niche industry. Relied upon for decades by local farmers and ranchers, Aquavista 100% Pure Artesian Drinking Water is bottled locally. Admiral Beverage Corporation also utilizes the water source. Operations began in Worland in 1945 and they have become the primary supplier of carbonated soft drinks throughout the region.

Washakie County welcomes all adventure seekers, young and old. In the winter, the Meadowlark Ski Lodge hosts skiers and snowboards within the boundaries of the Big Horn National Forest. Endless recreation opportunities can be found on over 900,000 acres of Bureau of Land Management public land access, including hunting, fishing, hiking, horseback riding, rock climbing, photography, and wildlife watching. In fact, you can still observe horses roaming the rolling hills and rugged canyons and badlands within the Fifteenmile Herd Management Area, established in 1985. US highway 16's Scenic Byway is an ideal route for travelers headed to Yellowstone. The majestic vistas, seen while driving through Ten Sleep Canyon, are unparalleled.

It is an honor to recognize the residents of Washakie County as they celebrate their 100th anniversary. This year, the Washakie County Centennial Committee has planned a countywide celebration on July 12 and 13 to commemorate this milestone. A committee of dedicated citizens spearheaded this celebration and deserves recognition. A big thank you goes to Cheri Shelp, Dustin Fuller, Lauree Schmeltzer, Phyllis Lewis, Bert Bresach, Linda Abell, and Sherryl Ferguson. I invite my colleagues to visit the communities of Washakie County. The county's rich heritage, geological wonders, and genuine cowboy hospitality provide a truly wonderful experience to visitors from all over the world.

#### ADDITIONAL STATEMENTS

##### TRIBUTE TO KRYS BART

• Mr. HELLER. Mr. President, today I wish to recognize Kryns Bart, president and CEO for the Reno-Tahoe Airport Authority. After 14 years as president and CEO of the Reno-Tahoe Airport Authority and directing operations at Reno-Tahoe International Airport,

RNO, Kryns is retiring. She has demonstrated commendable leadership during her tenure and service to the people of the State of Nevada.

As the principal director of Reno-Tahoe International Airport, Kryns has established a reputation for efficiency and excellence. Her role required her to manage a multi-million dollar budget, and under her leadership, Reno-Tahoe International Airport has twice been recognized by the Air Transport Research Society as one of the five most efficient airports in North America. She was named the 2007 Airport Director of the Year by the Airport Revenue News Magazine, and her dedication to the aviation industry has earned her the Distinguished Service Award from the American Association of Airport Executives, AAAE.

Her dedication as a business executive is no less impressive. In 2004, Kryns was named one of the seven most respected CEOs in Nevada by the Nevada Business Journal, and was inducted into the Reno Business Leaders Hall of Fame the following year. Kryns is also heavily involved in her local community, serving on the board of directors for the Economic Development Authority of Western Nevada, as well as on the Nevada Humane Society Board.

I want to thank Kryns for her many lasting contributions to aviation and air travel in the State of Nevada, as well as for her dedicated efforts in business and community development. I congratulate her on the special occasion of her retirement, and join with all Nevadans in wishing her many successful and fulfilling years to come.●

#### MESSAGES FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under the authority of the order of the Senate of January 3, 2013, the Secretary of the Senate, on June 28, 2013, during the adjournment of the Senate, received a message from the House of Representatives announcing that the House has agreed to the following concurrent resolution, without amendment;

S. Con. Res. 19. Concurrent resolution providing for a conditional adjournment or recess of the Senate and an adjournment of the House of Representatives.

##### ENROLLED BILLS SIGNED

Under the authority of the order of the Senate of January 3, 2013, the Secretary of the Senate, on June 28, 2013, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker has signed the following enrolled bills:

H.R. 324. An act to grant the Congressional Gold Medal, collectively, to the First Special Service Force, in recognition of its superior service during World War II.

H.R. 1151. An act to direct the Secretary of State to develop a strategy to obtain observer status for Taiwan at the triennial International Civil Aviation Organization Assembly, and for other purposes.

H.R. 2383. An act to designate the new Interstate Route 70 bridge over the Mississippi River connecting St. Louis, Missouri, and southwestern Illinois as the "Stan Musial Veterans Memorial Bridge".

Under authority of the order of the Senate of January 3, 2013, the enrolled bills were signed on July 2, 2013, during the adjournment of the Senate, by the Acting President pro tempore (Mr. REED).

#### MESSAGE FROM THE HOUSE

At 2:03 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1613. An act to amend the Outer Continental Shelf Lands Act to provide for the proper Federal management and oversight of transboundary hydrocarbon reservoirs, and for other purposes.

H.R. 1864. An act to amend title 10, United States Code, to require an Inspector General investigation of allegations of retaliatory personnel actions taken in response to making protected communications regarding sexual assault.

H.R. 1960. An act to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

H.R. 2231. An act to amend the Outer Continental Shelf Lands Act to increase energy explorations and production on the Outer Continental Shelf, provide for equitable revenue sharing for all coastal States, implement the reorganization of the functions of the former Minerals Management Service into distinct and separate agencies, and for other purposes.

#### MEASURES REFERRED

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

H.R. 1613. An act to amend the Outer Continental Shelf Lands Act to provide for the proper Federal management and oversight of transboundary hydrocarbon reservoirs, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 1864. An act to amend title 10, United States Code, to require an Inspector General investigation of allegations of retaliatory personnel actions taken in response to making protected communications regarding sexual assault; to the Committee on Armed Services.

H.R. 2231. An act to amend the Outer Continental Shelf Lands Act to increase energy exploration and production on the Outer Continental Shelf, provide for equitable revenue sharing for all coastal States, implement the reorganization of the functions of the former Minerals Management Service into distinct and separate agencies, and for other purposes; to the Committee on Energy and Natural Resources.

#### MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 1960. An act to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities

of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

#### EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-2184. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting the report of two (2) officers authorized to wear the insignia of the grade of brigadier general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-2185. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting the report of four (4) officers authorized to wear the insignia of the grade of major general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-2186. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, a semiannual report entitled, "Acceptance of Contributions for Defense Programs, Projects, and Activities; Defense Cooperation Account"; to the Committee on Armed Services.

EC-2187. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 13441 with respect to Lebanon; to the Committee on Banking, Housing, and Urban Affairs.

EC-2188. A communication from the Associate Director, Office of Foreign Assets Control, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Technical Amendments to Counterterrorism Sanctions Regulations Implemented by OFAC" (31 CFR Parts 594, 595, and 597) received during adjournment of the Senate in the Office of the President of the Senate on July 2, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC-2189. A communication from the Senior Vice President and Chief Accounting Officer, Federal Home Loan Bank of Dallas, transmitting, pursuant to law, the Bank's management report for fiscal year 2012; to the Committee on Banking, Housing, and Urban Affairs.

EC-2190. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Patient Protection and Affordable Care Act; Exchange Functions: Eligibility for Exemptions; Miscellaneous Minimum Essential Coverage Provisions" (RIN0938-AR68) received in the Office of the President of the Senate on June 26, 2013; to the Committee on Finance.

EC-2191. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13-042); to the Committee on Foreign Relations.

EC-2192. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to sections 36(c) and 36(d) of the Arms Export Control Act (DDTC 13-087); to the Committee on Foreign Relations.

EC-2193. A communication from the Secretary of Education, transmitting, pursuant to law, the report of a rule entitled "Federal Pell Grant Program" (RIN1840-AD11) received during adjournment of the Senate in the Office of the President of the Senate on

June 28, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-2194. A communication from the Program Manager, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Privacy Act, Exempt Record System; Implementation" (45 CFR Part 5b) received during adjournment of the Senate in the Office of the President of the Senate on June 28, 2013; to the Committee on Health, Education, Labor, and Pensions.

EC-2195. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Report to Congress on Traumatic Brain Injury in the United States: Understanding the Public Health Problem among Current and Former Military Personnel"; to the Committee on Health, Education, Labor, and Pensions.

EC-2196. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled, "Audit of the Accrued Sick and Safe Leave Act of 2008"; to the Committee on Homeland Security and Governmental Affairs; to the Committee on Homeland Security and Governmental Affairs.

EC-2197. A communication from the Secretary of Housing and Urban Development, transmitting, pursuant to law, the Department's fiscal year 2012 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-2198. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report entitled "Federal Voting Assistance Program's (FVAP) 2012 Post-Election Report to Congress"; to the Committee on Rules and Administration.

#### 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. FRANKEN (for himself, Mr. SCHATZ, and Mr. DURBIN):

S. 1269. A bill to amend the Workforce Investment Act of 1998 to support community college and industry partnerships, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

#### ADDITIONAL COSPONSORS

S. 194

At the request of Mr. DURBIN, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 194, a bill to amend the Internal Revenue Code of 1986 to provide tax rate parity among all tobacco products, and for other purposes.

S. 346

At the request of Mr. TESTER, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 346, a bill to amend title 10, United States Code, to permit veterans who have a service-connected, permanent disability rated as total to travel on military aircraft in the same manner and to the same extent as retired members of the Armed Forces entitled to such travel.



S. 373

At the request of Mrs. SHAHEEN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 373, a bill to amend titles 10, 32, 37, and 38 of the United States Code, to add a definition of spouse for purposes of military personnel policies and military and veteran benefits that recognizes new State definitions of spouse.

S. 397

At the request of Mr. NELSON, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 397, a bill to posthumously award a Congressional Gold Medal to Lena Horne in recognition of her achievements and contributions to American culture and the civil rights movement.

S. 398

At the request of Ms. COLLINS, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 398, a bill to establish the Commission to Study the Potential Creation of a National Women's History Museum, and for other purposes.

S. 422

At the request of Mr. BLUMENTHAL, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 422, a bill to amend the Department of Veterans Affairs Health Care Programs Enhancement Act of 2001 and title 38, United States Code, to require the provision of chiropractic care and services to veterans at all Department of Veterans Affairs medical centers and to expand access to such care and services, and for other purposes.

S. 462

At the request of Mrs. BOXER, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 462, a bill to enhance the strategic partnership between the United States and Israel.

S. 541

At the request of Ms. LANDRIEU, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 541, a bill to prevent human health threats posed by the consumption of equines raised in the United States.

S. 602

At the request of Mr. TESTER, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 602, a bill to amend the Public Health Service Act to provide for the participation of physical therapists in the National Health Service Corps Loan Repayment Program, and for other purposes.

S. 623

At the request of Mr. CARDIN, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 623, a bill to amend title XVIII of the Social Security Act to ensure the continued access of Medicare beneficiaries to diagnostic imaging services.

S. 635

At the request of Mr. BROWN, the names of the Senator from New Mexico

(Mr. UDALL) and the Senator from Minnesota (Mr. FRANKEN) were added as cosponsors of S. 635, a bill to amend the Gramm-Leach-Bliley Act to provide an exception to the annual written privacy notice requirement.

S. 669

At the request of Mr. PRYOR, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 669, a bill to make permanent the Internal Revenue Service Free File program.

S. 731

At the request of Mr. MANCHIN, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 731, a bill to require the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, and the Office of the Comptroller of the Currency to conduct an empirical impact study on proposed rules relating to the International Basel III agreement on general risk-based capital requirements, as they apply to community banks.

S. 734

At the request of Mr. NELSON, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 734, a bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation.

S. 769

At the request of Mr. DURBIN, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 769, a bill to designate as wilderness certain Federal portions of the red rock canyons of the Colorado Plateau and the Great Basin Deserts in the State of Utah for the benefit of present and future generations of people in the United States.

S. 813

At the request of Mrs. SHAHEEN, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 813, a bill to require that Peace Corps volunteers be subject to the same limitations regarding coverage of abortion services as employees of the Peace Corps with respect to coverage of such services, and for other purposes.

S. 878

At the request of Mr. FRANKEN, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 878, a bill to amend title 9 of the United States Code with respect to arbitration.

S. 892

At the request of Mr. KIRK, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 892, a bill to amend the Iran Threat Reduction and Syria Human Rights Act of 2012 to impose sanctions with respect to certain transactions in foreign currencies, and for other purposes.

S. 896

At the request of Mr. BEGICH, the name of the Senator from Hawaii (Mr.

SCHATZ) was added as a cosponsor of S. 896, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

S. 934

At the request of Mr. MERKLEY, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 934, a bill to amend the Fair Labor Standards Act of 1938 regarding reasonable break time for nursing mothers.

S. 993

At the request of Mr. CORNYN, the name of the Senator from Wisconsin (Mr. JOHNSON) was added as a cosponsor of S. 993, a bill to authorize and request the President to award the Medal of Honor to James Megellas, formerly of Fond du Lac, Wisconsin, and currently of Colleyville, Texas, for acts of valor on January 28, 1945, during the Battle of the Bulge in World War II.

S. 1084

At the request of Mr. UDALL of Colorado, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 1084, a bill to amend the Energy Policy and Conservation Act to establish the Office of Energy Efficiency and Renewable Energy as the lead Federal agency for coordinating Federal, State, and local assistance provided to promote the energy retrofitting of schools.

S. 1114

At the request of Mr. BROWN, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 1114, a bill to provide for identification of misaligned currency, require action to correct the misalignment, and for other purposes.

S. 1130

At the request of Mr. MERKLEY, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 1130, a bill to require the Attorney General to disclose each decision, order, or opinion of a Foreign Intelligence Surveillance Court that includes significant legal interpretation of section 501 or 702 of the Foreign Intelligence Surveillance Act of 1978 unless such disclosure is not in the national security interest of the United States and for other purposes.

S. 1159

At the request of Mrs. MURRAY, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 1159, a bill to amend the Equal Credit Opportunity Act to prohibit discrimination on account of sexual orientation or gender identity when extending credit.

S. 1163

At the request of Mr. CARPER, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 1163, a bill to amend the Internal Revenue Code of 1986 to include automated fire sprinkler system retrofits as section 179 property and classify certain automated fire sprinkler system retrofits as 15-year property for purposes of depreciation.

S. 1181

At the request of Mr. MENENDEZ, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1181, a bill to amend the Internal Revenue Code of 1986 to exempt certain stock of real estate investment trusts from the tax on foreign investments in United States real property interests, and for other purposes.

S. 1195

At the request of Mr. BARRASSO, the names of the Senator from Oklahoma (Mr. INHOFE) and the Senator from Idaho (Mr. RISCH) were added as cosponsors of S. 1195, a bill to repeal the renewable fuel standard.

S. 1211

At the request of Mrs. BOXER, the names of the Senator from Massachusetts (Ms. WARREN) and the Senator from Montana (Mr. TESTER) were added as cosponsors of S. 1211, a bill to amend title 38, United States Code, to prohibit the use of the phrases GI Bill and Post-9/11 GI Bill to give a false impression of approval or endorsement by the Department of Veterans Affairs.

S. 1215

At the request of Mr. LEAHY, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 1215, a bill to strengthen privacy protections, accountability, and oversight related to domestic surveillance conducted pursuant to the USA PATRIOT Act and the Foreign Intelligence Surveillance Act of 1978.

S. 1238

At the request of Mr. REED, the names of the Senator from California (Mrs. FEINSTEIN) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. 1238, a bill to amend the Higher Education Act of 1965 to extend the current reduced interest rate for undergraduate Federal Direct Stafford Loans for 1 year, to modify required distribution rules for pension plans, and for other purposes.

S. 1241

At the request of Mr. MANCHIN, the names of the Senator from Ohio (Mr. PORTMAN) and the Senator from Missouri (Mr. BLUNT) were added as cosponsors of S. 1241, a bill to establish the interest rate for certain Federal student loans, and for other purposes.

S. 1256

At the request of Mrs. FEINSTEIN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1256, a bill to amend the Federal Food, Drug, and Cosmetic Act to preserve the effectiveness of medically important antimicrobials used in the treatment of human and animal diseases.

S. RES. 164

At the request of Mr. UDALL of Colorado, the name of the Senator from Nevada (Mr. REID) was added as a cosponsor of S. Res. 164, a resolution designating October 30, 2013, as a national day of remembrance for nuclear weapons program workers.

## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. FRANKEN (for himself, Mr. SCHATZ, and Mr. DURBIN):

S. 1269. A bill to amend the Workforce Investment Act of 1998 to support community college and industry partnerships, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. FRANKEN. Mr. President, I rise to speak about legislation that I am introducing called the Community College to Career Fund Act. This legislation is aimed at closing what is called the skills gap—the gap between the skills that businesses need to fill open positions, and the skills that workers have. Closing the skills gap will mean more Americans get jobs and businesses get the workforce they need. It is key to the future prosperity and economic competitiveness of our Nation.

When I travel around Minnesota and talk to employers, the single biggest thing they tell me they need is a workforce capable of handling the jobs of the 21st century. Finding qualified employees is particularly a problem for our manufacturers. Recent surveys in Minnesota show that 1/3 to 1/2 of manufacturers have job openings that they can't fill. They want to hire people, but they can't, because they can't find employees with the skills they need.

Meanwhile, unemployment continues to be far too high. With so many Americans still looking for jobs, and employers seeking to fill open positions, this is a problem that we have to solve.

Minnesota and many other States are working to address this problem by bringing businesses and community colleges together. There is a lot we can learn from these efforts, and my legislation supports and builds on what has been working in Minnesota.

Take, for example, Hennepin Technical College in Minnesota. Local manufacturers have joined with Hennepin Tech to form the M-Powered Program, which trains students in manufacturing skills so they can fill open jobs. When I met with them recently, they told me that 93 percent of the program's nearly 300 graduates have permanent jobs. That is a program that's working.

In Alexandria, MN, businesses and community colleges have been working together for years and offer another powerful example of success. Douglas County is like the Silicon Valley of packaging machines, and businesses there work with Alexandria Technical and Community College, which is ranked one of the best in the country. The manufacturers have donated machinery to train the students so that they can gain the skills needed for jobs at those businesses. When they graduate, students get snapped up by one of the companies. In fact, at the height of the recession in 2009–2010, Douglas County's unemployment rate was a good 3 points lower than the rest of the State.

There is the Right Skills Now program, which is a partnership between

the Manufacturing Institute, ACT, the National Institute of Metalworking Skills and the President's Job council. This program started as a pilot program in Minnesota, and has since expanded to Nevada and Michigan. I visited the program at South Central College in Faribault, MN, and held a roundtable with participating businesses. I asked each of them how many jobs they were ready to hire for, and between them, there were 40 or 50 jobs that needed to be filled. There were only 17 students in the first term that this program was offered, and the numbers are obviously in those students' favor to find a job.

There are many other examples of this approach working in Minnesota, as well as across the country. It is happening in Rochester, Brainerd, and Duluth, Minnesota. The Employment and Workplace Safety Subcommittee of the HELP Committee held a hearing last year where we heard about four great examples of these partnerships from all over the country. This approach is putting Americans back to work and helping businesses grow nationwide, and we need to support those efforts.

That is exactly what my bill would do. It would create a Community College to Career Fund, which would offer competitive grants for partnerships between businesses and community colleges aimed at closing the skills gap. The partnerships would compete by demonstrating how they would fill in-demand jobs.

This bill rewards what works, giving flexibility for the partnerships to determine the strategy that best fits their needs, including apprenticeships, paid internships, partnerships with high schools, or updating training equipment. My bill also leverages private investments, rewarding those partnerships that bring outside resources to the table.

I hear all the time from businesses that are desperate to hire people, if only they could find the right talent. This is a tremendous opportunity to get Americans back to work by helping them get the skills that they need. The Community College to Career Fund Act would seize that opportunity, allow our businesses to grow and expand, and position our workforce, and our country, for prosperity into the future. I urge my colleagues to support this bill.

## NOTICES OF HEARINGS

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in executive session on Wednesday, July 10, 2013, at 10 a.m. in room 430 of the Dirksen Senate Office Building to mark-up S. 815, Employment Non-Discrimination Act of 2013 and any nominations cleared for action.

For further information regarding this meeting, please contact the Committee at (202) 224-5375.

COMMITTEE ON ENERGY AND NATURAL  
RESOURCES

Mr. WYDEN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Senate Committee on Energy and Natural Resources. The hearing will be held on Thursday, July 11, 2013, at 9:30 a.m., in room 366 of the Dirksen Senate Office Building.

The purpose of the hearing is to consider S. 1237, the Omnibus Territories Act.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, D.C. 20510-6150, or by e-mail to danielle\_deraney@energy.senate.gov.

For further information, please contact Isaiah Akin at (202) 224-5360 or Danielle Deraney at (202) 224-1219.

COMMITTEE ON ENERGY AND NATURAL  
RESOURCES

Mr. WYDEN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Senate Committee on Energy and Natural Resources. The hearing will be held on Tuesday, July 16, 2013, at 10 a.m., in room SD-366 of the Dirksen Senate Office Building.

The purpose of this oversight hearing is to explore how U.S. gasoline and fuel prices are being affected by the current boom in domestic oil production and the restructuring of the U.S. refining industry and distribution system.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, D.C. 20510-6150, or by e-mail to Lauren\_Goldschmidt@energy.senate.gov.

For further information, please contact Dave Berick at (202) 224-2209 or Lauren Goldschmidt at (202) 224-5488.

## SUBCOMMITTEE ON WATER AND POWER

Mr. WYDEN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on Water and Power of the Committee on Energy and Natural Resources. The hearing will be held on Tuesday, July 16, 2013, at 2:30 p.m., in room SD-366 of the Dirksen Senate Office Building.

The purpose of this hearing is to receive testimony on the Bureau of Reclamation's Colorado River Basin Water Supply and Demand Study.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy

and Natural Resources, United States Senate, Washington, D.C. 20510-6150, or by e-mail to John\_Assini@energy.senate.gov.

For further information, please contact Sara Tucker at (202) 224-6224 or John Assini at (202) 224-9313.

## PRIVILEGES OF THE FLOOR

Mr. HARKIN. Mr. President, I ask unanimous consent that Rachel Murphy, Alexandra Pena, and Lissandra Villa of my staff be granted floor privileges for the duration of today's session.

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

ORGANIZATION OF AMERICAN  
STATES REVITALIZATION AND  
REFORM ACT OF 2013

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 87, S. 793.

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

The legislative clerk read as follows:

A bill (S. 793) to support revitalization and reform of the Organization of American States, and for other purposes.

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

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

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

The bill (S. 793) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 793

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

## SECTION 1. SHORT TITLE.

This Act may be cited as the "Organization of American States Revitalization and Reform Act of 2013".

## SEC. 2. FINDINGS.

Congress makes the following findings:

(1) The Charter of the Organization of American States recognizes that—

(A) representative democracy is indispensable for the stability, peace, and development of the Western Hemisphere; and

(B) a purpose of the Organization of American States is to promote and consolidate representative democracy, with due respect for the principle of nonintervention.

(2) The United States supports the purposes and principles enshrined in—

(A) the Charter of the Organization of American States;

(B) the Inter-American Democratic Charter; and

(C) the American Declaration on the Rights and Duties of Man.

(3) The United States supports the Organization of American States in its efforts with all member states to meet our commitments under the instruments set forth in paragraph (2).

(4) Congress supports the Organization of American States as it operates in a manner

consistent with the Inter-American Democratic Charter.

## SEC. 3. STATEMENT OF POLICY.

It is the policy of the United States—

(1) to promote democracy and the rule of law throughout the Western Hemisphere;

(2) to promote and protect human rights and fundamental freedoms in the Western Hemisphere; and

(3) to support the practices, purposes, and principles expressed in the Charter of the Organization of American States, the American Declaration on the Rights and Duties of Man, the Inter-American Democratic Charter, and other fundamental instruments of democracy.

## SEC. 4. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the Organization of American States (OAS) should be the primary multi-lateral diplomatic entity for regional dispute resolution and promotion of democratic governance and institutions;

(2) the OAS is a valuable platform from which to launch initiatives aimed to benefit the countries of the Western Hemisphere;

(3) the Summit of the Americas institution and process embodies a valuable complement to regional dialogue and cooperation;

(4) the Summit of the Americas process should be formally and more effectively integrated into the work of the OAS, the Inter-American Development Bank, and other Members of the Joint Summit Working Group, and the OAS should play a central role in overseeing and managing the Summit process;

(5) the OAS General Assembly and the Summit of the Americas events should be combined geographically and chronologically in the years in which they coincide;

(6) to ensure an appropriate balance of priorities, the OAS should review its core functions no less than annually and seek opportunities to reduce the number of mandates not directly related to its core functions;

(7) key OAS strengths lie in strengthening peace and security, promoting and consolidating representative democracy, regional dispute resolution, election assistance and monitoring, fostering economic growth and development cooperation, facilitating trade, addressing migration, combating illicit drug trafficking and transnational crime, and support for the Inter-American Human Rights System;

(8) the core competencies referred to in paragraph (7) should remain central to the strategic planning process of the OAS and the consideration of future mandates;

(9) any changes to OAS mandates should be accepted by the member states only after an analysis is conducted and formally presented consisting of a calculation of the financial costs associated with the mandate, an assessment of the comparative advantage of the OAS in the implementation of the mandate, and a description of the ways in which the mandate advances the organization's core mission;

(10) any new mandates should include, in addition to the analysis described in paragraph (9), an identification of the source of funding to be used to implement the mandate;

(11) the OAS would benefit from enhanced coordination between the OAS and the Inter-American Development Bank on issues that relate to economic development;

(12) the OAS would benefit from standard reporting requirements for each project and grant agreement; and

(13) the OAS would benefit from effective implementation of—

(A) transparent and merit-based human resource standards and processes; and

(B) transparent hiring, firing, and promotion standards and processes, including

with respect to factors such as gender and national origin.

**SEC. 5. ORGANIZATION OF AMERICAN STATES REVITALIZATION AND REFORM STRATEGY.**

(a) STRATEGY.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a multiyear strategy that—

(A) identifies a path toward the adoption of necessary reforms that prioritize and reinforce the OAS's core competencies described in section 4(7);

(B) outlines an approach to secure from the OAS effective adoption of—

(i) a results-based budgeting process in order to strategically prioritize, and where appropriate, reduce current and future mandates; and

(ii) transparent hiring, firing, and promotion practices; and

(C) reflects the inputs and coordination from other Executive Branch agencies, as appropriate.

(2) POLICY PRIORITIES AND COORDINATION.—The Secretary of State shall—

(A) carry out diplomatic engagement to build support for reforms and budgetary burden sharing among OAS member states and observers;

(B) promote donor coordination among OAS member states; and

(C) help set priorities for the OAS.

(b) BRIEFINGS.—The Secretary of State shall offer to the committees referred to in subsection (a)(1) a quarterly briefing that—

(1) reviews assessed and voluntary contributions;

(2) analyzes the progress made by the OAS to adopt and effectively implement a results-based budgeting process in order to strategi-

cally prioritize, and where appropriate, reduce current and future mandates;

(3) analyzes the progress made by the OAS to adopt and effectively implement transparent and merit-based human resource standards and practices and transparent hiring, firing, and promotion standards and processes, including with respect to factors such as gender and national origin;

(4) analyzes the progress made by the OAS to adopt and effectively implement a practice of soliciting member quotas to be paid on a schedule that will improve the consistency of its operating budget; and

(5) analyzes the progress made by the OAS to review, streamline, and prioritize mandates to focus on core missions and make efficient and effective use of available funding.

**ORDERS FOR TUESDAY, JULY 9, 2013**

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Tuesday, July 9, 2013; 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 the majority leader then be recognized and that following the remarks of the two leaders, the time until 11 a.m. be equally divided and controlled between the two leaders or their designees, with Senators permitted to speak therein for up to 10 minutes each, with the majority controlling the first half and the Republicans controlling the second half; further, that at 11 a.m. the Senate pro-

ceed to executive session to consider Calendar No. 97, the nomination of Jennifer Dorsey to be a U.S. district judge for the District of Nevada, and that there be 1 hour of debate equally divided and controlled in the usual form and all other provisions of the previous order remain in effect; and finally, that the Senate recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly caucus meetings.

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

**PROGRAM**

Mr. REID. Mr. President, there will be a vote on the Dorsey nomination at noon tomorrow.

**ADJOURNMENT UNTIL 10 A.M. TOMORROW**

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 7:03 p.m., adjourned until Tuesday, July 9, 2013, at 10 a.m.

**CONFIRMATION**

Executive nomination confirmed by the Senate July 8, 2013:

**THE JUDICIARY**

GREGORY ALAN PHILLIPS, OF WYOMING, TO BE UNITED STATES CIRCUIT JUDGE FOR THE TENTH CIRCUIT.