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# Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. LEAHY).

## PRAYER

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

Let us pray.

Spirit of God, descend on our hearts, for apart from You life is a tale full of sound and fury signifying nothing.

May our Senators walk in Your ways, keeping Your precepts with such integrity that they will never be ashamed. Lord, incline their hearts to Your wisdom, providing them with the understanding they need to accomplish Your purposes in our world. Let Your mercy protect them from the dangers of this life, as they learn to find delight in Your commandments. Keep them ever mindful of the fewness of their days and the greatness of their work.

We pray in Your great 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.

## THANKING THE PRESIDENT PRO TEMPORE

Mr. REID. Mr. President, before the esteemed senior Senator from Vermont leaves the floor, I want to say a few words.

I appreciate the guidance and leadership my friend has given over these many years in leading the Judiciary Committee. It is a committee where most all of the legislation is funneled, and what we have focused on in recent months is the problem we have with judges.

Yesterday my friend did a remarkably good job in leading a precedent indicating the issues we have with the DC Circuit, and I so appreciate his leadership on this issue and all the other issues on which the Judiciary Committee works. It is too bad we cannot have the Judiciary Committee as it was in our earlier years in the Senate where the productivity of that committee is not thwarted by not being able to bring items to the floor.

The Judiciary Committee has a wide range of jurisdiction over matters that are so important to our country, such as our national security agencies and cyber security. There is a multitude of issues the Judiciary Committee deals with, and I wish we could be doing more legislation on the floor which comes from that committee.

I wanted to extend my appreciation to the Senator for the good work he has done, and I also want to send accolades to the people of Vermont for having this good man leading the Senate in many different ways, not the least of which is being the Senate President pro tempore.

## DRUG SAFETY

Mr. REID. Mr. President, the symptoms of fungal meningitis can be very subtle at first: headaches, fever, even light can start bothering people, as well as neckaches and backaches. The disease can also cause strokes, seizures, and even coma.

Fungal meningitis led to the death of at least 64 unfortunate Americans when they were injected with a contaminated medicine. The medicine—a steroid injection used to heal back pain—was tainted by unsanitary conditions from a facility that was masquerading as a compounding pharmacy in Massachusetts. The true compounding pharmacies provide custom-made medications for patients with unique health needs that cannot be treated by off-the-shelf prescription medicines. This practice is essential and can be critical for children, cancer patients, and people with severe allergies.

The contaminated medicine mixed at the New England Compounding Center was sent to scores of medical facilities in 23 different States and given to 14,000 patients. As I have indicated, 64 of them died and hundreds of those patients were seriously ill.

Recently a heart medication mixed at the same pharmacy was linked to the death of two young Nevada boys, ages 4 and 6, according to a lawsuit filed by their parents.

The New England Compounding Center was skirting Federal regulations and manufacturing large batches of drugs for mass distribution in very unsanitary conditions. By avoiding the safety inspections required of large-scale drug manufacturers, companies such as this one can boost profits, but in the process they risk lives.

The legislation on the floor will end that dangerous practice and ensure that patients have access to high-quality custom medications. This is not a contentious issue. On the contrary, this legislation has wide bipartisan support—led by HARKIN and ALEXANDER—and would pass by a wide margin in mere moments if not for the stall tactics by a few Republican Senators. This bill has already been delayed for more than a month because of these tactics, and Republicans continue to insist on running out the clock on this matter.

As everyone knows, if all time is required on the procedural issues, we will not be able to finish the bill until this Sunday—that includes working Saturday—and the final 30 hours won't run out until sometime on Sunday. It is time to dispense with this noncontroversial measure—a measure that will safeguard the lives of vulnerable

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

Americans, people with back pain and other maladies—and move on to other important legislative priorities.

## RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER (Mr. MARKEY). The Republican leader is recognized.

## HEALTH CARE

Mr. MCCONNELL. Mr. President, one of the favorite pastimes of politicians in Washington is to talk about how frustrated the American people are with politicians in Washington. After the past few weeks, it is easy to see why. I am talking about the President's promise, repeated dozens of times, that if you like your health care plan, you can keep it, and the sobering realization by literally millions of Americans is that it was not true.

Some of the top fact checkers in the country have used terms such as ''pants on fire'' and ''false'' and ''four Pinocchios'' to describe the claim that under ObamaCare folks would be able to keep their plans.

In a matter of weeks, it has gone from being one of the law's top selling points to a national punchline. If millions of people were not so frustrated and upset by it, it might actually be funny, but it is not the least bit funny.

At this stage about 50,000 folks are believed to have signed up for insurance on the Federal exchange—way below administration estimates. That is 50,000 folks who have signed up for insurance on the exchange, while 3.5 million Americans have lost their health care coverage. In other words, about twice as many folks have lost their insurance in the State of Idaho alone since October 1 as have obtained health insurance across the entire Federal exchange all across America. So this is a real crisis.

In my home State of Kentucky, over a quarter of a million people have lost their private health care plan so far and only about 7,000 Kentuckians have been able to obtain new private insurance under ObamaCare. If you consider that Kentucky received $250 million in taxpayer funds to get ObamaCare up and running, that works out to about $35,000 per private insurance enrollee, and that is before the taxpayer subsidies kick in.

We have literally thrown untold millions at this disastrous rollout, and what do we have to show for it? Millions of people losing their coverage despite assurances from the President they would be able to keep it. He said they would be able to keep it, period. That is what the President said.

Let's be very clear about something. These insurance cancellations are not any kind of an accident. This is no accident. It is the way the law was designed. Remember, in order for ObamaCare to work, millions of Americans had to lose the coverage they purchased on their own so the government could dump them into the ObamaCare exchanges. That way the government could then get them to pay more to subsidize coverage for everybody else. That is the way this was designed to work.

The 31-year-old dentist from Louisville whom I mentioned last week—the one who is not married, has no kids—now has to carry pediatric dental care on his plan. He is one of the unfortunate ones subsidizing care for everybody else.

Despite the fact that the President and other supporters of the bill vowed up and down that folks would be able to keep the health care plan they had and liked, the fact is that was never true. It was never true and they knew it. They knew folks would lose their coverage. They knew it all along. Just as the President once famously predicted that utility rates would necessarily skyrocket as a result of his cap-and-trade policy, so too would health care rates skyrocket under ObamaCare. The only difference is that on health care, Democrats apparently knew they could not tell people how it would all shake out in the end, but they knew. That is why in 2010 every Democrat who was in the Senate voted against a Republican proposal designed to hold the President to his word.

The fact is the President's health care law was designed to capture millions of middle-class Americans, jack up their premiums, and use the extra cash to keep ObamaCare afloat. This is not some unforeseen consequence of the law, it is the law. It is working just as they designed it—just like what they voted for.

It is hard to take seriously this faux outrage we have seen of late from some of our Democratic friends. As for the President, this should be no great revelation to him either. Just the other day the media pointed out that the administration knew for years that Americans would lose coverage.

But there is something else.

At a bipartisan health care summit in 2010, the President was asked directly about this kind of thing by House Majority Leader CANTOR. In reply, the President admitted that 8 million to 9 million would have to change coverage and justified it on grounds they would be getting better coverage from the government once they lost it. So the President actually admitted during that event that millions would lose their health care and still went out on the campaign trail claiming Americans could keep the health care plans they had.

This is why Americans feel so hurt by this particular broken promise. And what many of them want to know is why would Washington Democrats persist with it even after it became clear it was false?

I think the reasons are simple enough. One, they needed to pass the ObamaCare bill; and, two, they needed to sell it to a skeptical public. And neither would have been possible without it.

If the President had gone out and told people that if he likes your plan, you can keep it—if the President had said if he likes your plan, you can keep it—it would have never passed. That is why the President's so-called apology the other night rang so hollow for so many.

ObamaCare's problems run so deep and the broken promises are so pervasive that it is impossible to identify an ''easy fix.'' It truly ought to be repealed or delayed. But if the President is sorry for breaking his promise to the American people, there is a natural place to start. He could support legislation that would help restore the plans for the folks who want them back, and he can act on it as early as this Friday. That is because the House is expected to send over a bill that would allow Americans to keep the plans they have and want to keep. There is no reason the President and Senate Democrats should not join Republicans and the American people in supporting it.

This does not have to be a partisan battle. These cancellations have not discriminated based on party. The people out there who are frustrated and upset at losing their health care plans are Democrats and Republicans. The President can help all of them by backing the bill the House is expected to pass on Friday.

I think that is basically what President Clinton was suggesting yesterday when he said the President should honor the commitment the government made to these folks, even—even, said Bill Clinton—if it means changing the law.

I have had a lot of disagreements with President Clinton over the years. But at key moments he was willing to cross party lines, and I think here is a moment where the American people are expecting President Obama to do the same. Allowing Americans to keep their health plans is a promise Democrats made over and over.

Whether or not they meant it, Democrats promised this to the American people, and it is their duty to make good on what they said. Once the House acts, my conference will be watching closely to see whether the Senate Democratic majority allows a vote and will help us send a bill to the President's desk. The American people will be watching closely as well.

So my message to the President is simple: Mr. President, our constituents are frustrated and they are upset. You could help. Do the right thing.

## CONGRATULATING FORD MOTOR COMPANY

Mr. MCCONNELL. Mr. President, Ford Motor Company has a proud 100-year history of manufacturing in Kentucky. Today the company announces a new model to be constructed in its Louisville assembly plant, further employing yet another generation of Kentuckians.

I congratulate Ford on this development and applaud its continued excellence in manufacturing in the Commonwealth of Kentucky.

I yield the floor.

## RESERVATION OF LEADER TIME

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

## MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half.

The Senator from Indiana.

## CONGRATULATING SENATOR McCONNELL

Mr. DONNELLY. Mr. President, I would like to congratulate my friend from Kentucky on Ford's expansion there. We have a proud auto building history in Indiana as well. We are extraordinarily proud of all the different folks who help make our country run, who help make our cars go, and in Indiana it is part of who we are. It is great to see expansion in Kentucky as well.

## MANUFACTURING JOBS FOR AMERICA

Mr. DONNELLY. Mr. President, I am here today to discuss the most important issue facing Hoosiers—and all Americans—and that is getting a good job.

Good jobs allow us to provide for our loved ones, educate our children, and ultimately retire with dignity. Good jobs are also critical for strong communities and a vibrant economy. That is why I am proud to be part of the group of Senators working on Manufacturing Jobs for America. It is an effort to refocus the Senate on helping businesses create jobs and helping communities pursue economic development in the area of manufacturing.

This effort is aimed at building bipartisan support for modernizing the manufacturing sector, increasing access to capital, strengthening our workforce, and creating the conditions necessary for American manufacturers to grow and create jobs.

I have two bills as a part of this effort, the Skills Gap Strategy Act and the AMERICA Works Act. Both of them are focused on closing the skills gap. There are an estimated 600,000 manufacturing jobs that are unfilled across our country in part because employers cannot find workers with the skills they need to fill these open jobs.

We need to match up unemployed or underemployed Americans with the training and education programs employers need so we can get more Americans into these good-paying, skilled jobs.

Last month my friend, Senator DEAN HELLER, and I introduced the Skills Gap Strategy Act. This directs the Department of Labor to develop a goal-oriented strategy to address our skills gap challenges. In order for every Hoosier who wants a job to have a job, and for Indiana's economy to continue to grow, we must train Hoosiers for the jobs that are available right now.

Our bill examines how we can better use existing resources to prioritize training and education programs and prepare our workforce to hit the ground running on day one.

The Skills Gap Strategy Act requires the Department of Labor to provide recommendations on: increasing on-the-job training and apprenticeship opportunities, helping employers participate more in education and workforce training, and identifying and prioritizing in-demand credentials in existing and emerging industries.

When completing this report, we call on the Department to consider: specific labor barriers contributing to the skills gap; policies that have proven successful in key industries, regions, and countries where employers play a larger role in education and workforce training; and ways to better utilize Registered Apprenticeship and other workforce development programs.

We are also asking the Department of Labor to develop plans with the Departments of Commerce and Education to align education with industry and enhance employer participation in K through 12 and career and technical education programs, to increase preapprenticeship and college credit courses in secondary schools, and to improve school-to-work transitions and connections.

I am a strong believer in being fiscally responsible with Hoosier taxpayer dollars. That is why our bill asks the Department of Labor to focus on these solutions that use existing resources, existing programs, and existing personnel—not new programs or new spending.

Closing the skills gap requires participation from individual workers, the education community, and employers. But we have the ability to help, and a specific plan should be in place to do just that.

Also a part of the Manufacturing Jobs for America effort is another bill I am proud to support that focuses on closing the skills gap. Introduced by Senators HAGAN, HELLER, and myself, the AMERICA Works Act modifies existing Federal training programs so that they place a priority on programs and certifications that are recognized and demanded by industry.

I have heard time after time from Hoosier business owners and educators and workers about the pressing need to close the skills gap and to get more people to work.

To address this issue while not increasing Federal spending, the AMERICA Works Act modifies the Workforce Investment Act, Perkins Career and Technical Education, and Trade Adjustment Assistance to prioritize the credentials that employers need now.

The improvements made in this bill benefit both workers and employers, as workers would know that the time they spend training is more likely to lead to employment in a good-paying job, and employers would know that it is more likely that the people they hire would have the training they need to get the job done on day one.

The Department of Labor estimates there are nearly 4 million job openings in the United States, despite an unemployment rate that is still over 7 percent and despite millions of Americans looking for work. Now is the time to get to work on these jobs and match these people up with the job opportunities that are available out there. That is the most important thing we can be doing.

When Americans are working, we are a stronger nation. The Manufacturing Jobs for America effort to pass bipartisan legislation that everyone can buy into that helps manufacturers and workers is one important way we can move the ball ahead.

I yield back the remainder of my time.

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

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

Mr. MARKEY. Madam President, I ask unanimous consent to speak for up to 10 minutes as in morning business.

The PRESIDING OFFICER. The Senator is recognized.

## DRUG QUALITY AND SECURITY ACT

Mr. MARKEY. Madam President, I wish to begin by thanking Chairman HARKIN, Ranking Member ALEXANDER, Senators FRANKEN and ROBERTS, and all of their staffs for their tremendous leadership on this bill. This bill was also developed in concert with our counterparts in the House of Representatives. I extend my thanks to ranking member HENRY WAXMAN and chairman FRED UPTON and their staffs of the Energy and Commerce Committee. What we have now is a bipartisan, bicameral bill that addresses two very serious issues: the safety of compounded drugs and the security of our entire drug supply.

Last fall an outbreak of fungal meningitis stunned the Nation and thus far has claimed the lives of 64 people and has sickened 751 in 20 States. This issue hits home for me because it started in

Massachusetts. At the center of this tragedy was the New England Compounding Center, also known as NECC. It is located in Framingham, MA. I met some of the victims of this terrible outbreak and heard about their struggles, people like Jerry Cohen, a resident of Pikesville, MD, who went to the doctor for routine steroid injections to treat recurring back pain and received two doses that came from the contaminated lots. Jerry suffered a stroke and had to adjust to a new life, dealing with dizziness, nausea, weakness, and exhaustion. Melanie Norwood's mother Marjorie went into a Tennessee hospital to treat an acute back injury she suffered while mowing the lawn. Instead of walking out of the hospital, Marjorie became severely sick, spent months in the hospital and a nursing home, and now has permanent nerve damage and medical bills that are close to putting her into bankruptcy.

For the last decade complaints about sterility, safety, lack of valid prescriptions, and mass production of drugs have been lodged against NECC. Yet the company was allowed to continue operating largely unchecked, falling between the regulatory checks that exist between Federal oversight of drug manufacturers and State oversight of pharmacies.

Sadly, NECC was not an isolated instance. Almost a year ago I issued a report detailing more than a decade of violations and problems at compounding pharmacies all across our Nation. Contaminated IV solutions, tainted steroid injections, and fouled eyedrops permanently impacted thousands of patients' lives across this country and killed or injured dozens across 34 States. The New England Compounding Center, like many large compounding facilities, fell into a regulatory black hole. That is because there are two kinds of compounding pharmacies: the neighborhood pharmacist you have known and trusted for years and the large drug manufacturers operating in the shadows that have slipped through the regulatory cracks.

Traditional compounding pharmacies make custom medication that fits the needs of an individual patient, such as creating a liquid medication instead of a pill for an elderly patient or a child because it is easier to swallow. We are familiar with that corner-store pharmacist who does that for a patient. These pharmacies are an important tool in our medical arsenal and have historically fallen under the jurisdiction of the States. They are the corner pharmacies that people grew up with. They are the corner pharmacies that people trust.

But there has been a recent disturbing trend of larger compounding pharmacies entering the market, making high-risk drugs sold to hospitals and clinics throughout the country. These compounding facilities are operating more as modern-day drug manufacturers rather than the mortar-and-pestle compounders of yesteryear on the corner near your home. They are not on Main Street, and they do most of their business out of site and under the FDA's radar.

In 1997 Congress passed a law to define FDA's role in the oversight of compounding pharmacies, but just 2 days before the new law was to take effect seven compounding pharmacies sued to block its enactment. Since then, the law and the FDA's authority to regulate compounding pharmacies have been mired in litigation and uncertainty. The result is that oversight of even large-scale drug manufacturers, such as NECC, has been largely relegated to the States.

How are the States doing their job? Well, last April I issued an investigative report that took a deep look at how States actually oversee and govern the activities of compounding pharmacies. What I found was a regulatory state of disarray. My investigation found that nationwide most State regulators did not look at the safety of compounding pharmacies. They do not make all their activities and investigations public. Some of them did not even know how many compounding pharmacies exist in their State, and States typically are not equipped to regulate the safety of large companies shipping massive quantities of drugs outside their own borders into States all across our country.

Since the NECC outbreak, some States have made efforts to improve their regulations and guidelines over compounding pharmacies, but the results are not consistent. Within the last month my home State of Massachusetts passed through its house and senate a bill that I am proud to say will put in place the strongest State regulations in the country overseeing the compounding pharmacy industry. However, while Massachusetts has become a national leader in the oversight of compounding pharmacies in the aftermath of what happened at NECC, this does little to protect the residents of other States. It cannot protect residents of Massachusetts from drugs that are shipped in from other States that do not have strong safety standards in place.

The Drug Safety and Security Act in front of us today helps to solve that problem by creating for the first time a national and uniform set of rules for compounding pharmacies that wish to register with the FDA and be subject to FDA oversight and enforcement. The bill also provides transparency by requiring the FDA to publish a list of the name and location of registered facilities that are compounding drugs in large quantities without a prescription. The Drug Safety and Security Act also mirrors several concepts from the VALID Compounding Act of 2013, legislation which I introduced in the House of Representatives. The bill distinguishes between compounders engaging in traditional pharmacy work and those making large volumes of compounded drugs without individual prescriptions. It places limits on the types and quality of ingredients that can be used to compound drugs. It ensures that drugs removed for the market for safety and effectiveness reasons are not compounded. The bill requires reporting of adverse events, such as patient sickness or hospitalizations that could be caused by compounding pharmacies that are registered with the FDA. It provides more information on the label of compounded drugs, including identification of the drug as being compounded—the first time ever that this information will be required.

Because of this bill, for the first time ever, the FDA will know who these large sterile compounding entities are and what they are making. The FDA will be given the resources it needs to conduct inspections of those facilities. For the first time ever, hospitals and health care facilities will have the option of purchasing compounded drugs that are subject to rigorous FDA quality standards and oversight. Because this bill removes the legal ambiguities of existing law, compounding pharmacies will no longer fly under the radar. This bill will go a long way in ensuring that public health is protected and compounded drugs are safe.

I specifically thank Chairman HARKIN and his staff for including in this bill a provision that I authored requiring the GAO to examine whether States and Federal authorities are doing their jobs to properly ensure the safety of compounded drugs.

Congress needs to continue to keep a close eye on the FDA and this industry, holding them accountable for their new responsibilities. This study will assist us in carrying out effective oversight of this new law. We need to ensure that a tragedy like the NECC meningitis outbreak is never repeated.

With the passage of the Drug Safety and Security Act, today we have a clear example of what Congress can accomplish when both sides come together in a bipartisan fashion. We can protect the public, we can hold industry to high but achievable standards, and we can support small businesses that have been doing the right thing for years.

This is a very important, historic piece of legislation. It goes right to the heart of what Congress can do to make sure that when drugs are in interstate commerce, we are protecting people so that the health of their families is, in fact, being protected. That is the essence of what Congress should be doing.

It is a very good day when Congress is working to protect the people of our country. Today is one of those days. Throughout the course of this week we are going to have a discussion about the role the Federal Government has to play in ensuring that the drugs which families in our country use are, in fact, safe for their consumption, that the representations that are made to those families are accurate. We cannot accept a rollback of the protections,

which did happen in this area. That exposed families to the kinds of risks that generations ago were common within our country. It is a big day. It is a historic piece of legislation. I urge its unanimous passage through this body.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

## AFFORDABLE CARE ACT

Mr. BLUNT. It has been less than 6 weeks since the President's health care initiative, the Affordable Care Act, was launched. The Web site is still not working, but the Web site will work. Actually, the Web site will be the easiest thing, in my view, that the administration will deal with as they try to solve the problems created by the act itself and, frankly, then the problems that were created by the Web site not working when we started.

What we see happening already in these 6 weeks is that families are losing their current health care coverage, and certainly the cost, in example after example from my State of Missouri and across the country, appears to be going up at substantial levels for many families. A few families are lucky enough that they don't have much additional cost but not very many. A lot of families are simply losing the coverage they have had even though the President said, as we all have been reminded over and over in recent days: If you like your health care plan, you can keep your health care plan.

Apparently, there are a whole lot of caveats on that that weren't said at the time, because people aren't able to keep their health care plan. The Associated Press reported that at least 3.5 million people have received cancellation notices. I heard somebody at the White House the other day say: These individual policies, that is only about 5 percent of all the people in the country. Five percent of all of the people in the country are millions and millions of people. Even if there weren't millions of people, if someone is one of the 3.5 million families who were recently told their health care policy was cancelled—100 percent of their health care policies were cancelled because they don't have one right now—or at least they were told they won't have one sometime between now and the end of the year.

As millions of people are losing their plans, we find out that only a few thousand people are signed up. Reports apparently show that fewer than 50,000 people have been able to successfully get through this system in 6 weeks, a period where the estimate was 500,000 people. So far we have 50,000 people signing up, not 500,000 people. We have millions of people losing their plans, even though everybody was told that if they like their plan, they will be able to keep their plan.

It is estimated now that 7 million people were expected to get coverage by the end of March. Nobody, any longer, thinks that is a number that will come anywhere close to being achieved.

The American people, obviously, would like the President to figure out how to live up to the promise that people can keep the health care they have if they like it. A lot of people are weighing in.

President Clinton, in the last day or so, says we ought to figure out a way to keep the promise. This is not a real reach. This was not a promise made only one time and accidentally stated, this was a promise stated over and over again: If you like your health care plan, you can keep it. If you like your doctor, you can keep your doctor.

We are finding that is not true. Whether it is President Clinton who said we should figure out how to keep that promise, or there are all kinds of bills being filed in both the House and the Senate that would keep the promise, what I think we are going to find out is there are many promises in the Affordable Care Act that aren't going to be kept.

We already know this has a workplace impact that is not good. People are going from full time to part time. People are trying to keep their employee numbers under 50 so they don't have to comply with the law. I have heard from many Missourians who have seen their hours reduced, seen their health care premiums rise, seen their options of insurance limited and their policies being cancelled. They deserve to have the people who made this pledge now keep this pledge.

Congressional Democrats voted for the law. And there are very few laws one could say congressional Democrats voted for the law. This is a law that not a single Republican in the House or the Senate supported.

There were many alternatives available. High-risk pools would work better, medical liability reform, expanding the marketplace where one could buy across State lines, more reporting by healthcare providers of what they charge and what their results are.

The idea that there were no other options, which is widely repeated—that the people who don't want to follow the Affordable Care Act don't want to do anything—is simply not true. When I was a Member of the House of Representatives, I filed a handful of bills, none of which were more than 75 pages long, that would deal with these rifleshot things that would have made the best health care system in the world better. It wasn't perfect, but it was the best health care system in the world, and I think we are in danger of losing that.

The President promised: If you like your doctor, you can keep your doctor. Over and over again, that is not the case. The largest insurer on the Missouri exchange, on the exchange that Missouri voters have access to, doesn't include the largest hospital system. That means thousands of patients won't be able to see the doctors or to go to the 13 hospitals of the largest health care system from the company that was their likely provider. This was the largest insurer—and as of this moment, the largest insurer in our State, the largest health care system—not part of their plan. Your insurance company, hospital, long-time doctor, all should be your choice, not the choice of some government-dictated health care plan. With only one other insurer selling policies in the region where this big hospital system is, people aren't going to be able to go there.

Many States have this same problem. Many States have options that don't include many of their hospitals or many of their health care providers.

People are beginning to look at this and not only be concerned about a violated pledge, but being concerned about somebody besides them interfering with a long-term relationship with the hospital people go to and the doctor they see. Patients across the country are seeing and are likely to continue to see narrower and narrower networks available to them as insurers will try to keep costs down.

With all of the new mandates in the law, one of the things they can control is they can negotiate with the people who would be available to see patients under their plan. That is obviously what has happened.

Smaller networks can require patients to travel farther. People are driving by the doctor's office that they went to for years to get to the doctor they now have to go to. People are passing by the hospital that their family may have gone to for generations to get to the hospital that now is the only hospital available in their area, available under the exchange. This is going to become the routine for Americans who aren't going to be able to keep the insurance they like. They are not going to be able to keep the doctor they like, and in many cases they won't be able to go to the hospital they like.

Last week I told stories of several Missourians who had preexisting conditions and are going to lose those policies when the Missouri high-risk pool goes out of existence.

Another thing we suggested in 2009 was to look for ways to expand the high-risk pools and make them work even better. They were working pretty well. The problem was there was always a waiting list to get into the high-risk pool. This was a way to deal with preexisting conditions. In a State such as ours where 4,300 people are in the high-risk pool, they pay about 135 percent of the normal premium. That is a little more than the normal premium, but they are getting insurance after they got sick. This is a high-risk

pool where that has to work, 135 percent. For somebody who didn't have insurance until they got sick or lost their insurance after they got sick, that was probably a whole lot better than they are going to do right now. They are finding out it is a whole lot better than they are going to do right now.

One of the stories we received this week was from Pam in Oronogo, MO, just outside of Joplin. Pam says her oldest son Aaron was born with a medical condition where there was a build-up of fluid inside his skull. He had his first shunt surgery at age 18 months. Her family has a family business and held onto their insurance through the business as long as they could, because they knew that no one would insure Aaron if they lost their insurance. That is obviously not a reason we would want to see perpetuated.

Aaron, however, was ready to go to the high-risk pool. After 10 years, their premiums had increased to $2,000 a month with a $10,000 deductible. They were able to get Aaron in the high-risk pool and they were reasonably comfortable with that.

With the elimination of the high-risk pool—all of which close December 31 in every State in the country—Pam and her family have to go to the exchange for Aaron. The exchange has to take Aaron, because he can get into the exchange.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. BLUNT. I ask unanimous consent for 2 additional minutes.

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

Mr. BLUNT. He can get into the exchange even if he had a preexisting condition. What they found in the exchange is Aaron can no longer use his neurosurgeon from Kansas City, the surgeon he has used for years now. They can't buy a catastrophic policy that would allow them to have some choice and pay some upfront costs on their own so they could have the doctor they are comfortable with. This is where they are. The insurance they had has gone away. The insurance they have doesn't allow them to see the doctor this young man has seen for years with a condition he has had his whole life.

The President also promised that premiums would decrease, and that is clearly not the case.

I look forward to Missourians continuing to let us know the challenges they are having. I look forward to being able to share those on the floor of the Senate in the next few weeks.

One of my constituents from Independence discovered when his wife came home, their policy which has been costing $500 a month now is going to cost $1,100 a month. She is the office manager of an office with about 20 employees. Their insurance more than doubled.

Unfortunately, these aren't the only cases I could talk about today. They are not nearly as limited as we would hope they would be. People are finding out that the Affordable Care Act that wasn't good for the workplace is now turning out to be not very good for health care.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

## DRUG QUALITY AND SECURITY ACT

Mr. BURR. We have heard about horror stories. I want to talk about another one, the bill that is in front of the Senate today, the Drug Quality and Security Act.

The Senate has an important opportunity to advance balanced bipartisan legislation on behalf of our Nation's patients. The Drug Quality and Security Act will respond to the tragic events surrounding last year's meningitis outbreak and will strengthen and improve our national pharmaceutical supply chain. Last year's unfortunate compounding meningitis outbreak has reminded us that had the early warning signs been heeded, we might have been able to prevent or mitigate the crisis in the first place.

In light of what Congress has learned since the outbreak first occurred last fall, this bipartisan legislation includes provisions that respond to and take a big step toward addressing the issues which led to the unfortunate pharmaceutical compounding tragedy over 1 year ago.

America's patients expect and deserve the peace of mind that medicines they take are safe and effective. FDA's repeated warnings of counterfeited drugs making their way into our prescription drug supply chain and the increased number of pharmaceutical thefts are the early warning signs of a potential and growing threat that could significantly compromise or endanger the health and well-being of patients across our Nation.

In recent years, States have responded by putting new requirements in place. At a time when we should be working to lower the cost of health care, this increasing patchwork of State and regulatory requirements is, instead, driving up the cost of health care in America.

For more than 1 year I have worked with Senator MICHAEL BENNET and my colleagues on the Senate Health, Education, Labor and Pensions Committee on bipartisan legislation to address these problems and to strengthen the safety, security, and accountability of our Nation's pharmaceutical drug supply chain.

The Drug Quality and Security Act, which we have before us today, includes provisions that will establish strong, uniform prescription drug-tracing standards that reflect today's realities and ensure a safer and more secure pharmaceutical drug supply chain.

The Drug Quality and Security Act establishes a uniform electronic unit-level system over the next decade that will increase the security and ensure a safer pharmaceutical drug supply chain from manufacturers all the way to dispensers. This legislation will require trading partners to be authorized to pass and receive information as part of their transactions. It raises the wholesale distribution licensing standard. It establishes licensure standards for third-party logistics providers and requires suspect and illegitimate products to be appropriately handled.

I would like to thank Chairman HARKIN and Ranking Member ALEXANDER for their leadership on this very important bipartisan bill. I especially would like to recognize Senator BENNET, who has been a strong partner throughout the crafting of this legislation. For more than 1 year we have worked together on this bipartisan legislation with our colleagues and have finally achieved an important balance with this bill.

I might add we were told this couldn't be done. We were told this was too difficult. But for 1½ years we have tackled this objective. Congress has the opportunity to proactively put in place uniform, workable standards that will allow stakeholders greater regulatory certainty and give patients the confidence they deserve in the safety and security of our Nation's pharmaceutical drug supply chain.

Congress's opportunities are twofold because this legislation is also our chance to respond to a crisis that impacted the lives of hundreds of patients nationwide, and I hope my colleagues will join me in supporting the Drug Quality and Security Act.

### HEALTH CARE

To follow up the conversations on today's bill, I listened to my good friend Senator BLUNT talk about Aaron, one of those Americans caught in the crosshairs of the Affordable Care Act and its unintended consequences. I was home this weekend and I was stopped by five individuals—five individuals—with practically the identical story. They came up and said: RICHARD, I was covered. I had insurance. I have no preexisting conditions, nor does anybody in my family. I had a $10,000 deductible insurance policy that cost me about $450 a month, and I had the security of knowing it was there. I just got my new notice and my insurance went to a $15,000 deductible and my monthly premium is $1,440. These are five individuals—five different families—but with a similar story.

I think of the yearlong debate we had on the Affordable Care Act and the claims that were made: reduced premiums, bring down health care costs, provide coverage for those who don't have it. Today what do we see? Today's snapshot, and this may change: dysfunctional Web site, 5 million people who have been notified they have lost their insurance, a very tepid enrollment of individuals, and what has gotten lost in reality is that there are hundreds of thousands of Americans

just like the five who came up to me this weekend. They are still getting insurance, but their deductible went up to $15,000 and their premium went up to $1,440 a month.

Tell me, where in that scenario is this affordable? Tell me, where in this process did they get a better plan than they had before? Their deductible went up $5,000. That means the first $15,000 of their health care is coming right out of their pocket and they are paying $1,440 a month to have the security of knowing there is insurance after that.

Clearly, these are five Americans who would tell me this falls woefully short of the promises made to them. I would be willing to bet in every State, in every House district around the country, we are going to continue to hear stories about this.

We will, I am sure, debate heavily where we move to from here. But don't forget that under this bill, now that we have extended the enrollment period to March 31, under the law every insurer who bids to be in the exchange, starting April 1 of next year through April 27, has to submit their bids for 2015. Let me repeat that. For every insurer that wants to be in the exchange, starting April 1 of next year through April 27, they will have to submit their premium bids for 2015. They are going to do that having no experience with the pool of insured lives because we have extended until March 31 the enrollment. That assumes the Web site gets fixed and that people are going to enroll. With little actuarial history, these insurance companies are going to have to bid for 2015. Imagine what the premium cost is going to be in 2015 when it is not 5 percent of the American people now in the exchange but it is 100 percent—it is all the employers that are impacted by 2015 prices.

I have always been taught there are signs you should pay attention to. When five people come to you and say: Listen, my deductible went from $10,000 to $15,000 and my premium went from $450 to $1,440, that is a warning sign. We ought to listen to it.

We still have a chance to fix this. Most important, as Senator BLUNT talked about, it means when you have a high-risk pool in Missouri and North Carolina, you let them keep the high-risk pool. We can manage it much better on a State level than we can in nationalizing and doing top-down health care in this country.

This will not be the end of the conversation on the Affordable Care Act. The American people deserve better and this Congress must produce it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. Madam President, there is an old expression used by many Hoosiers and others across America that is time tested: Your word is your bond. In Indiana, as in so many other places across our country, we value honesty and good old-fashioned truth-telling, even if it hurts a little bit to hear the truth.

Having spent the previous 4 days in Indiana listening to Hoosiers, it is clear to me many people in my State—and as I am reading, nationwide—are pretty fed up with Washington right now, and they have good reason to be. They are frustrated because the promises that were made to them are being broken and outright guarantees have been disregarded.

President Obama, both before and after his signature legislation—now called ObamaCare—passed, promised all Americans they could keep their health insurance plans if they liked those plans. It was a promise repeated over and over again. For many Americans it was the sole reason they supported the Affordable Care Act. But the President's guarantee, announced publicly by him several times, simply was not true.

In recent months, millions of Americans have received notifications their plans are being canceled because of the ObamaCare law, and reports indicate now the White House has known this for over 3 years—that these cancellations were coming. So when the American people found out the White House knew the bad news was coming all along, they were, to put it mildly, not happy.

It is clear that some of those who voted for ObamaCare and continued to support it are now agreeing with the majority of Americans that the President's health care law simply is not working. One such Member has floated the idea of having the Government Accountability Office and the inspector general for the Department of Health and Human Services conduct ''a complete, thorough investigation to determine the causes of the design and implementation failures of HealthCare .gov.''

We need to talk about the fundamental policies and provisions that undermine this law going forward.

Fixing the Web site, if that happens—it can happen and eventually it would have to happen—is not the real problem. The real problem is a flawed design. Two Democrats have introduced a bill entitled ''Keeping the Affordable Care Act Promise Act.''

A House Democrat recently stated, ''I think the President was grossly misleading to the American public'' when he promised Americans they could keep their health care coverage if they liked it. Even former President Bill Clinton has said he thinks the President's pledge to allow Americans to keep their coverage should be honored.

In an interview this week, former President Clinton said:

> So I personally believe, even if it takes a change in the law, the President should honor the commitment that the Federal Government made to those people and let them keep what they got.

There is a growing admission from the supporters of ObamaCare that we are dealing with more than just a Web site glitch; that we are dealing with fundamental policy design flaws. So I agree with President Clinton. Regardless of whether you support ObamaCare, there should be 100 percent bipartisan support for letting Americans keep what they have been promised—that they can keep their existing health care insurance plans if they like them.

It is time to acknowledge, however, as Senate minority leader MITCH MCCONNELL said yesterday, that it goes beyond this; that the Affordable Care Act is beyond repair. This disastrous law needs to be repealed and replaced with real reforms that drive down the cost of health care, increase the quality of care, and put patients, not Washington bureaucrats, in charge of their health care decisions.

Unfortunately, this President and Senate Democrats have made it clear they will never allow a full repeal to pass, despite all the broken promises to the American people and despite the fact the law simply isn't working.

Given this reality, the appropriate step, I believe, and one with growing, bipartisan support is for a 1-year delay of the implementation of ObamaCare.

I have offered a bill to delay the individual mandate—to join with the decision already made by the President to have a 1-year delay of the employer mandate—so all Americans can have the same relief, not just business. By delaying the mandates—all the mandates in this health care law—we can give the American people a fundamental choice when they go to the polls in 2014: continue ObamaCare or replace it with sensible, affordable reforms that drive down the cost of care, increase the quality, and, most important, put patients, not Washington bureaucrats, in control of their health care decisions and their health future.

In closing, I would say this to the President: Your word needs to be your bond. As Albert Einstein once said: Whoever is careless with the truth in small matters cannot be trusted with important matters.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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.

Ms. WARREN. Madam President, I ask unanimous consent to speak as if in morning business.

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

## NOMINATIONS

Ms. WARREN. Madam President, it hasn't been even a month since the end of the Republican shutdown of the government, and they are already back at trying to paralyze the government again.

Yesterday, the Republicans blocked an up-or-down vote on the nomination

of Nina Pillard to the DC Circuit Court of Appeals. This filibuster comes just 1 week after Republicans filibustered the nomination of Patricia Millett to the DC Circuit, and less than 1 year after Republicans filibustered Caitlin Halligan, who eventually just gave up and withdrew her nomination.

Republicans now hold the dubious distinction of having filibustered all three women that President Obama nominated to the DC Circuit. Collectively, these women have diverse experiences in private practice, in government, and in public interest law. Between them, they have argued an amazing 45 cases before the Supreme Court and have participated in many more. All three have the support of a majority of Senators. So why have they been filibustered? The reason is simple. They are caught in a fight over the future of our courts—a fight over whether the courts will be a neutral forum that decides every dispute fairly or whether the courts will be stacked in favor of the wealthy and the powerful.

Every day in Congress we deal with the influence of powerful groups and their armies of lobbyists. But in our democracy, when we write laws, sometimes we can push back on that power. In our democracy we have tools that can be used in the legislative process—tools such as open debate, public opinion, and political accountability, tools that can help the people win these fights. I saw it happen up close in the 2008 financial crisis when we were able to get a strong consumer financial protection bureau despite the efforts of the large financial institutions to kill it.

But the story doesn't end when Congress passes a law. Powerful interests don't just give up. They shift their fight to the courts because they know that if they can weaken or overturn a law in court, they turn defeat into victory. If they can break the courts by putting enough sympathetic judges in lifetime positions, a friendly judicial system will give them the chance to undermine any laws they don't like. That is already happening in the Supreme Court. Three well-respected legal scholars, including Judge Richard Posner of the Seventh Circuit, a distinguished judge and conservative Reagan appointee, recently examined almost 20,000 Supreme Court cases from the last 65 years. The researchers concluded that the five conservative justices currently sitting on the Supreme Court are in the top 10 most procorporate justices in more than half a century. Justices Alito and Roberts are number one and number two.

Take a look at the win rate of the national Chamber of Commerce in cases before the Supreme Court. According to the Constitutional Accountability Center, the national Chamber moved from a 43-percent win rate during the last 5 terms of the Burger court, to a 56-percent win rate under the Rehnquist court, to a 70-percent rate under the Roberts court. Follow this procorporate trend to its logical conclusion, and pretty soon you will have a Supreme Court that is a wholly owned subsidiary of big business.

The powerful interests that work to rig the Supreme Court also want to rig the lower courts. The DC Circuit is a particular target because that court has the power to overturn agency regulations. If a business doesn't like it when the agencies implement the will of Congress, they try to undermine those agencies through the DC Circuit.

In the next 5 years, the DC Circuit will decide some of the most important cases of our time—including cases which will decide whether Wall Street reform will have real bite or whether it will just be toothless. Swaps dealers, the securities industry, the Business Roundtable, and the Chamber of Commerce are all lining up to challenge the new rules that agencies have written to try to put some teeth into Wall Street reform and other laws. These big-industry players want business-friendly judges to help bail them out.

So let's be clear. Nine of the 14 judges on the DC Circuit who currently hear cases were appointed by Republican Presidents. The President with the most appointees on that court right now is Ronald Reagan.

This lopsided court has been busy striking down environmental regulations that stop companies from spewing mercury into the air we breathe, striking down investor protections that hold corporate boards accountable, striking down a requirement for employers to provide access to birth control under ObamaCare. Each of these regulations exists because Congress has passed laws telling the agencies to write them.

It is true that sometimes an agency may get it wrong, but these days the DC Circuit seems to be finding more and more ways to help bail out the businesses that never wanted to be regulated in the first place.

Republicans have noticed what is going on with this lopsided court. They would like to keep things the way they are, and they have not been subtle about it. Many Republicans have talked openly of their opposition to any new judges to fill the three vacancies on this court precisely because the new nominees will give the court more balance and fairness. Republicans may prefer a rigged court that gives their corporate friends and their armies of lobbyists and lawyers a second chance to undercut the will of Congress, but that is not the job of judges. Judges aren't supposed to make law. Judges aren't supposed to tilt politically one way or the other.

Republicans may not like Wall Street reform. They may not like ObamaCare. But Congress passed those laws. President Obama signed those laws. President Obama ran for reelection on those laws, while his opponent pledged to repeal them—and his opponent lost by nearly 5 million votes. It is not up to judges to overturn those laws or their associated regulations just because they don't fit the judges' policy preferences.

There are three vacancies on the DC Circuit, and the President has nominated three impressive people to fill those vacancies—including Patricia Millett and Nina Pillard. These nominees are not ideological. They have extraordinary legal resumes and have received bipartisan support from top litigators around the country. They are among the top legal minds of this generation.

This is how the President plans to push back against efforts to tilt our judicial system: by nominating judges who will be judges—judges who will be fair, judges who will be evenhanded, judges who will have the diversity of professional experience to understand and consider all sides of an issue.

I understand that Republicans may prefer to keep the DC Circuit exactly as it is. But article II, section 2 of the Constitution says the President of the United States nominates judges, with the advice and consent of the Senate. There is no clause that says, except when that President is a Democrat. Democrats allowed President George W. Bush to put four very conservative judges on the DC Circuit. All four are still serving, and one is Chief Justice of the U.S. Supreme Court.

There are three vacancies in the DC Circuit Court of Appeals. The President of the United States has nominated judges to fill those vacancies. That is his job, and it is the job of the Senate to confirm highly qualified, independent judges. That is how our system works. That is what the Constitution demands.

Republicans these days do not seem to like that. They keep looking for ways to keep this President from doing his job. So far they have shut down the government, they have filibustered people he has nominated to fill his administration, and they are now filibustering judges to block him from filling any of the vacancies with highly qualified people. We need to call out these filibusters for what they are—naked attempts to nullify the results of the last Presidential election, to force us to govern as though President Obama had not won the 2012 election.

President Obama did win the 2012 election—by 5 million votes. He has done what the Constitution requires him to do—nominated highly qualified people to fill open vacancies on the Federal bench. If Republicans continue to filibuster these highly qualified nominees for no reason other than to nullify the President's constitutional authority, then Senators not only have the right to change the filibuster rules, Senators have a duty to change the filibuster rules. We cannot turn our back on the Constitution. We cannot abdicate our oath of office. We have a responsibility to protect and defend our democracy, and that includes protecting the neutrality of our courts

and preserving the constitutional power of the President to nominate highly qualified people to court vacancies.

## CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

## DRUG QUALITY AND SECURITY ACT—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to consideration of the motion to proceed to H.R. 3204, which the clerk will report.

The assistant legislative clerk read as follows:

Motion to proceed to the bill (H.R. 3204) to amend the Federal Food, Drug, and Cosmetic Act with respect to human drug compounding and drug supply chain security, and for other purposes.

Ms. WARREN. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

### OBAMACARE

Mr. THUNE. Madam President, the question of the week is, more important than apologizing, will President Obama live up to his promise that Americans can keep the care they have and like? Democrats are clearly running away from embracing this law and are suggesting the President live up to his promise as well. Yesterday former President Clinton said:

I personally believe, even if it takes a change to the law, the President should honor the commitment the Federal Government made to those people and let them keep what they got.

That is from former President Clinton yesterday in a interview he did.

More and more we see people on the Democratic side of the aisle coming forward, acknowledging what many of us have been acknowledging for a long time; that is, this is not living up to expectations. We need a timeout. It is clearly not working, it is not ready for prime time, and it is obvious that we need to acknowledge that and come up with plan B.

Senator DURBIN, here in the Senate, said in an interview Tuesday that the cancellations of their coverage that people might face under ObamaCare and the statement that people could keep their plans ''should have been clarified.''

Democratic Representative KURT SCHRADER from Oregon thinks the President was grossly misleading to the American public and said:

I think the President was grossly misleading the American public.

Senator FEINSTEIN, who is not up for reelection, is supporting legislation to allow individuals to maintain enrollment in the plans they like.

These mistruths are clearly affecting the President's credibility. President Obama's approval ratings have dipped to a record low. A poll from Quinnipiac University that was released shows respondents disapprove of the President's job performance by a 54-to-39 margin. His approval rating of 39 percent is worse than his previous alltime low of 41 percent in the Quinnipiac survey done previously. Further, more people—52 percent—say the President is not honest and trustworthy.

We are on the verge of another misstatement from this administration where they make promises to the American people that they do not meet. Last month the administration promised they would have healthcare.gov fixed by the end of November. It appears unlikely, according to today's Washington Post, where a headline reads: ''Troubled HealthCare.gov unlikely to work fully by end of November.''

For proof that this Web site design has been a failure of leadership, compare it to Cyber Monday volume at amazon.com in 2012. According to amazon.com's press release, it sold 27 million items on Cyber Monday, or 306 items per second. That is how the private sector has been able to process huge volumes of data and requests. If we compare and contrast that with the rollout of ObamaCare and healthcare.com, it is a stunning failure—even epic in terms of the inability of that whole program to function with any level of competence.

It is clear that technology exists to fix the Web site to handle high volumes, but, as the President has said, the health care law is more than just a Web site, and that is where most of us come down on this issue. This is a flawed policy that is causing millions of Americans to lose the health care they like. Most of us know someone who has had his or her health care canceled by ObamaCare, and it is going to get worse. The Associated Press reports that at least 3.5 million have received cancellation notices, and that number is expected to increase to tens of millions of people. As Americans—millions more—are losing their plans, only thousands are signing up through ObamaCare.

Constituents are encouraged to visit our Web site at republican.senate.gov/yourstory to submit their stories about how this is impacting them personally. The American people deserve to have their stories heard, and Americans deserve to have the President and congressional Democrats keep their promise.

We believe what former President Clinton said yesterday is correct; that is, President Obama should honor the commitment the Federal Government made to those people and let them keep what they have. That is essentially where we are today. I would simply ask rhetorically, what is the President going to do to address and honor the promise he made to the American people that they can keep what they have?

Increasingly, more and more Democrats—and, of course, there are many of us on this side of the aisle who predicted this would happen a long time ago—realize this was an ill-conceived policy. I have maintained for a long time that it was built upon a faulty foundation; therefore, you cannot just fix a Web site or have an IT specialist come in and expect this to get better. This is a flawed policy, and it is already having profound and harmful impacts on the American people. We believe many more people will be harmed in the future as the insurance is fully implemented.

The best we can do for the American people in order to minimize the impact and harm is to put off, suspend, delay—whatever you want to call it—the implementation of ObamaCare. Frankly, the best we could do in the long run is pivot away from this failed policy and move in a direction that actually does address some of the fundamental problems we have with health care in this country today.

There is a whole list of solutions Republicans have advanced and put forward in the past—for example, allow people to buy insurance across State lines and create interstate competition so we have insurance companies competing with each other. Obviously, if we have competition and the forces of the market at work, it helps to bring down costs and prices.

Another example is to allow small businesses to join larger groups to get the benefit of group purchasing power—to pool, if you will. That is something we have been proposing for some time, and it has been consistently defeated by Democrats in Congress. Other examples are reducing the cost of defensive medicine by ending the junk lawsuits that clog up our legal system and drive up the cost of health care, allowing an expanded use of health savings accounts and those types of vehicles that are out there for people today to put money aside for their health care needs; allowing people to have a refundable tax credit so they can buy their own insurance, which would give them more choices, create more competition, and, again, put downward pressure on the cost and price of health care in this country.

Those are commonsense step-by-step solutions that we think would work so much better than having one-sixth of our entire economy, which is what health care represents, taken over by the Federal Government. Political command and control in Washington, DC, is driving the decisionmaking for Americans across the country. As we have already seen, the Federal Government does not do complicated tasks very well, and the Federal Government doesn't do comprehensive tasks very well.

Everybody talked about a comprehensive solution to this problem. Clearly, we have problems in America today that need to be addressed. We have a lot of people who don't have health care, and that needs to be fixed. We have people with preexisting conditions, and that needs to be addressed. There are solutions to those problems that don't include and don't entail having the Federal Government take over one-sixth of the American economy, which is what happened with ObamaCare. We are seeing the impacts and the results of that today.

I suggest we take a timeout and make a conscious decision to move in a different direction—a direction that will lead to lower costs, higher quality of care, allow people to keep the plan they like if they like it, allow people to keep the doctor they like, and keep the cost of health care at an affordable level.

One thing we have seen since ObamaCare passed and is now in the process of being implemented is that the promise that people would see their health care costs go down, not up—that promise is another broken promise because what we are seeing in America today is canceled policies. As people try to get new policies, there are increased costs. We are seeing that in the individual marketplace. When the President was campaigning for his health care law, he said he would drive the costs down for families by $2,500 per family. Yet we have seen the cost per family increase since he took office by $2,500.

We have a cloud hanging over our economy right now because of this massive new regulation with a massive amount of government mandates. Due to government-approved insurance, the workweek has been redefined from a 40-hour workweek to a 30-hour workweek. We have a lot of employers who are creating part-time jobs instead of full-time jobs. In order to avoid the mandates and requirements and costs associated with ObamaCare, employers are hiring people to get under that 30-hour workweek. There are a lot of people who are hired to work 29 hours a week. Well, Americans can't take care of their families and meet the needs they have in their personal and family budgets on 29 hours a week, so more and more people are having to get more than one job. In fact, some estimates show that the majority of jobs that have been created over the last year have been part-time jobs, not full-time jobs. That is the impact this is having on the overall economy.

If we are serious about getting the economy growing and expanding again and creating good-paying jobs for middle-class Americans, there are a number of things we can do to create that kind of economic growth. What we have seen of late is a growth rate that hovers between 1 and 2 percent. The economy is lethargic and sluggish compared to any historic average. We continue to have chronic high unemployment. If we factor in that the labor participation force is literally at the lowest level in the last 35 years, we would have to go back to the administration of President Carter. At that time there were fewer people working as a percentage of the entire workforce. If we factor that in, we have an economy that is in a very bad way.

As I said, there are a whole series of things that need to be done to get the economy growing and expanding at a faster rate, create more jobs, and increase the take-home pay for middle-class Americans. We really need to start over with Obamacare.

Madam President, I ask unanimous consent for 1 additional minute.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. THUNE. I suggest it starts with shutting this down and starting over. We need to create more options, more choices, and more competition in the health care economy so people can get away from the sticker shock we have seen with ObamaCare and get costs down. We need to get away from these cancellation notices that are going out and allow people to keep the care and doctor they have and like. Because of the broken promises under ObamaCare, that is not happening.

Until we decide this was the wrong direction and pivot and go in a different direction, we are going to continue to see the results we have today—higher costs, more cancellations, people not being able to keep the care they like or the doctor they like. We can do better and should do better.

I yield the floor.

The PRESIDING OFFICER (Ms. BALDWIN). The Senator from Minnesota.

Mr. FRANKEN. Madam President, I would like to talk for a few minutes about a subject that will affect all of us at some point in our lives; that is, the safety of our medicine.

If my child or wife urgently needed medicine, I would have a number of questions: Will my loved one get well? What is going to happen? But I should never have to ask a question about whether the medicine my family takes is safe and whether it is what the doctor says it should be.

More than 1,000 patients and their families across Minnesota found it necessary to ask that question last year during the meningitis outbreak. They had to ask that question because the contaminated medicine they received could have caused them enormous harm. More than 700 patients across the country got sick and more than 60 died after receiving these contaminated injections produced by a large-scale compounding pharmacy in Massachusetts that was essentially an unregulated drug manufacturer.

In Minnesota we specialize in medical innovation. We have some of the best doctors and health care systems and biomedical pioneers anywhere in the world. Our Nation has an incredible capacity for innovation and development in this field. There is no possible explanation that can justify the fact that more than 17,000 vials of contaminated medicine were shipped to providers throughout the country. That should simply not be happening. That is why the legislation we are set to pass, which I helped to write, is so important. It will go a long way toward making compounded medication safer and preventing another outbreak like the one we had a little over a year ago.

Many people don't know what pharmacy compounding is—including many patients who have received compounded medicine. Compounding is a traditional practice of a pharmacy where a pharmacist makes a new drug or takes an existing one and changes it based on a particular patient's needs. If a patient needs a drug and is allergic to one ingredient in it, the pharmacy can remake the drug, or compound it, without that ingredient based on a doctor's prescription. Pharmacists and pharmacies are regulated by the States.

This practice of tailoring medications for individual people is incredibly important, and it has always been a part of practicing pharmacy. It will continue under the bill we have written. But that is not what happened in Massachusetts last year; instead, a facility exploited a legal loophole to make thousands of doses of a product that was not FDA approved and sold it to hospitals and clinics across the country without receiving a prescription. As I said, more than 700 patients got sick after receiving that medicine and 64 people died. That is why my colleagues and I have worked so hard over the past year to develop the bill before us today, the Drug Quality and Security Act, which takes important steps for preventing this kind of outbreak in the future.

I would like to take a moment to thank my friends on both sides of the aisle and in both the Senate and the House who have worked so hard on this legislation.

I thank chairman TOM HARKIN for his leadership and for the bipartisan HELP Committee staff process that was crucial to producing this legislation.

I thank ranking member LAMAR ALEXANDER and Senator PAT ROBERTS for their commitment to getting this bill right.

I thank the staff who worked so hard on this bill. Specifically, I thank members of Senator HARKIN's staff: Jenelle Krishnamoorthy, Elizabeth Jungman, and Nathan Brown. I also thank Senator ALEXANDER's staff: Mary Sumpter-Lapinski and Grace Stuntz, as well as Jennifer Boyer, who works for Senator ROBERTS. Their hard work and dedication helped to develop this important legislation.

I also thank Hannah Katch, a member of my staff, who has worked tirelessly on this bill.

I thank Chairman UPTON and Ranking Member WAXMAN and their colleagues in the House for their work, as

well as the many stakeholders who have worked productively with us to develop and improve this proposal. In particular, I counted on input from the Minnesota Board of Pharmacy, the Minnesota Pharmacist Association, Thrifty White Pharmacy, and many other experts and pharmacists in Minnesota who helped us get this bill right.

Is our legislation perfect? No. There were a number of provisions in the bill that we passed out of the HELP Committee that would have provided additional safety and quality assurances for patients, but in order to come to a compromise with the House of Representatives, our legislation changed. Although the final bill does not include everything I would have liked, the bill before us today will take an enormous step forward for patient safety.

The bill will reinstate the law that allows the Food and Drug Administration to regulate large-scale compounders that have exploited a loophole in the law in order to act effectively as unregulated drug manufacturers. It will also give hospitals and health systems the option of buying compounded products from facilities that are inspected by the FDA and are complying with the FDA's quality standards. And it will do all of that without changing the rules for traditional pharmacies, which will continue to be regulated by their State boards of pharmacy.

Specifically, our bill creates a new option for facilities that want to provide compounded drugs to hospitals and health centers. These entities, called ''outsourcing facilities,'' will be inspected by the FDA and will have high quality standards. The hospitals that buy from these facilities will be able to trust that the compounded medicine they buy from outsourcing facilities is safe.

If a compounder chooses not to be either a traditional pharmacy or an outsourcing facility, the FDA will be responsible for making sure that compounder complies with the normal requirements for pharmaceutical manufacturers. Those are the options. Unlike what we saw in Massachusetts, these facilities will no longer be able to occupy an unregulated no man's land. So under the new law, there will be traditional pharmacies, which will continue to be regulated at the State level; outsourcing facilities, which the FDA will oversee; and pharmaceutical manufacturers, which will be regulated by the FDA, as they have been.

I am also pleased that the bill we wrote on compounding is paired today with another bill on the drug supply chain, which is aimed at making sure that the FDA-approved medicine that patients receive is safe and has not been tampered with. By creating a national system to track drugs from the time they leave the manufacturer until they are dispensed to patients, this legislation will provide certainty that our medicines are what they say they are.

My colleagues, Senators BENNET and BURR, have been working on this proposal for more than 2 years, and I thank them for their work and congratulate them on this important achievement.

My home State of Minnesota is a model for pharmacy practice nationwide. Not only does our State have important protections for compounding pharmacies that have kept the medicine made in Minnesota safe, but Minnesota pharmacists have also led the Nation in developing innovative new ways of helping their patients get the right medicine at the right time.

For example, pharmacists at Hennepin County Medical Center in Minneapolis found that when a pharmacist reviewed the prescriptions for patients with complex conditions before they were discharged from the hospital, those patients had fewer problems related to their medicine and were 50 percent less likely to be readmitted to the hospital. So it saved a lot of money. It cost HCMC about $112,000 for pharmacists to provide this service, and it saved the hospital nearly $600,000. This is exactly—exactly—the kind of innovation that we are known for in Minnesota, and our pharmacists are on the front lines of this kind of reform and discovery.

The pharmacists at HCMC, and those around Minnesota, do incredibly important work. They provide access to needed medicine for thousands of patients every day. Those pharmacists and their patients must be able to trust that the medicine is safe and it will work. The Drug Quality and Security Act will take an important step toward preventing another outbreak like the one we saw last year, and I urge my colleagues to join me in passing the Drug Quality and Security Act into law.

Thank you, and I yield the floor.

The PRESIDING OFFICER. The Republican whip.

OBAMACARE

Mr. CORNYN. Madam President, in a front page story yesterday, the Wall Street Journal reported that fewer than 50,000 people had successfully used the Federal ObamaCare Web site to enroll in a private health plan—less than 50,000. Meanwhile, we know that millions of Americans are already getting a cancellation notice from their insurance company telling them that their current policy—even if they like it—will no longer be available. In other words, if you like what you have, it turns out you cannot keep it—as millions of people are finding.

No less a luminary in the Democratic Party than President Clinton has said that ObamaCare should be reformed to let people maintain their current health insurance. And we will see some votes in the House of Representatives as soon as Friday on that proposition, helping the President keep his promise to the American people that if you like what you have, you can keep it, which currently has proven not to be the case.

Just a month ago, Democrats of all stripes were declaring that Obama was the settled law of the land and condemning attempts on our side of the aisle to actually reform it. Now we are seeing more and more of our friends across the aisle contemplating serious changes aimed at fixing some of the law's myriad problems. Some, but not all, of the problems with ObamaCare have become painfully obvious—some, because I think most people probably think ObamaCare has already been implemented, when, in fact, it has only begun to be implemented.

But we know ObamaCare is forcing people to lose their health insurance and/or their doctor. It may be that even in the exchanges, the hospital which they prefer to be treated at or the doctor from whom they would prefer to have their care, they will not be available on the exchanges.

We also know that ObamaCare is raising health care premiums. Again, the President promised that if we passed ObamaCare, we would see a reduction in the premiums for a family of four of about $2,500. Instead of seeing premiums go down, we are seeing premiums go up.

We know that Medicare and Medicaid remain on an unsustainable path, and we are actually seeing, in many States, the States opting to expand the Medicaid program, when they cannot even care for or pay for the people who are currently in the Medicaid program.

We have found that organized labor has gone to the White House. They said that because of the incentives in ObamaCare, many full-time employees were now being put on part-time work in order to avoid some of the penalties associated with ObamaCare.

We know that in the medical device sector—one of the most innovative parts of health care today—those jobs are moving offshore. They are moving outside of the United States, and it is stifling innovation, this medical device tax which is part of the pay-for of ObamaCare.

But here is another issue that has not gotten much attention lately. I was a little surprised when I came across this article in the Atlantic magazine, but the truth is the ObamaCare structure penalizes people for getting married. Certain couples who do qualify for the ObamaCare subsidies right now would lose those subsidies if they got married. In some cases, the ObamaCare marriage penalty could amount to thousands of dollars. So just when you think things could not quite get any worse, you find out they do.

As if all these problems were not bad enough, ObamaCare has also created a magnet for fraud and corruption in the so-called navigators program. You will remember, the navigators were created in order to help people sign up on the exchanges. But we know the navigators will be collecting sensitive tax and personal information—medical, both physical and mental health information—from folks all across the country as

they try to navigate ObamaCare. But we also know, because the Secretary of Health and Human Services admitted this last week, that they are not subject to any kind of background check, including a criminal background check. As a matter of fact, I think Secretary Sebelius surprised an awful lot of people when she admitted that people participating in the navigator program could possibly be convicted felons because there is simply no screening mechanism to bar them from participating in the process and no background check whatsoever.

Then we have learned, as a result of some creative journalists, that navigators, including those in my home State of Texas, were actively encouraging people to break the law as a process of signing up for the ObamaCare exchanges.

It is simply astounding that the administration is urging the American people to give their Social Security numbers and sensitive personal information to people who have not been properly vetted. Yesterday I called on the President to suspend the navigators program, and I want to reiterate that call today. He needs to end it, at least until basic precautions are taken to prevent identity theft and corruption and fraud.

Given the lack of Federal background checks and other safeguards, this program is an invitation to fraud and identity theft.

As with so many other aspects of ObamaCare, the problems with the navigators program are the result of politically motivated decisions. Do not just take my word for it. Consider the scathing indictment that was recently issued by Michael Astrue, who served as HHS general counsel from 1989 to 1992. More recently, he served as a commissioner for Social Security, from 2007 to 2013.

Writing in the Weekly Standard, Mr. Astrue points out:

> Instead of hiring well-screened, well-trained, and well-supervised workers, HHS decided to build political support for the Affordable Care Act by pouring money into supportive organizations so they could launch poorly trained workers into their communities without obtaining criminal background checks or creating systems for monitoring their activities.

Over the long term, we need to dismantle ObamaCare entirely and replace it with patient-centered alternatives that will actually bring costs down; improve the quality of care, by making more care accessible; and leaving the choices with consumers and their families, patients and their doctors making the decisions, not Washington, DC. In the short term, we need to also dismantle the navigators program before it unleashes a wave of fraud and corruption.

I yield the floor.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAPO. Madam President, before I make my remarks, I ask unanimous consent that Senator REED from Rhode Island be recognized immediately following my remarks.

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

Mr. CRAPO. Madam President, I rise today, also, to speak about a subject on the minds of all Americans and that is the rollout of the Patient Protection and Affordable Care Act or ObamaCare.

Many of us have predicted the implementation of ObamaCare would result in difficulties for American families, businesses, and our still fragile economy.

We spoke about the tax hikes that would come, the rising premiums, the canceled policies, the benefit cuts to Medicare programs for seniors, and other problems in the flawed law. Still, the President insisted that he was right and that he knew best what Americans wanted.

Since then, countless opportunities have been provided for our colleagues to join us in defunding or at least delaying the implementation of this damaging law.

To further sow confusion, the administration has selectively changed the law to suit its political advantage.

And now that October 1 has come and gone, millions of Americans are becoming painfully aware of the reality of how ObamaCare will affect them.

The American people are seeing the effects of ObamaCare, not based on the rhetoric of politicians or the debate here in Congress, but by their own personal experiences in dealing with it.

The initial feedback is clear, and it is not pretty. The trillion dollars in new taxes that I led the fight against on the floor during the initial ObamaCare debate are now largely in effect.

And as I said, and many others warned, and the Joint Tax Committee has actually confirmed, a significant portion of those tax increases are hitting squarely on the middle-income families the President solemnly pledged to protect. He said that people in America who make less than $250,000 per couple or $200,000 per individual would not see one dime of tax increases as a result of the act.

Yet now we are seeing that the burden of this huge tax increase is falling squarely on those in what the President has defined as the middle class. The American people are also now experiencing for themselves the reality we have long warned against—that the President has also broken his promise that his health care plan would lower premiums by $2,500 on average for Americans.

In fact, the Washington Post fact checker gave that President's pledge a three Pinocchios score for not being true. Yet another promise proven to be false is the President's pledge to the American people that if you like your doctor and you like your current health care plan, you can keep it.

Again, the Washington Post reviewed this pledge. But this time it gave the President four Pinocchios saying, ''The President's promise apparently came with a very large caveat: If you like your health care plan, you'll be able to keep your health care plan—if we deem it to be adequate.''

I recently received a letter from Nancy from Eagle, ID, about the loss of her husband's employer-provided coverage. The cancellation notification reads that ''due to the Affordable Health Care Act and unprecedented increases in healthcare costs, effective January 1, 2014 traditional comprehensive medical insurance will no longer be available.'' Instead, his employer will offer two preventive health care plans and refer them to the exchange to purchase his insurance.

After browsing the exchange Web site, Nancy and her husband have realized they will either be forced to pay $500 more a month on health insurance premiums or pay a lower premium rate which would result in limited access to providers and hospitals.

Simply put, this is wrong. But I fear that there will be many more like Nancy with similar experiences. This week I was contacted by Matt from Meridian, ID, about his wife who receives coverage through her employer. They will see their premiums rise and a considerably higher deductible due to the increased cost to her employer because of ObamaCare.

Just 1 month after the ObamaCare exchange rollout, at least 3.5 million Americans have received insurance cancellation notices. This number is expected to dramatically increase in coming months. Over 100,000 of those people live in Idaho, according to the Associated Press. According to media reports, the administration knew Americans would not be able to keep their current coverage, even though the President continued to push the message that people could.

After breaking this promise, the President is now telling millions of Americans who have had their insurance cancelled that they should shop around for policies that frankly could be more costly and require them to change their doctors.

Many of my colleagues in the Senate, as a response to this, are cosponsoring a measure known as the If You Like Your Health Plan, You Can Keep It Act. This act is one the Senate should immediately take up and pass.

Idahoans are now learning that the flawed health care law will force them to change their plans and in many cases pay higher premiums. While this law was sold on the promise of providing health care coverage for the uninsured, it is creating new uninsured Americans who will be forced to enter the troubled Federal health care exchanges.

At the same time, the administration refuses calls for transparency and hides information about enrollment numbers. It is hard for me to believe that in the year 2013, when we have iPhones, tablets, Twitter and Google, the administration has no idea or ability to release enrollment numbers.

According to documents released recently from the House oversight committee, six people signed up for ObamaCare on day one. We understand that more are signing up now, but it could be that the administration has such low numbers of enrollments for their signature achievement that they do not want to present the accurate facts.

Many of us in this body are concerned also about the security risks posed by ObamaCare. Several weeks ago, Republican members of the Senate Finance Committee wrote to Department of Health and Human Services Secretary Kathleen Sebelius, asking whether all Federal privacy and security standards were met prior to the launch of healthcare.gov, the Web site to sign up for ObamaCare.

We have asked Secretary Sebelius to provide answers and information to a series of questions detailing what levels of security and privacy measures were undertaken prior to the launch of the Web site to safeguard the privacy of those Americans signing up for coverage through healthcare.gov. This is a serious concern that must be addressed.

Additionally, because of the law, some businesses are cutting back on employees and on hours, making it harder for Americans to find full-time jobs. Those who do hold on to their full-time jobs could lose their employer-sponsored private insurance and are instead being dumped into the exchange or into the failing Medicaid system.

These are just some of the unfortunate realities we are facing with the implementation of ObamaCare. As these stories continue to pour in, I urge all of my colleagues on both sides of the aisle, along with the President, to carefully listen to the American people, to American businesses and this feedback and work together to defund and repeal every element that proves not to work.

We must replace those failed policies with true reforms that are in the best interests of the American people and in the best interests of the American economy. From day one, the administration has continued to make excuses for why healthCare.gov is not functioning properly, even though they have had years to prepare and perform testing.

The American people see now that this law is more than just a Web site problem; it is a train wreck. This system was not ready and the law looks impossible to fix. Simply put, the promises of this law are nothing like its realities.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

THE BUDGET

Mr. REED. Madam President, it is clear we have honest disagreements about how we should address our budget. I believe the path forward should be fair and balanced. That is not what we have seen to date. We have enacted $2.4 trillion in deficit reduction, with $1.8 trillion coming from spending cuts. These cuts put tremendous pressure on important domestic investments in areas such as education, health care, and national security.

I do not believe cutting domestic programs that invest in our future and help low- and middle-income American families is the right thing to do, especially when we can close egregious tax loopholes that benefit multinational corporations and some of the wealthiest Americans.

Again, we have made significant progress in deficit reduction. The bulk of that has been cutting programs that invest in the country and help families. To go forward, we need a balanced approach, selective cuts, but we also need to close some of these egregious loopholes that are benefiting—not the small business man or woman living in Rhode Island—but multinational corporations—not working wage earners in Rhode Island—but some of the wealthiest Americans.

I know some of my colleagues disagree with me. But in order to address our long-term fiscal challenges, the brinkmanship has to stop. Drawing lines in the sand and daring people to cross them has to stop. What we need is not to surrender our principles but to reach principled compromise.

That is why we should provide immediate certainty that the shutdowns and the threats to wreck the economy are totally off the table. We can do this by agreeing to adequate top-line numbers for the appropriations process for fiscal years 2014 and 2015 and eliminating the job-killing sequester.

Then we can move forward to a long-term debate about our fiscal challenges. We can then build consensus and reach this principled compromise. In reaching that compromise, I would urge my colleagues to include policies that focus on jobs and economic growth, that restore fairness to our Tax Code and preserve hard-earned Social Security and Medicare benefits.

Looking over the last few years, the uncertainty and the brinkmanship according to most economists has robbed us of growth. That growth, in and of itself, not only would have put more Americans to work, but it would have contributed to deficit reduction, even more than we have already been able to do to date.

If we are serious about deficit reduction, if we are serious about narrowing the gap in terms of equality in our society, then we have to emphasize not only wise fiscal policies that reduce the deficit directly but wise fiscal policies that encourage growth and also reduce the deficit.

Let's agree to those top-line numbers. Let's also eliminate the sequester and let's move forward. That is why we were sent here. Americans want us to keep the economy moving forward and to get the economy working for them. They do not want to see us engage in procedural maneuvers that simply leave us without adequate progress on these issues that are extraordinarily important to them.

We are recovering from the most recent self-inflicted wound—the government shutdown and near default. That manufactured crisis was absolutely unnecessary and it was particularly unnecessary to threaten the credit of the United States. A vast majority of Americans are clear that at a minimum we should keep the government open and we should pay our bills. We have always done that. Only in the last few years and harking back to when Mr. Gingrich was Speaker did the other side engage in this sort of brinksmanship.

This does not work for Americans. They do understand we have differences in policy. They do understand we have to debate these various differences. But at a threshold level, government has to be working for them, not sporadically but constantly. And we cannot threaten the credit of the United States.

Jumping from these manufactured crises to crises is no way to do the job. As I said before, there are immediate tasks before us. We have to have a reasonable expenditure level for our budgets for fiscal years 2014 and 2015. Sequester must stop. Then we have to start to look at longer term problems that are being driven by demographics.

We know the sequestration is harming our job growth. CBO has estimated that the 2013 and 2014 sequester will cost the economy 900,000 jobs. Simply suspending or limiting the sequester, if we can generate 900,000 jobs, most Americans would say that is the right policy. If you can just do that and create jobs, then do it.

It is obvious the sequester is not workable. The House of Representatives, our colleagues, have had very difficult times passing bills that adhere to sequestration, bills that traditionally passed overwhelmingly, like transportation and infrastructure bills. If we cannot even do that under the pressure of the sequester, then, again, we are back to a dysfunctional government. It might be formally open, but it is not helping people and it's not doing the things we have to do: getting economies to grow, letting States build bridges, sewers, and highways.

Senator MIKULSKI has done an extraordinary job as the chairwoman of the Appropriations Committee. She has been working hard to make sure we bring bills to this floor that not only have the support of our Members, our colleagues, but also meet the needs of the American people.

I have the privilege of chairing the interior subcommittee. We have been able, working with my colleague Senator MURKOWSKI from Alaska, to propose—we have not brought it to the subcommittee or full committee—but to propose a mark that would respond to the real needs of this country in terms of clean water and drinking

water infrastructure—which is vital to the economy of every American community.

On the other side, the House is proposing a cut of $1.756 billion, more than 75 percent. That cut would devastate these programs and result in 97,000 fewer jobs. These are the good kinds of construction jobs, high-paying jobs, that allow families to stay above the water and allow communities to prosper. The workers who are putting in those infrastructure projects are also going to local supermarkets, local restaurants, paying the fees and dues to the Little League teams, and doing the things we expect every family should be able to do and we hope every family can do.

In the Transportation bill, for example, we were able to maintain our promise to fund transit, airport, and highway systems. We have been able to set aside more than $1 billion for the popular TIGER grant program and a new initiative to replace bridges in critical transportation corridors. This is an effort that can benefit every State in this country in terms of infrastructure projects.

Looking across the Capitol at the House Republican Transportation bill, they are cutting by $7.7 billion—even more than last year's sequestration level. It not only eliminates the TIGER grants for 2014, it reaches back to 2013 TIGER grants and cuts them by $237 million. These kinds of cuts are untenable.

They also signal a very different attitude here. It was at one time clear that transportation was one of those issues that united us, Republicans and Democrats, the North, the South, the East, and the West, because it was something that every community needed and every community understood. Now we see this dichotomy, and that is unhealthy for our government and for our economy.

House Appropriations Chairman HAL ROGERS said last July when these draconian cuts forced House leaders to pull the bill from consideration:

> With this action, the House has declined to proceed on the implementation of the very budget it adopted just three months ago. Thus, I believe that the House has made its choice: sequestration—and its unrealistic and ill-conceived discretionary cuts—must be brought to an end.

Even the chairperson of the House Appropriations Committee is signaling that sequestration is untenable and unworkable.

On this side of the Capitol, Chairman MIKULSKI has been a strong voice echoing—not only echoing, but asserting—that position constantly.

We can't get rid of sequestration with spending cuts alone. We can't cut our way to prosperity. Revenue has to be part of the solution.

In fact, as we have done over the last several years, we have cut discretionary spending dramatically. We are down to not fat but bone, and so we need additional revenues.

There is some good news. There are loopholes, egregious loopholes, that in and of themselves should be closed, regardless if we were dealing with the issues of deficit and sequestration. They are not appropriate, not efficient, and they do not add to the overall economic benefit of the country. They do benefit very narrow interests. It comes down to whether my colleagues on the other side of the aisle are willing to see these special preferences prevail or whether the national economy and the families across this country will benefit.

We have to move forward. We have to emphasize things that will help us, for example, create more manufacturing jobs in this time and for the future. I think at one point we thought manufacturing was passé. We discovered it is not only not passé but it is absolutely vital, because we can't take new innovation, new discoveries, at which we are so good, commercialize them, and then create new products in that commercialization process, unless we have manufacturing.

We learn a lot on the manufacturing floor. We have seen products we have developed intellectually become not only manufactured but improved by other countries who have the ability to manufacture, we have to get back to doing that.

We have to be able to align our workforce and our education system so that we have the skills for the next century. Job training has to be competent, efficient, and adequate. All of this requires investments in resources, not simply cutting away and cutting away.

Ultimately, as we understand, and as our predecessors, particularly my predecessor, Senator Claiborne Pell, understood, education is the engine that pulls this country forward. We used to assume we were the most educated. We were the country with the best record of college graduates. We were the country that advanced public education for everyone. We look around the world and we have slipped in terms of college graduates. We have slipped in terms of skills. Our public education system needs to be reinvigorated. Not only with suggestions from the sidelines, not only with new approaches, but also with real resources. These investments have to be made.

It is a multifaceted approach, but I think we have to begin with only the simple understanding, as we go forward, we need to provide the economy, our constituents, and ourselves the certainty of an adequate funding level for the government for the next 2 years. We need to suspend, dispense with, postpone—whatever the appropriate term—sequestration, because it is not going to help us grow the economy. In fact, it will take away about 900,000 jobs.

Then we have to certainly make it clear we will not threaten the creditworthiness of the United States by defaulting on our debt.

If we can do these things, and I believe we can, we can provide the certainty that our private entrepreneurs need to make real investments in the economy and to grow. In all of this, we have to bring a balanced approach. It is not only cutting, it is expenditure cuts wisely chosen, together with revenue wisely chosen, through closing loopholes that will give us a growing economy, hopefully increase opportunity, and put us back on the path to profound sustained economic recovery.

(The further remarks of Mr. REED are printed in today's RECORD under ''Morning Business.'')

Mr. REED. I yield the floor.

## RECESS

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

There upon, the Senate, at 12:36 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. HEINRICH).

## DRUG QUALITY AND SECURITY ACT—MOTION TO PROCEED—Continued

Mr. MCCAIN. Mr. President, I ask unanimous consent that I be allowed to address the Senate as in morning business and that the Senator from South Carolina, Mr. GRAHAM, be allowed to join me in a colloquy.

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

The Senator from Arizona.

### IRAN

Mr. MCCAIN. Mr. President, the administration's negotiations with Iran failed to achieve an interim agreement this past weekend, and if published reports are accurate, we owe our French allies a great deal of credit for preventing the major powers in the negotiations—the so-called P5-plus-1—from making a bad, bad, bad interim deal with Iran—a deal that could have allowed Iran to continue making progress on key aspects of its nuclear program and in return receiving an easing of billions of dollars in sanctions.

The Senator from South Carolina and I are not opposed to seeking an interim agreement with Iran as a way to create better conditions for negotiations on a final agreement. We joined with some of our colleagues in a letter to the President in support of such an approach before the Geneva agreement. But our support was conditioned on the need for any interim agreement to be based on the principle of suspension for suspension; that is to say, the Iranians would have to fully suspend their enrichment of uranium and the development of their nuclear weaponization programs and infrastructure, including construction of the heavy water reactor at Arak. The idea would be to freeze Iran's nuclear program in place so that negotiations could proceed on how to roll it back without the threat the Iranians could use negotiations as a delaying tactic.

I remind my colleagues they have done that time after time. In fact, the new President of Iran, Mr. Rouhani, bragged when he was negotiator that they were able to fool the negotiators and increase the centrifuges from 150 to 1,000. We have seen the movie before.

If Iran agreed, though, to this freeze, Senator GRAHAM and I have said we would support suspension of our efforts to pass and implement new sanctions. Unfortunately, public reports suggest the administration was willing to agree in Geneva to less than a full suspension of Iran's program and to pay for that inadequate step with billions of dollars in sanctions relief. This is not ''suspension for suspension,'' regardless of administration claims to the contrary. And that is a problem. It puts too much trust in President Rouhani—the one whom I talked about before who bragged—he bragged—about deceiving the international community when he was Iran's nuclear negotiator. In fact, the current diplomatic efforts are consistent with a pattern of past dealings undertaken by the Iranian government to buy breathing space and shift international expectations in order to continue development of its nuclear program.

We have to avoid an interim agreement that diminishes Iran's incentive to make the hard decisions we ultimately need them to make as part of a final agreement, and that final agreement must require Iran to do the following: Comply with all outstanding U.N. Security Council resolutions; sign, ratify, and implement the additional protocol of the nuclear proliferation treaty; address outstanding concerns of the IAEA, especially through expanding inspection measures; halt construction on and ultimately dismantle the Arak heavy water reactor; stop development of advanced centrifuges; and turn its supply of enriched material over to the IAEA.

A final agreement should also not recognize that Iran has any inherent right to enrich. A country that has continuously been on the path for nuclear weapons, that has violated protocol after protocol, should not have the ''right to enrich.'' Without these measures, Iran's nuclear program will continue to grow. And as the program grows, it will be harder to track and harder to set back.

Only when Iran seriously undertakes measures to dismantle its nuclear program should sanctions be unwound. The administration should not weaken the strong negotiating position that Congress has helped create. Instead, it should use its position to its advantage.

Before I ask my friend from South Carolina to comment, I would add that we should not forget the context of Iran and negotiations with Iran. This is an arms control issue—the nuclear weapons. Meanwhile, we seem to ignore the fact that Iran is spreading terror throughout the Middle East and would like to throughout the world.

It is the Iranians who have armed and trained and equipped 5,000 Hezbollah, who are slaughtering people in Syria. It is Iran that sends the Iranian Revolutionary Guard into Syria and slaughters people. It is Iran that is supporting the Islamic extremist groups that are now moving seriously on the side of Bashar Assad into Syria. It is Iran that is spreading terror throughout the Middle East and would attempt to throughout the world. They still view the United States of America as the great Satan. They are still committed to ''wiping Israel off the map.''

Iran is a threat to peace in the world. And it is not only the issue of nuclear weaponry, it is their entire behavior of spreading terrorism throughout the region, propping Bashar Asad while he continues to slaughter, maim, rape, torture, and kill. And for this administration and this Secretary of State to ignore those facts about Iran, in my view, is disgraceful conduct.

Finally, before I turn to my friend from South Carolina, I would add that the influence and power of the United States throughout the world, especially in the Middle East, is no longer there. Every Middle East leader I talk to, everyone I know in the region, says they believe the United States is leaving, the United States is not in any way involved, and they are making accommodation for the absence of the United States leadership.

This President does not believe in American exceptionalism. America must lead or Iran, Russia, and other countries will lead, and sooner or later the United States will pay a very heavy price. We must not ignore the lessons of history. Several times in our history we have tried to withdraw the fortress America, and every time we have paid a very heavy price.

So I say to my friend from South Carolina, it is important, this Iranian issue, it is of transcendent importance, but I do not believe it can be viewed in a vacuum, considering Iran's continued effort to try to undermine and destroy everything—the freedom and democracy—for which American stands.

Mr. GRAHAM. If I could respond, I guess the essence of what we are trying to say is we believe Iran is the problem, not the solution, to the Mid East and the world at large. There has been bipartisan support for curtailing and controlling and eventually eliminating the Iranian nuclear program. There has been bipartisan support for our friends in Israel, and we want to keep it that way. We want to make sure Congress speaks with one voice, that we are helpful when we can be, and that we offer criticism at an appropriate time.

I guess the concerns we have about this agreement are that it is getting to be more like North Korea in a fashion that makes us all uncomfortable. If you interject billions of dollars into the Iranian economy now, without dismantling the centrifuges, I think you have made a huge mistake.

What are we trying to accomplish? We are trying to make sure the Iranians do not have the capability to develop a nuclear weapon. The first question you have to ask: Are they trying to build a nuclear powerplant—a nuclear infrastructure for commercial purposes—or are they trying to create capability to produce a weapon? Trust me on this: Nobody goes about building a commercial nuclear program this way. They are trying to build a nuclear weapon. Why? Because that would give them influence in the region they have never had. It would give Iran a strong standing in the historical Sunni-Shia conflict between the Persians and the Arabs. And as a consequence, it would lead to a nuclear arms race in the Mid East, because the Sunni Arabs are not going to allow the Shia Persians to have a nuclear capability.

They also believe, fairly rationally so, if they get a nuclear weapon, the regime is probably home free; that the West is going to back off, much as we did in North Korea. So the decision of how to handle this program is probably the most important decision President Obama will make in his second term and will be one of the most important decisions the world makes for the future of our planet here going into the 21st century.

Mr. MCCAIN. If my friend would yield for a question, the Senator from South Carolina and I have known the Prime Minister of Israel rather well over the years. Obviously, the first target of Iran, in the case of a nuclear weapon, would be Israel. Iran has never stepped back from saying that Israel should be wiped from the face of the Earth. Has the Senator from South Carolina ever known a time since the creation of the State of Israel that the United States and Israel have been further apart; that there has been more open disagreement and, indeed, tension at a level the likes of which we have never seen? And does it not appear by not including Israel in any of the negotiations, to start with, but also there seems to be a complete disregard of the knowledge, information, and frontline status of Israel in this whole issue?

Mr. GRAHAM. Well, I think it is pretty obvious the tensions are growing, and not just with Israel. I believe the Obama administration's eagerness to reach a deal is unnerving to the people in the region, and not just Israel. The Israelis and the Sunni Arabs are being pushed together in an unprecedented fashion. We are hearing out of the Arab community the same concerns as out of the Israeli community. So that is an odd alignment.

Mr. MCCAIN. And haven't the Saudis already basically let it be known if Iran acquires a nuclear weapon they will be right behind them?

Mr. GRAHAM. Oh, absolutely, it will create an arms race.

There is a positive note here: The Congress itself. The Congress has not been confused. We are more together on this issue than we have ever been. The Congress passed 90 to 1 a resolution rejecting the idea of allowing the

Iranians to have a nuclear weapon and trying to contain them. The idea of containing a nuclear-armed Iran is not a good idea. We fear they would share the technology with a terrorist group that would wind its way here to the United States. And Israel believes they could never have a moment of peace with a nuclear-armed Iran. Containment won't work.

Secondly, the Congress, 99 to 0, said: If Israel has to defend itself against a nuclear-capable Iran, has to intervene to stop this existential threat to the Jewish state, that we would provide political, economic, and military support. So the Congress has been very much together.

The next thing we hope to do is have a resolution, bipartisan in nature, that defines the end game. What are we trying to accomplish? We don't want a war. Nobody wants a war. The idea of the Iranians having a commercial nuclear powerplant is OK with me. Mexico and Canada have commercial nuclear power facilities. They just don't enrich uranium. They buy the product from the world community. They don't have enrichment and reprocessing. I don't mind the Iranians having a nuclear powerplant for commercial purposes as long as the international community controls the fuel cycle.

Here is the problem: They are insisting on the right to enrich. And the problem is you can take uranium and enrich it to a certain level for commercial purposes, and with today's technology you can break out and have a nuclear weapon very quickly.

Mr. MCCAIN. May I ask, aren't the parameters of this proposed agreement to allow them to continue to enrich materials?

Mr. GRAHAM. The concern the Israelis have, and that my colleague and I have, is the number of centrifuges available to the Iranians is into the tens of thousands now, pushing from 18 to 24,000. Who really knows. But the advanced centrifuges we are talking about can take 3.5-percent enriched uranium and go to 90 percent to get a weapon in just a matter of weeks, if not months.

So here is the rub: I think Congress will speak with one voice. We don't mind a commercial capability for the Iranians as long as you control the fuel cycle. As to the previously enriched uranium, particularly the 20 percent stockpile, turn it over to the international community. That is the U.N. position. Stop enriching. There is no right to enrich. At the end of the day, this plutonium heavy water reactor that you are building is a threat to Israel beyond belief. Dismantle that reactor. You don't need a heavy water plutonium-producing reactor to engage in commercial power production. These are what we would like to let the administration know would be a successful outcome regarding the Congress. They actually mirror the U.N. resolutions.

I am hopeful we can find a way to end the nuclear program in Iran which would be a win-win situation for the Iranians and the world at large. But what we can't afford to do is get it wrong with Iran. These negotiations, the interim agreement, as Senator MCCAIN stated so well, sent chills up the spine of almost everybody in the region. So if the Iranians insist upon enriching, to have the ability to take the uranium and enrich it in the future, I think is a nonstarter. That would be incredibly dangerous, and we will wake up one day with a North Korea in the Middle East. If the Iranians get a nuclear weapon, it will be far more destabilizing than North Korea having a nuclear weapon on the Korean Peninsula. It will open Pandora's box.

I am hopeful the administration will go into the next round of negotiations eyes wide open, understanding where the American people and the international community are and the people in the region and if we get a deal, it is a good deal. But what is a good deal? To make sure the Iranians can have a peaceful nuclear power program but can't get a bomb. The only way they can get a bomb is to have enrichment capability as part of an agreement. Mexico, Canada, and 15 other nations have nuclear powerplants for commercial purposes, but they don't insist on enriching uranium to provide the fuel. If they insist on enriching, that tells us all we need to know about what their true intent is.

I thank Senator MCCAIN for bringing his voice.

Mr. MCCAIN. It is also true that the right to enrich is undercut by their many years' record of deception and efforts at acquiring a nuclear weapon.

Finally, again, I want to emphasize our Israeli friends are on the frontline. It is not the United States of America that the ayatollahs have committed to ''wipe off the face of the earth,'' that have been dedicated ever since the Iranian revolution to the extinction of the State of Israel.

So shouldn't we pay close attention? We aren't dictated by Israeli behavior, but shouldn't we profit from their experiences? Twice the Israelis have had to act militarily against nuclear facilities. Twice they have had to do that in order to prevent in one case Syria and another case Iraq from acquiring nuclear weapons which would threaten them with extinction. Now this agreement, clearly, in the words of the Israeli Prime Minister, is something that is very dangerous to the very existence of the State of Israel.

Again, Israel does not dictate American policy, but to ignore the warnings of literally every expert in the Middle East—especially that of Israel, including Arab countries—I think is ignoring evidence and opinions that are very well informed. To get an agreement for the sake of an agreement, in my view, would be a disaster.

Mr. GRAHAM. Would the Senator yield? To conclude, why are the Iranians at the table? Because the sanctions are working. The Congress has passed tough sanctions. To the Obama administration's credit, they put together an international coalition—unprecedented in nature—which has gotten the Iranians' attention and we are at the table. The last thing we want to do is relieve the pressure because that is what got them there. There are two things they must understand: Until you abandon your nuclear quest for a bomb and replace it with a reasonable solution for commercial nuclear power aspirations, we will continue sanctions. The threat of military force is also one of the factors that got them to the table.

Jay Carney said yesterday: If you push for new sanctions, you are inviting war. I would like to respond. I think the reason we are having a peaceful opportunity moment here is because of the sanctions. If we back off now and infuse billions of dollars into the Iranian economy and leave the centrifuges in place, we are inviting an attack by Israel. If you don't shut down the plutonium heavy water reactor, Israel is not going to sit on the sidelines forever. So to not have a continuation of sanctions until we get the right answer is going to invite more destabilizing in the region.

We have to realize that Israel is in a different position than almost anybody else. They are close. The Iranians have talked about wiping them off the map. When it comes to the Jewish people, they don't take that stuff lightly anymore. When they say ''never again,'' they literally mean it. Can you tell the Prime Minister of Israel—given the behavior of the Iranians in the last 30 years—that they are just joking? Can you tell the people of the United States, if the Iranians got a nuclear weapon, they wouldn't share it with a terrorist group to come our way? Name one thing they have produced they haven't shared.

So this is a moment of history. This is the biggest decision President Obama will make, and I would like to help him make the right decision. I would like to help the world resolve this problem without a war. But here is the situation we find ourselves in: If we attack Iran to stop their nuclear program if we couldn't get a peaceful ending, we would open Pandora's box. It would be difficult. But if they got a nuclear weapon, it would empty Pandora's box. That is the world in which we live. We have a little time to get this right. I hope we can.

Mr. MCCAIN. I appreciate the patience of my friend from Iowa, and I thank the Senator from South Carolina.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, I wish to cover the bill we are on, the Drug Quality and Security Act. Before I do, I ask unanimous consent that at the end of my remarks the Senator from New Hampshire, Ms. AYOTTE, be recognized to speak.

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

Mr. HARKIN. One year ago, we were at the beginning of our effort to understand one of the worst public health crises this country has experienced in recent years. We were just learning about the New England Compounding Center's astonishing disregard for basic procedures to ensure that the products they were manufacturing were sterile. We were shocked and saddened by the news that hundreds were sick and dozens had died from infections caused by NECC's blatant disregard for patient safety, and we were fearful for the fate of the thousands of additional patients who had received injections of NECC products.

Despite the urgency of that crisis, the bill we are considering was not slapped together overnight—far from it. It is the product of a full year of careful bipartisan policy collaboration, and it rests upon the factual foundation developed through the bipartisan oversight investigation that Senator ALEXANDER and I launched over 1 year ago. When we learned of the NECC tragedy, we did not rush to pick up a pen and dash off a quick legislative answer. Instead, we sought to understand what that story was, what its causes were, so we could develop legislation which would make a difference in the future and not just make headlines.

In early October of 2012, shortly after the outbreak became known, this is what the outbreak looked like. We had these States with 64 deaths and 750 people got sick. I don't mean they just got sick overnight and then got better. Some of the people who lived will have lingering illnesses for the remainder of their lives. In many cases they will never be able to work again because of meningitis. My partner's home State of Tennessee was very hard hit with 153 cases. Michigan was the highest with 264 cases.

But this is what it looked like when this outbreak occurred. As we can see, there were a couple out West, and it was starting to spread in that direction. Thankfully, the Centers for Disease Control and Prevention was able to intervene and find the source of it and stop it; again, another example of how CDC protects the American people.

When this happened, we began to talk directly with various stakeholders to understand it. We continued to talk to the FDA and the CDC on their investigations. We held briefing calls with the Massachusetts Board of Pharmacy, where the NECC was located. We talked to an array of compounding pharmacies and purchasers of the compounded products.

On October 25 of last year, to explore the need for and potential contours of legislation, the committee launched a bipartisan process to examine the respective State and Federal roles in regulating compounding pharmacies. My oversight team worked with Senator ALEXANDER's to gather documents from FDA and from the State of Massachusetts that shed light upon how NECC had been allowed to grow so large with so little oversight. Last November, we released an initial report and held a hearing exploring the statutory and regulatory gaps that contributed to this tragedy. Our bipartisan investigation continued and culminated in a final report released on May 22 of this year.

Over the course of this investigation, we explored how drug compounding has evolved as an industry over the past couple of decades. Drug compounding is a traditional and longstanding activity of pharmacies. It serves an important role in our health care system. Compounding is when just a few people—maybe only one person—needs a certain compound of a drug. So a pharmacist, maybe not with the classic mortar and pestle but with other devices, mixes, compounds the specific drug that is needed. Maybe it is needed for a few people in a hospital, a specific chronic illness that someone might have. This is sort of the traditional compounding, where you can't just get a prescription for it and go down to the pharmacy and have it filled, simply because there is not that big of a demand for it. But over the last couple of decades a number of large-scale drug compounding companies have started to produce large batches of high-risk drugs for national sale.

For example, at the time of the meningitis outbreak, NECC's sister company called Ameridose was providing prepared IV mixtures to 25,000 hospitals and facilities across the country. Despite a scope of operations that makes these companies much more similar to drug manufacturers than to pharmacies, they primarily faced oversight similar to State-licensed community pharmacies rather than the more rigorous quality standards governing traditional drug manufacturers.

Our investigation found that both NECC and Ameridose had lengthy track records of producing drugs of questionable sterility and potency, and both had been the subject of repeated adverse event reports and consumer complaints. The committee review of FDA documents indicates that between 2002 and 2012, NECC was the subject of at least 52 adverse event reports, exposing the dangers created by its hazardous compounding practices with documented issues including the failure to ensure the sterility of equipment and products, the distribution of drugs containing particulate matter, the manufacture of superpotent and subpotent drugs, mislabeling of drugs, inaccurate ''beyond use'' dating, and the illegal distribution of drugs in the absence of patient-specific prescriptions.

Similarly, between 2007 and 2012, internal documents indicate that Ameridose was the subject of at least 18 adverse event reports. Ameridose was cited in 2008 for producing a compounded version of the pain reliever fentanyl that was more than 100 percent stronger than the standard level.

What was happening at NECC during this time period was unfortunately an example of a larger problem across the industry. In an effort to understand better the risks posed by increasingly large drug compounding companies, the FDA undertook surveys of compounded drugs in 2001 and 2006. In each of those surveys, about one-third of the drugs sampled failed one or more standard quality tests. In the 2006 survey of sterile injectable drugs, 33 percent of the samples contained either not enough or too much of the active drug ingredient.

Between 2001 and 2011, FDA documents indicate at least 25 deaths and 36 serious injuries, including hospitalizations, were linked to large-scale drug compounding companies, including 13 deaths in 2011 alone. Between 1998 and 2005, FDA documented at least 38 deaths and 210 injuries from drugs that were contaminated, mislabeled, or caused overdoses because they contained more of the active pharmaceutical ingredient than indicated. These include the deaths of 6 infants and children, and at least 18 other children paralyzed, burned, hospitalized, or suffering from other severe reactions, and these numbers likely understate the actual number of adverse events because current law, unlike what we have in this bill, does not require reporting of adverse events.

Our bipartisan investigation concluded that large-scale drug compounders continue to pose a serious risk to public health. At the time of our final report in May, we had identified at least 48 compounding companies that had been found to be producing and selling drugs that were contaminated or created in unsafe conditions in just the preceding 8 months since this outbreak.

I guess what I am saying is, if you follow this, this had been going on for some time but it kept getting worse and worse as more and more of these large-scale drug compounders found they could get away with it.

In that same time 10 drug compounders had issued national recalls because of concerns about contamination, and 11 drug compounders had been ordered by State licensing agencies to stop producing some or all drugs.

Our investigation concluded that in order to reduce the serious and ongoing risk to the public health from compounded drug products, it is essential that a clear statutory framework be enacted that requires entities compounding drugs outside of traditional pharmacy practice to engage in good manufacturing practices and to better ensure the sterility and quality of their drugs. So we developed this bill, the DQSA, as we called it, to address the regulatory gaps that we identified in this investigation.

Under the legislation before us, large compounders such as NECC or any other compounder that chooses to operate outside of traditional pharmacy

practice have only one legal option: They must register with the FDA. They must follow good manufacturing practices. They must tell FDA when their products hurt people; otherwise, they must follow the manufacturer-like requirements that apply to outsourcing facilities under this bill. If they are not traditional compounders and they do not meet the requirements for outsourcing facilities, our bill says FDA can shut them down immediately.

The Drug Quality and Security Act is a carefully crafted bill that not only responds to the NECC outbreak but to the root causes that I have gone over that go back almost 2 decades, that really led up to this tragedy. It is good bipartisan policy.

I pointed out the other day in my remarks, and I point out again today, it has wide industry and consumer support: the Academy of Nutrition and Dietetics, the American Pharmacists Association, the Chamber of Commerce of the United States, large drug manufacturers, and also consumer groups—the Center for Science and Democracy, the Center for Medical Consumers, and others. So it has both consumer and industry support.

I wanted to take this time to lay out the background as to why this bill is so vitally important. I will also point out the House of Representatives passed this bill on a voice vote. Now we have it here at the desk. It is the same basic bill we passed out of our committee on a bipartisan unanimous vote.

Last night we had a 97-to-1 vote on cloture to proceed to this bill. That ought to be an indication that this is an important bill, but one that has broad bipartisan support. Now, under the rules of the Senate we have 30 hours, of which I am now taking my part of 1 hour. I don't intend to take the whole hour. Then we go 30 hours, and then we get on the bill. If one person then—this one person—continues to object, I guess we will have to file cloture on the bill. That will take 2 days to ripen, 2 days for cloture to ripen. Then we will have yet another vote on cloture on the bill. I assume we will get 97 to 1. Then we have 30 hours after that, and then we vote. I think that takes us to Sunday, if I am not mistaken, if we stay here.

This is not really part of what I want to talk about, but I think this is an important reason why I have supported a change in the rules of the Senate since 1995. We cannot continue to be a 21st century country, to be a major world power, and operate under 19th century rules and regulations. It is just not right that one person, one Senator, any Senator—I am not pointing fingers at anyone. I am saying anybody, any one Senator in the face of a bill that is not only vital for the health and safety of the American people but which has broad bipartisan support—that one person could tie up the Senate for literally a week or more through procedural roadblocks. That is why I say we need to do something about the rules around this place.

If this were a contentious issue, I could see the need to slow things down. This has to do with the health and safety of the American people. A lot of time and effort went into this bill, by Republicans and Democrats, FDA, CDC, pharmaceutical companies, consumer groups. That is why I think it has such broad support. I hope we do not have to go through all this. But if we do, we do. There is no doubt in anybody's mind that this bill will pass and it will probably pass on a 97–1 vote. But why tie up the Senate for all this time? Why put off the signing of a bill that would get action to protect the health and safety of the American people?

I hope we can bring this to a resolution and have a vote up or down on it. Frankly, I think we could probably voice-vote the bill. I think we could ask for unanimous consent—but for one person—and then we could voice vote it. Then, if there is an objection, maybe we do have to have a rollcall. If someone wants a rollcall, that is their right, but at least let's vote on the bill and get it out of here. That is the least we can do to protect the health and safety of the American people.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

OBAMACARE

Ms. AYOTTE. Mr. President, last week I came to the floor to discuss the negative impact that ObamaCare is having on the people of New Hampshire. I shared dozens of compelling stories from my constituents, who are telling me that they are seeing their coverage canceled and they are seeing their premiums rise. These sad stories continue to arrive in my in-box every day, and these are real people. They are having great difficulty with not only the Web site but structural problems that exist with the law itself. They deserve to have their voices heard on the floor of the Senate. I will say, as one of my constituents said to me: Lives in New Hampshire are depending on it.

Last week President Obama said he was sorry to those who are now receiving cancellation notices. But a simple apology falls short because the structural problems we are now seeing with this law, including the cancellation notices that too many of my constituents are receiving, were problems that many in this Chamber, even before I got elected to the Senate, warned about before the law was passed.

Here are some of the stories I want to share from people in New Hampshire and how they are being impacted by this law.

Jeanne in Meredith wrote me she was diagnosed with breast cancer 2½ years ago. She was laid off from her job of 20 years and then went on COBRA. Jeanne traveled to Mass General in Boston to receive care and when her coverage ran out she worked with her insurance agent to receive coverage that she could afford and that would allow her to continue with her subsequent treatments without any interruptions. She has now told me that what she has worked out in the plan she had has been canceled. She wrote me:

I liked my plan. And I not only liked my doctors, I consider them my lifeline. If I purchase a plan under the Exchange, I lose access to all my doctors in Boston, and I am finding that I will also lose my oncologist in Nashua as well. This can't be happening.

Lori in Littleton wrote me. She told me she and her husband recently were notified that their coverage will be canceled. When she learned about the new plan that was being offered to comply with ObamaCare, she said:

We were shocked that the cost would be $400 a month more than we are currently paying. This is way beyond our budget. So we began to explore the so-called Exchange to shop for all of our choices. Once again, we were very frustrated to learn that New Hampshire has a monopoly with only one carrier [on the exchange].

What I have also heard from my constituents is concerns that they are receiving notices that their premiums are rising as a result of ObamaCare. Sara in New Castle wrote me that her premiums for a high-deductible plan that complies with ObamaCare will be double her current premium. Moreover, Sara said that she ''will no longer be able to go to Portsmouth Hospital. My primary physician, gynecologist, eye doctor, and children's pediatrician are all excluded from the ACA plan that I will be forced to purchase by the end of 2014.''

She finished the letter she wrote to me by saying: ''No, my family is not better off with the ACA.''

John in Pembroke wrote:

The new law is called the Affordable Care Act. What a hurtful joke that is to hard-working Americans. My existing policy is being canceled. After I called Anthem to inform them they must have misheard the President and the other supporters of the ACA, they told me that my existing policy did not meet the standards for the new law. I was shocked. The new higher plans from Anthem in the best case scenario are more than double my existing plan.

David in Nashua wrote me that recently he saw his coverage canceled like too many others. He wrote:

When working with Anthem to get a plan that will have the closest coverages and plan services with similar deductibles and copays, I was disheartened to learn it will cost me an additional $110 per month—about 40 percent more than I was paying.

He continued:

To get comparable services to what I had it will cost an additional $45 per month. All said, I am looking at an increase of $155 per month.

David said he is looking at a 57-percent increase in costs and an additional $1,800 per year.

He said to me:

This is grossly unacceptable, has been misleading from the words conveyed by the President and downright frustrating to have to deal with such a problem.

A couple from Amherst, NH, wrote me and said:

. . . because of the Affordable Care Act our health insurance plan is being canceled and

the least expensive plan, either within the exchange or outside of it, will more than double our cost. The least expensive plan we can obtain will increase our monthly premium from $582 to $1,183 per month. Our annual premium under the new health care law will increase from $6,984 to $14,196—an increase of [over $7,000] per year.

They further wrote to me:

President Obama promised us that if we liked our plan, we could keep it. But ours has been canceled. President Obama promised us that if we liked our doctor we could keep our doctor.

President Obama promised us that under the new health care law we would save $2,500. But our premiums will be increasing by over $7,000 a year.

A couple from Center Sandwich also contacted me. They said their rates will double and cost them an additional $7,000 per year.

They wrote:

We are both in our second careers and in our 50s, working hard and doing two jobs. Blue collar couple who are very healthy. Under this so-called Affordable Care law, our rates are going to double!

Scott from Concord wrote:

I currently have a great family plan through my work. This plan costs me $240 per month. On January 1st this plan will cost me $600 per month. I can't afford to pay such a high premium. Now I am forced to get a plan that has a 50% greater deductible, and much higher co-pays.

I also heard from a mother from Manchester. She has a little girl who is scheduled to have surgery at the beginning of January. As any mother would be, she is worried, and now she has been told her plan has been canceled. She wrote:

I looked, and my current plan is not available through the Exchange. I will have to purchase a plan with a high deductible. The new plan will cost over $1,200 per month, increasing my premium which is currently just over $1,000 per month. The new plans, through the Exchange, have a smaller network of doctors, so I could be losing my doctors too.

Finally, I am hearing frustration and concerns from my constituents about the Web site.

David in Bedford wrote:

My wife and I are semi-retired and have been trying since October 1 to obtain health insurance through HealthCare.gov. We have also used the telephone option but we were unable so far to obtain coverage.

He finished this message to me by saying:

We are very concerned with being without coverage on January 1, 2014.

I heard a similar concern from a resident in Greenfield who also expressed deep concern about private information put on the Web site. I heard the same from a registered nurse from Milford. She expressed frustrations about how the exchange is working.

There are many more pieces of correspondence I have received from my constituents. I will not share them all on the floor today, but their voices deserve to be heard. Because of this law, people in New Hampshire are losing the coverage they thought they could keep. They are getting premium increase notices, which they cannot afford to pay, that are attributed to ObamaCare. Finally, as I have previously said on the floor, some people are having their hours cut because it defines the workweek as a 30-hour workweek. Unfortunately, the people who do want to continue to work more hours are being harmed.

As I have done before, I come to the floor today to call for a timeout on ObamaCare. We need a timeout because we are seeing that the problems with this law are much deeper than a Web site. We hope those problems will be fixed. Of course, they have not yet been fixed. The Washington Post reported today that they may not even be fixed with what the administration has represented—at the end of this month.

That said, what about the canceled policies, the premium increases, and the lost hours? It is time to have a timeout where we do what should have been done in the beginning. Instead of passing a law of this magnitude on a partisan basis, people need to come together to address health care, rising costs, access, and the issues the American people want us to take on. This law is not the answer, and the American people—and the people of New Hampshire—deserve better.

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

Mrs. MURRAY. Mr. President, I ask unanimous consent to speak as if in morning business.

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

## EARLY CHILDHOOD EDUCATION

Mrs. MURRAY. Mr. President, I come to the floor today to talk about the issue that got me into politics many years ago in the first place—early childhood education.

I thank my friend and colleague Chairman HARKIN, whose leadership on this critical issue is unparalleled. I am delighted he is on the floor today as well. I also thank Senators CASEY and HIRONO for their strong support of early childhood education. They are great partners in this work as well.

Of the 535 Members of Congress, I have to say each one of us comes to Washington, DC, with our own unique background. We are a collection of military veterans, farmers, business owners, and a lot more.

As for me, I come to Congress as a mother and preschool teacher. When my kids were much younger, I found that their wonderful preschool program was being closed down by my State because of budget cuts. When my children were very young, I put them in my car and traveled to Olympia, our State capital, which is 100 miles away, to explain to these legislators, whom I did not know, why they could not cut this important program. When I got there, legislators told me there was nothing someone like me could do to save that preschool program. One legislator in particular told me I was just a mom in tennis shoes and had no chance of changing anything. He said I could not make a difference.

Well, that made me slightly mad. I drove home, picked up my phone, started calling other moms and dads, and they called moms and dads from around our State. Over time—about 3 months—we organized thousands of families in our State. We wrote letters, held rallies, and when all was said and done the legislature listened to us and reinstated that preschool program. I went on to teach in that program as a preschool teacher and then to serve on my local school board.

When I eventually did come to Washington, DC, as a U.S. Senator, I knew firsthand that if we want to strengthen our economy and give our kids a brighter future, we could not wait until they were teenagers or adults to invest in them. I had seen in my own classrooms that when young children get the attention they need, they are miles ahead of their peers on the path to success. I saw that my own students who knew how to raise their hands or ask questions or stand in line to go to recess were the ones who were then able to go on and tackle a full curriculum in school.

That is why this week I joined a bipartisan group of colleagues to introduce legislation that will give every American child access to high-quality early education. The bill, the Strong Start for America's Children Act, aims to significantly increase access to and quality of early learning programs that start when a child is born and last until their first day of kindergarten. This legislation authorizes a Federal program that supports our individual States' efforts to educate their youngest citizens. It ensures that early learning programs everywhere have quality teachers and meet high standards, but it also provides States, school districts, and preschool programs the flexibility they need to meet their local children's needs.

Although I approach this issue today as a grandmother and mother and a former preschool teacher, many of my colleagues have their own reasons to support early education. Former law enforcement officers and lawyers and sheriffs whom I work with know that when we invest in our children at a young age, they are more likely to stay out of trouble and out of jail. Business leaders and economists know that when we spend $1 on a child's education in the first few years of their life, we save as much as $17 throughout their life. Our military leaders tell me that 75 percent of our Nation's 17- to 24-year-olds are ineligible to serve their country often because they are not able to pass the necessary math and reading.

It is not only teachers who are fighting for pre-K, it is generals, sheriffs, and CEOs. Fifty years of research backs this up. We know that 80 percent of a person's brain development occurs before the age of 5. While China is aiming to provide 70 percent of their children with 3 years of preschool by 2020 and India is doing the same, we do not

have a national strategy to get the youngest Americans ready to learn. Nobel Prize-winning economist James Heckman, an advocate for early learning, says ''skill begets skill.''

This summer I traveled throughout my home State of Washington visiting early learning programs. I heard from a kindergarten teacher who told me that while some of her students in kindergarten are practicing writing their names on their work, others are learning how to hold a pencil. Those children, even at an early age, are already playing catchup. So when a child who has benefited from early education knows how to open a book and turn a page, someone can teach them to read. But in classrooms across our country, some children are falling behind. The gap between children who start school ready to succeed and those who don't has serious implications for our country's future.

Although historically we have invested in education to build a path to the middle class, we are now falling behind. We now rank 28th globally in the proportion of 4-year-olds enrolled in pre-K and 25th globally in public funding for early learning. That cannot continue.

In the coming weeks and months, I will be working with my chairman Senator HARKIN, who is here today, and with many others to work toward making some smart investments in our educational system so we can move this legislation forward. Our country in very large part is the product of decisions that were made decades ago. The decision to make public education a priority now will have an extraordinary impact on the next generation. Every day we are choosing between being a country that is struggling to catch up or being a country that has the knowledge and power to continue to lead.

I thank the Presiding Officer.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

UNANIMOUS CONSENT REQUEST—H.R. 3204 AND S. 1197

Mr. VITTER. Mr. President, I rise today to again advocate for no Washington exemption from ObamaCare. This is an issue I have talked about with several of our colleagues in this body, and I have been joined by many supporters in the House of Representatives. I believe it is very important.

As we hear story after story from Americans in each of our States about what they are facing—being dropped from policies they liked and wanted to keep, having premium increases of 1,000 percent in some cases, getting their work hours cut back to under 30 hours a week—the fact remains that Washington has essentially an exemption from all of that pain. Washington has a big taxpayer-funded subsidy that nobody else in America at the same income level can get, and that really needs to end.

One critical component of this issue is the fact that even though the ObamaCare statute clearly said that every Member of Congress and all of their official staff had to go to the exchanges for their health care—and of course mentioned nothing about any huge taxpayer-funded subsidy—in fact, that language was considered and not included. Even though that is crystal clear under the statute, the Obama administration issued a special rule to get around that clear language. Part of that rule, which I think is outrageous on its face, says: Well, we don't know who official staff are. We cannot determine that, so we are going to leave it up to each individual Member of Congress to determine who their official staff are. As long as they deem certain staff nonofficial, then they don't have to go to the exchanges at all. They don't have to follow that clear mandate in the statute itself.

Well, again, when we are talking about folks who work on our staff, committee staff, and leadership staff, that is ridiculous. They are clearly official staff. They are not campaign staff. They are not off Capitol Hill and outside of government. They are not working for other entities. They are clearly official staff. This is just one of the major ways this illegal rule does an end run around the clear language of the statute.

In reaction to that part of the illegal rule, I introduced a bill that simply says these decisions by each individual Member of the Senate and the House need to be made public. There needs to be full disclosure when anybody is using this end-run around and saying: Yes, this person works for me but somehow they are not ''official,'' so they do not have to follow the mandate of ObamaCare to go to the exchanges. That information should absolutely be public, and I put that in the form of a bill which I have filed both as a freestanding bill and as an amendment to the measure before the Senate today.

Whatever we think about the underlying issues—and I know there is disagreement—to me it should be a no-brainer that there is full disclosure about how each individual office handles the situation. That is not fully disclosed now. Some Members may choose to say it to the press, to answer press questions, but it is not public information. It seems clear to me that how each office elects to handle that situation, how each elected Member elects to handle that situation, should be, by definition, public information, fully disclosed.

The measure I am talking about right now, that is all it does. It does not prohibit anything else from going on. I object to that. I have other measures I will push to prohibit it. But all the measure I am talking about right now does is make sure that information, that election by each individual Member, is public, that there is full disclosure about something I think clearly the public has a right to know about. So I am simply on the floor lobbying for that measure to pass and lobbying for a vote opportunity up or down on that important provision.

My first choice would be a simple vote on the measure in front of the Senate right now, the drug compounding bill. I have no interest in delaying progress of that bill. I simply want an amendment vote on the measure I am describing. We can vote it up or down. Either way, I think it is crystal clear this bill will proceed to become law. If my amendment is adopted, it would be voted on in the House. I think it would clearly be passed, become law. That is my first choice request here.

If that is not possible, I do have a second choice request, which is to simply make this vote in order in the context of the next major bill coming to the floor, the National Defense Authorization Act—again, a simple amendment, a simple vote. I have no interest in delaying the time running on the consideration of this bill, on delaying votes on this bill, or of delaying debate and voting on other amendments on the Defense authorization bill. It seems to me that is a very basic, straightforward request: a vote on a pure disclosure provision.

By the way, this provision has been hotlined on the Republican side, and there is no Republican objection to the substance of this provision. It is pure disclosure. We all think it should be public information. There is no objection.

So I would simply ask unanimous consent to proceed in this way and expedite, in the process, consideration of all of this, including the compounding bill on the floor right now. The distinguished floor manager for the bill said a few minutes ago he does not want delay on this bill. I do not want it either. There does not have to be any delay, and, in fact, this unanimous consent will expedite all of that consideration.

In that spirit, I ask unanimous consent that all remaining time on the motion to proceed to H.R. 3204, the compounding bill, be yielded back; that the motion to proceed be agreed to; that my amendment No. 2024 be the only amendment in order; that no second-degree amendments be in order; and that the amendment be subject to a 60-vote affirmative threshold for adoption; I further ask that there be 2 hours of debate equally divided, and that upon the use or yielding back of that time, the Senate proceed to a vote on my amendment; following the disposition of my amendment, that the bill, as amended, if amended, 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. Is there objection?

The Senator from Iowa.

Mr. HARKIN. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. VITTER. Well, Mr. President, reclaiming my time, that is unfortunate.

That could dispose of this bill and pass this bill today—a very straightforward, expeditious way of passing this bill with no delay.

I said I had a second choice, a path forward which I think is very reasonable as well, related to the National Defense Authorization Act.

So let me propose this unanimous consent request: I ask unanimous consent that all remaining time on the motion to proceed to H.R. 3204, the compounding bill, be yielded back; that the Senate proceed to H.R. 3204; that the bill be read a third time and passed, and the motion to reconsider be considered made and laid upon the table; I further ask that the Senate then proceed to the consideration of S. 1197, the national defense authorization bill; that my amendment, which is at the desk, be called up, and that notwithstanding rule XXII, my amendment remain in order; that no second-degree amendments to my amendment be in order; and that the amendment be subject to a 60-vote affirmative threshold for passage.

The PRESIDING OFFICER. Is there objection?

Mr. HARKIN. Mr. President, on behalf of leadership, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. VITTER. Well, Mr. President, reclaiming my time again, I think that is unfortunate. That would be an even quicker route forward on the compounding bill because had that unanimous consent request been agreed to, the compounding bill would have just passed the Senate. It would have happened right now, and we would move on to something that clearly needs time for debate and discussion and amendments, the National Defense Authorization Act.

In closing, let me underscore all I am seeking, urging, and, yes, demanding is a clear up-or-down vote on a pure disclosure provision: let the public know, as I think they clearly have a right to, how each individual Member is handling the situation. If a Member actually has the gall, in my opinion, to say: No, all these people who work for me are not ''official staff'' and therefore they can right out ignore the clear language and mandate of ObamaCare that says Congress and all staff must go to the exchanges for their health care—people have a right to know that.

By the way, a lot of Members, including myself, say: No, we are all going to the exchanges. That is what the law says. It is perfectly clear, and that is what we are going to live by. A lot of Members are doing that.

Either way, the public should know what is going on. There should be full disclosure, and that is all the provision I am discussing today does.

It has been completely cleared by hotline on the Republican side. There is no objection. I would urge us to move forward with a simple, straightforward vote on it, so we can expedite consideration of this bill on the floor, so we can move more quickly to the national defense authorization bill, which does merit a lot of significant floor time, so we can have amendment votes on that bill immediately and not have any controversy about that.

I urge that reasonable and expedited and clear path forward.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, I want to say a couple things about my objections. I know a lot of Senators, when they object, always use that phrase: reserving the right to object. But I think if you look at the Senate rules, there is no such provision for reserving a right to object. I have always made it my habit that if you object, you object, and then, when you get time on the floor, you explain why you objected. Thus, I am taking my time now to explain why I objected.

The Senator from Louisiana propounded two unanimous consent requests. The first was basically that we go ahead and get to the bill, the compounding bill that we are on right now; that his amendment, which has nothing to do with the bill, by the way—and I think he would agree with that. It has nothing to do with it. It is not even relevant, not even germane to this bill. It has something to do with ObamaCare and whether we tell people whether our staffs are going on the exchange. So it has nothing to do with this bill.

It seems odd that the Senator from Louisiana says he wants an inalienable right to be able to offer an amendment to this bill, but no one can offer an amendment to his amendment. It is kind of a double standard, to my way of thinking. He says that we vote on his amendment and that no second-degree amendments be in order. Why not? If amendments were allowed to be in order on the bill that were nongermane and nonrelevant, why shouldn't there be a second-degree amendment allowed on his amendment? Kind of a double standard. He wants it all his way, without thinking about the rest of the Senate. Well, again, that is why I keep saying we need the rules changed so that not one person can demand such outrageous accommodations.

Again, this bill is so important to get passed and to get to the President so we can begin this process of protecting the health and safety of the American people. We know how to treat compounders, and they have to register and stop doing what they have been doing in the past. This is vitally important.

The Senator says: Well, we can expedite it if only you will do it my way. Why should we have to do it his way? When 97 people already voted on this bill, when it passed the House by unanimous consent, why should it be: Well, this one Senator has the right to stop this bill, slow it down, unless we meet the demands of that Senator? Yes, it is outrageous in terms of how we conduct our business in the Senate.

Again, I have argued for a long time that rules need to be changed. I have also argued for a long time that the minority ought to have the right, the inalienable right, to offer amendments, but amendments that are relevant and germane to the bill before you; otherwise, you get amendments on everything from Timbuktu to wherever on any bill, and that you can keep offering them and offering them and offering them.

It was my understanding that the majority leader offered to the Senator from Louisiana an up-or-down vote on his amendment—not on this bill, but at some point an up-or-down vote, as long as that was the definitive vote on the amendment and it would not keep coming up. It is further my understanding that the Senator disagreed with that, that he wanted the right to bring it up again and again and again and again. I think this is, again, an outrageous imposition of one Senator's views and considerations on the entire Senate.

I would say to the Senator that there ought to be some way for the Senator to get an up-or-down vote on his amendment—not on this bill. It is not relevant. It is not germane. I do not think it is relevant or germane on the Defense bill. I will say more about that in a second. But we have a lot of things coming down the pike before we leave here this year—or even in the next session of this Congress—to accommodate the Senator from Louisiana on his amendment. But why should we have to keep voting on it time after time after time if we have one dispositive vote on it up or down, which is, as I understand, what the majority leader offered?

Secondly, in regard to the second unanimous consent request proffered by the Senator from Louisiana, to which I objected on behalf of the majority leader—I am not the chairman of the Defense Authorization Committee, nor do I have the right to bring legislation to the floor—again, the Senator wants everything accommodated to his wishes because if you read the unanimous consent request, the Senator asks the Senate then proceed—well, there is a word missing there—it means: to the consideration of S. 1197, the Defense authorization bill.

That is the right of the majority leader. It is the majority leader's right to bring legislation on the floor—not my right, not the right of the Senator from Louisiana, not the right of a Senator from anyplace else. I do not know if the majority leader wants to go to the Defense authorization bill next. I do not know, but that is not my decision to make. But the Senator from Louisiana says he wants to make that decision, and to make sure the Senate does just that. I would say to the Senator from Louisiana, well, when he becomes the majority leader, he would have that right.

So he wants, again, to be able to bring up his amendment—again, which has nothing basically to do with the

Defense authorization bill—and, again, that no second-degree amendment be in order on his amendment—again, a little bit of a double standard.

He wants the right to offer a nongermane, nonrelevant amendment to a bill, but nobody can offer any amendments to his amendment in the second degree. Well, I think we see this for what it is. The Senator obviously wants to vote on his amendment, maybe today, maybe tomorrow, maybe next week, maybe next month; I do not know how many times he wants to vote on his amendment. He was offered the right for an up-or-down dispositive vote on that amendment.

My understanding is—it is only my understanding; I do not know whether this is correct—that was turned down by the Senator from Louisiana. So I say that is why I objected to both of these requests, because on the compounding bill, of the necessity to get it through. I do not know whether the Senator's amendment would fail or lose. I do not. But I do know that the House has said they will not take the compounding bill back. You might say the House is unreasonable. I do not run the House. I do not run the House. All I know is the House passed it by unanimous consent, sent it over here, and said if it is amended, they will not then revisit it. That is what the House said.

So if the Senator's amendment, as worthy as it might be to some, is put on the compounding bill, that is the end of the compounding bill. That is the end of protecting the people of America, their health and their safety, that we have worked so hard to come together. That is why it has no place on this bill.

It may have a place, and I say that the Senator should have a right for a vote on his amendment at some point on either a relevant bill or a freestanding bill, that the Senator gets the right for an up-or-down vote on his amendment, either as a freestanding bill itself or as a relevant or germane amendment to some other bill on the floor. He should have that right but not to stymie, to stop a bill that is so vital to the health and safety of the American people. That is why I objected.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Mr. President, I appreciate the comments of the distinguished floor manager. I want to respond very briefly. My goal is a clear up-or-down vote on this pure disclosure proposal. I am open for suggestions for that to happen in any reasonable timeframe, meaning this calendar year.

I have focused on these two bills simply because it seems to me, from what I know of the Senate schedule and floor activity, these are going to be the only opportunities in terms of amendments proposed. If there are other opportunities we can identify for this year, if we can identify an opportunity for a vote on a freestanding bill, I am all ears. I am completely open to that. I want more amendment votes in the Senate, not fewer. If there is a side-by-side idea, that is fine by me. I am completely open to that. I simply made these concrete suggestions because, based on what I know of the majority leader's plans for the rest of the calendar year, these are going to be the amendment opportunities.

By the way, the only reason I put in my second consent to turn to the Defense bill is because that is exactly what the majority leader articulated as his desire, his plan, to turn to that as soon as possible, to take up amendments.

So I am open for any reasonable opportunity this year for this vote. Again, this is a pure disclosure provision. I do not see why it should be partisan or controversial. It has been cleared through the hotline on my side. So if there are any other suggestions of how this can happen, I am completely open to that.

Unfortunately, I had a phone call with the distinguished majority leader last week and proposed various options. His response was simply: No. No. No. No. No other ideas, no other options. No. But I am completely open to those other ideas. It is obviously part of the tradition of the Senate that nongermane amendments are considered all the time. In fact, with regard to the Defense bill, that is the norm, not exception. There are usually significant nongermane amendments, often by the majority side, sometimes by the majority leadership, which are critical votes on the Defense authorization bill. That is not unusual at all.

I am for more amendment votes, if there are alternative ideas on this topic, more amendment votes there, not fewer. So I look forward to moving forward in a productive, effective way toward getting this simple vote on disclosure and toward moving in an expedited way through this bill and to the Defense bill and whatever else is on the Senate calendar as determined by the majority leader. But, again, so far the response is no, across the board, not any sort of alternative suggestion.

Finally, with regard to the idea of having one vote and one vote only, there is a clear practical problem with agreeing to that. That is the following: For instance, what if there were one vote on my disclosure provision on the Defense authorization bill? That bill is going to a conference committee, so it would obviously be possible for my amendment to be adopted 100 to 0 and then be dumped in the conference committee and stripped from the bill. Then I would have forgone the opportunity to ever bring up the subject again this entire Congress. I mean that is a fool's agreement. I am not going to agree to a fool's agreement. I need to be able to protect my right to revisit the issue, particularly when it would pass through a vote under that scenario and then be stripped in conference.

So I hope we find a productive way forward. Again, this is a pure disclosure provision. I am going for a simple up-or-down vote in whatever context presents itself this calendar year, on this bill or any bill. I am open to other suggestions.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. HELLER. Mr. President, I ask unanimous consent to speak as in morning business for 10 minutes.

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

CONDOLENCES TO SENATOR INHOFE

Mr. HELLER. Mr. President, before I begin, I would like to offer my condolences to my friend and colleague from Oklahoma Senator INHOFE and his family on the tragic loss of their son Perry. Both my wife and I will continue to keep their entire family in our thoughts and prayers during this very difficult time.

HEALTH CARE REFORM

I rise today to talk about the President's broken promises on ObamaCare and its effects on the people of Nevada. For more than a month now, the American people have witnessed how poorly this burdensome law has been implemented. People all over the country are frustrated with the problems plaguing healthcare.gov, as they should be.

The government spent hundreds of millions of taxpayers' dollars to overpromise and underdeliver on the signature legislation of this administration. But there are serious problems in addition to the Web site, and one glaring issue in particular I would like to focus on today. We have all heard from the law's supporters that ObamaCare would give uninsured Americans access to health insurance. Time and time again they promised that people who already had their health plan could keep it. In fact, President Obama made the exact promise on numerous occasions.

In a speech to the American Medical Association in June of 2009, President Obama said:

> . . . no matter how we reform health care, we will keep this promise to the American people: If you like your doctor, you will be able to keep your doctor, period. If you like your health care plan, you'll be able to keep your health care plan, period.

But one of my constituents sent me a letter last week telling me that that was not the case. Sunny from the Las Vegas area wrote, ''I wanted to tell you that we have lost our wonderful health insurance plan.'' Sunny's family received a letter from their insurance company telling them that their existing plan did not qualify under the Affordable Care Act. They were automatically reassigned to a new plan that cost about $400 more per month.

Let's remember what the President said, this time in August of 2009, during his weekly Presidential address about what he called ''phony claims'' regarding health reform:

> If you like your private health insurance plan, you can keep your plan. Period.

But yet another one of my constituents, Kirk from northern Nevada, was

just notified that his current health insurance has been cancelled. He went to the exchange to find a new policy and shared his story with me. He wrote:

. . . despite higher deductibles and higher co-pays, my new insurance under this devastating law will be more than 250% of what I am paying now.

Again, March 15, 2010, just a few days before the law was passed—albeit unread—by a party-line vote and signed into law, President Obama said:

If you like your plan, you can keep your plan. If you like your doctor, you can keep your doctor.

I wonder how President Obama and the law's supporters would explain that statement to Marc in Reno. Marc received a letter telling him that his current plan was no longer offered. The plan, the letter detailed, was cancelled in order to ''meet the requirements of the new laws.'' Marc was given the option to keep his plan for 1 additional year if he accepted a rate increase, even though he just saw a rate increase in September.

Mark goes on to tell me:

As an individual health care plan holder and a self-employed individual, the ACA appears to punish me for doing the right thing by having a health care plan for the past 10 years and rewards those who did not.

But yet as recently as this past July, President Obama promised:

If you already have health care, the only thing this bill does is make sure that it's even more secure and insurance companies can't jerk you around.

President Obama made this statement more than 2 years after his administration admitted in comments in the Federal Register that 40 to 67 percent of existing individual policies would lose their grandfathered status. The President knew millions of Americans stood to lose their existing policies but he repeatedly told the American public in no uncertain terms that they could keep their plan.

I think Steven from Washoe County would likely take issue with that promise. He told me that he now has health care that costs $293 per month. However, he just received a letter from his health care provider informing him that the cost of his health care would increase to $546 per month on January 1. That means his health insurance costs will nearly double next year.

There is nothing affordable about that. There is nothing secure about that.

On September 26, just days before the exchanges opened to a disastrous rollout, the President repeated yet again what the administration knew was not true:

. . . the first thing you need to know is this: If you already have health care, you don't have to do anything.

Well, I have another letter here from a father from Reno. He writes:

I am writing to tell you that I'm now eating crow. A few weeks back I wrote to you and expressed my support for health reform and my dissatisfaction with the government shutdown. Since then, I've received notification from my insurance company informing me that my current policy is being discontinued. I then began shopping for new policies for myself and my family and have found that rates are two to three times what I am currently paying and that my max out of pocket will double, all for basically the same plan as what I have now. In essence, I've been put into a situation where I can either save for my kid's college education or buy healthcare.

But this particular letter closes with something that really highlights the tough financial decisions facing the American people in these difficult economic times. This father says:

I'm unfortunately one of those people who makes too much money to qualify for Federal subsidy, but not enough to sell my house which is still underwater from the housing crisis of 2008.

This is the reality of the health care law. Now, in addition to trying to save for his children's education and attempting to recover from the housing crisis, a father has been forced off the plan he likes.

The options available are two or three times more expensive. These stories don't fit with the narrative we have heard for nearly 5 years. President Obama is now trying to backtrack on the dozens of times he made his promise to the American people. Only last week he said:

Now, if you have or had one of these plans before the Affordable Care Act came into law and you really liked that plan, what we said was you can keep it if it hasn't changed since the law passed.

That is just not true. That is not what he promised. Now my constituents are receiving cancellation notices for their existing plans.

The administration argues that even though many people are losing their existing plans, those plans were subpar policies and their new policies will be better, but that ignores the promise. My constituents liked their plans. They decided what was best for them, what plans fit their individual and family needs.

The President and the administration knew before the legislation passed that millions of Americans would lose their current plans. They admitted it in the Federal Register after the bill was signed into law, but the whole time they continued to promote this promise and dismiss any concerns as fearmongering or phony claims. That is unacceptable.

These personal stories are why I am proud to cosponsor the If You Like Your Health Plan You Can Keep It Act, introduced by my colleague Senator JOHNSON of Wisconsin. This is a simple but necessary bill to give Americans the ability to keep their health plans if they like them. The people of Nevada deserve better, and they deserve to have a government that keeps its promises.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

GUN VIOLENCE

Mr. MURPHY. Mr. President, reports are emerging of another school shooting today. Early reports out of Pittsburgh are that three people have been shot at a high school. The police right now are searching for the shooter in the woods surrounding the high school. We hope and we pray that the three reported victims will survive.

This is becoming part of our regular work week in Washington; that we can expect at some point during the week that we are going to turn on the TV to one of the cable news networks and find a live report from a school or a mall or a church somewhere in this country where a shooting is in progress. It is happening at a rate I don't think any of us could have expected. This number is growing at a rate I don't think any of us could have expected.

I brought this chart to the floor of the Senate for about 6 months since the failure of our commonsense anti-gun violence bill this spring. This number represents the number of Americans who have died of gun violence since December 14.

December 14 means something to everybody in this Chamber but certainly to those of us from Connecticut. That is the day in which 26 6- and 7-year-olds and the teachers who protected them died in Sandy Hook—10,465 additional people have died.

I have tried to come down to the Senate floor since the failure of that bill to try to tell the stories of these victims. If statistics don't do the job, if the sheer numbers alone don't convince people that something should change, then maybe hearing about who these people are might change things. We hope we will not add to this number with some new young victims from the reported shooting in Pittsburgh today.

These shootings happen in unlikely places. Schools, now, unfortunately, are a likely place for a shooting to happen because they seem to happen with some regularity in schools, in part because we do very little, if anything, to stop them with legislation from this Chamber.

They are happening in other unlikely places as well. Clubs—for instance, in New Haven, CT—have been the site four times just this year of major shootings. Only a few weeks ago, on October 26, police in New Haven responded to an early Saturday morning shooting at a place called the Key Club Cabaret. They arrived and found that 26-year-old Erika Robinson had been killed in a shooting spree that also injured 19-year-old Amanda John, 29-year-old Jahad Brumsey, 24-year-old Nijia Ward, 34-year-old Albert Dickerson, as well as 25-year-old Ivette Sterling.

Officers rushed to the scene as hundreds of patrons were running out.

They walked in and found six victims of gun violence—a dispute in a club resulting in the death of Erika Robinson and several more being injured.

Only a few days ago, in Cypress, TX, there was another shooting at a house party in which two high school students were killed and 19 others were injured shortly before 11 p.m. on November 9, 2013. There was a house party celebrating a young woman's 18th birthday. And because of a local dispute between two rival groups, Qu'eric Danarius Bernard Richardson, 17 years old, was killed, and Arielle Shepherd as well. According to authorities, Richardson was shot in the head while he was running away from the house party. When students returned to school on Monday, there was a lot of crying as they mourned the death of two of their classmates.

School parties celebrating 18th birthdays, clubs in places like New Haven and Bridgeport, CT—not places you think of going where you might end up being shot at when you walk into them—are now the scenes of pretty vicious shootings, as are our schools.

And shootings are increasingly happening in another way as well—by accident. Unfortunately, in preparation for a lot of these speeches, I riffle through a lot of pretty grizzly reports and increasingly I am seeing more and more accidental shootings ending up in tragedy. In Waterbury, CT, again, just a few weeks ago, Dow Kling and Shawn French, both 22 years old, were playing around with their .22 caliber Ruger inside an apartment in Waterbury when the gun went off and Dow was shot to death. His best friend Shawn French, who shot him, said:

I'm sorry. I wish it was me and not him. I wish I could trade places with him, I really do.

A week earlier, in Henderson, NV, another example where Cherish Pincombe was playing around with a gun with her friend Colin Lowrey. The Remington .45 was loaded. They didn't know it was loaded, and Colin shot Cherish dead, 23 years old. She was described as follows:

An amazing coworker. She was so caring. She was kind. She was always helpful. She always wanted to do something to help you out. She was very generous.

And just because they didn't understand the gun was loaded, and they were being reckless and playing around with a firearm, Cherish is dead.

So that is why people out there don't understand why we can't have an honest conversation about change. Even when those conversations are attempting to take place, they get shut down and cut off. A pretty innocent op-ed piece in the Guns & Ammo magazine suggested that maybe people should get a few hours of training before they get a concealed carry permit. As a consequence of running that editorial, the editor of Guns & Ammo had to resign and step down, simply because he ran an op-ed by an author that suggested maybe people should get some training before they have a concealed weapon.

So even when we try to engage in these discussions, we can't have them because the folks who get their money from the gun industry, whether it be the NRA or these magazines, aren't even allowed to have these conversations, despite the fact that 84 percent of gun owners support universal background checks, despite the fact that 50 percent of gun owners support a restriction on high-capacity ammunition clips, despite the fact that 46 percent of gun owners think it is a good idea to ban high-powered assault weapons.

Organizations such as Guns & Ammo and the NRA are out of step with gun owners who don't want to see this number continue increasing, who don't want to turn on the TV and see another school shooting.

The reason I come here to talk about who these victims are is because the conscience of this Nation should be enough to move this place to action, and it is about time gun owners and nongun owners alike get together to do something about this. There is much more agreement than there is disagreement among both people who own guns and people who choose not to own guns. Whether it is background checks or a ban on illegal gun trafficking or just a simple requirement that you get a little bit of training on how to use a gun so you don't fire it accidentally and end up shooting your best friend, there are simple commonsense bipartisan things we can do to make sure this number doesn't continue to accelerate at the pace that it has since December 14.

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 bill clerk proceeded to call the roll.

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

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

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

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

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, I am here today for now the 50th time to urge my colleagues to wake up to what carbon pollution is doing to our atmosphere and our oceans. Once a week—50 weeks—every week. Why? Why do I do this?

First, because it is real. It is very real. It is happening. Here is the change in average global surface temperature since 1970. It is pretty hard to deny. Of course, if you are a denier, you will look at it and you will see from the same data that it stopped. The denier who tells you it stopped won't tell you that it stopped five times earlier on the way up. In fact, you could say that climate change has stopped six times since the 1970s, and even went down, but it didn't stay stopped long.

Look at the linear trend for the whole data set from 1970 to 2013. No one can deny over this period the Earth is warming. This decade was warmer than the last, which was warmer than the one before that, which was warmer than the one before that.

Let's look at NASA's entire historic surface temperature record going back to the 19th century. Listen to what University of California Berkeley physics professor Richard Muller has to say about the temperature record.

The frequent rises and falls, virtually a stairstep pattern, are part of the historic record, and there is no expectation that they will stop, whatever their cause. . . . [T]he land temperature record . . . is full of fits and starts that make the upward trend vanish for short periods. Regardless of whether we understand them, there is no reason to expect them to stop.

Here you can see again these short steps in the upward march.

One reason we can't expect these upward steps to stop is that we know what is driving them. What is driving climate change is something even contrarian scientists accept; that is, more carbon dioxide leads to more warming. Simple as that; a 150-year-old established basic principle of physics.

This is the October 1861 edition of the London, Edinburgh, and Dublin Philosophical Magazine and Journal of Science. It includes a manuscript by physicist John Tyndall entitled ''Radiation of Heat by Gases and Vapours.'' He says:

[T]o account for different amounts of heat being preserved to the Earth at different times, a slight change in [the atmosphere's] variable constituents would suffice for this. Such changes in fact may have produced all the mutations of climate which the researches of geologists reveal.

The ''variable constituents'' to which Tyndall refers include carbon dioxide, methane, and water vapor. That is from 1861. President Lincoln took office that year. Yet here we are today having to explain on the floor of the Senate the physics of what carbon dioxide does in the atmosphere.

It is not just the principle that is established. There are lots of measurements. The carbon dioxide in our atmosphere now exceeds 400 parts per million. For the last 800,000 years—at least 800,000 years, and perhaps actually millions of years—we have been in a range of 170 to 300 parts per million. That has been the whole of human existence. Homo sapiens have been around for about 200,000 of those 800,000 years, and it is only now—it is only since the industrial revolution—that we have broken out of that safe window that has protected us through that entire history of our species and now we have broken to 400. And that is a measurement.

Look at the oceans. Oceans have absorbed more than 90 percent of the excess heat caused by greenhouse gases over the last 50 years. Absorbing all that heat makes the oceans rise.

Oceans have absorbed about 30 percent of our carbon emissions, which would otherwise be in the atmosphere causing more warming. Absorbing that carbon makes the oceans more acidic, and that is all stuff we measure.

At the Newport tide gauge, sea level is up almost 10 inches since the 1930s when we had our catastrophic 1938 hurricane in Rhode Island. You measure that. It basically takes a ruler.

We are about 3 to 4 degrees warmer in the winter in Narragansett Bay than we were 50 years ago when my wife's URI mentor was doing his doctoral thesis—3 to 4 degrees. You measure that. It takes a thermometer.

And the ocean is acidifying at the fastest rate recorded in 50 million years. You measure that with a litmus test, which anybody with an aquarium does.

It is one thing to be against science, it is another to be the party against measurement. So the polluters and front groups don't talk much about the oceans, but that doesn't change the fact this is real and it is past denying.

That takes me to the second reason I do this, and that is that it is plain old-fashioned wrong when people lie and trick other people, particularly when people are going to be hurt by the lies. And it is worse when there is money behind the trickery—when it is purposeful. Lies cannot go unanswered, and that is another reason that I speak.

There isn't just lying going on. There is a whole carefully built apparatus: phony-baloney organizations designed to look and sound like they are real, messages honed by public relations experts to sound like they are true, payroll scientists whom polluters can trot out when they need them, and the whole thing big and complicated enough to be fooled into thinking it is not all the same beast. But it is. It is akin to the mythical Hydra—many heads, same beast.

One day folks are going to look back at this and those behind it are going to be disgraced for what they did and it is going to be a scandal. That is the third reason I speak. We are all going to be judged very harshly, with all the dread power that history has to inflict on wrong. The polluters and their collaborators will be judged harshly. The Republican Party will be judged harshly for letting itself be led astray by them. But—and here is where it truly hurts—the failure of American democracy this is causing will also be judged harshly and will stain the reputation of our great American experiment. We in this generation have been passed this precious experiment by generations before us that fought, bled, and died to put it safely in our hands—and we do this. We foul it, by lying and denying for a bunch of polluters. Some generation we are going to be.

If we believe this world needs America, this matters. Because a world fouled and changed by carbon pollution, in ways we could foresee but denied, will not believe it as much of a need for what a lying and denying America has to offer. This episode will darken the lamp America holds up to the world. We are a great country but not when we are lying and denying it is real. The atmosphere is warming; ice is melting; seas are warming, rising, and acidifying. It is time for the misleading fantasies to end.

Here is how we go forward. First, price carbon right. Make the big carbon polluters pay a fee to the American people, as I have proposed with Representatives WAXMAN and BLUMENAUER and Senator SCHATZ; a pollution fee to cover the cost of dumping their waste into our atmosphere and oceans, a cost which they now happily push off onto the rest of us. I know at present political conditions do not allow us to price carbon, so we must change those political conditions, and we can.

Recently, President Obama changed the calculus for polluters: carbon pollution standards for new and existing powerplants, no more unchecked carbon dumping. Fifty powerplants emit one out of every eight tons of America's carbon dioxide emissions. These 50 dirtiest U.S. powerplants emit more than Canada or Korea. When the big polluters see the costs of complying with those new standards coming down at them, they may take a second look at an economywide carbon fee. Here is a news flash. When the polluters' calculus begins to change, the political calculus in Congress will change too.

Nothing says we have to wait for the polluters to figure this out on their schedule. There are armies on our side. It is not just the environmental groups such as the Natural Resources Defense Council, League of Conservation Voters, Environmental Defense Fund, Sierra Club or National Wildlife Federation. It is not just virtually every major scientific organization, such as the American Association for the Advancement of Science, the American Geophysical Union or the American Meteorological Society.

We have faith-based groups such as the U.S. Conference of Catholic Bishops, the National Council of the Churches of Christ, Interfaith Power & Light, the Coalition on the Environment and Jewish Life, and the Jewish Council for Public Affairs. We have fishing, wildlife, and outdoor groups such as Trout Unlimited, Pheasants Forever, and Ducks Unlimited. They are joined by major sports leagues such as the National Football League, Major League Baseball, National Basketball Association, and National Hockey League, as well as the American Lung Association—which prefer to see kids playing outside in clean, healthy air.

We have the Joint Chiefs of Staff on our side, joined by NASA, the National Academies, the National Oceanic and Atmospheric Administration, even the Government Accountability Office, the congressional watchdog. By the way, about NASA—let's not forget that NASA scientists sent an SUV-sized rover to Mars, they landed it safely on Mars, and they are driving it around on Mars right now. I will put NASA scientists up against the polluters' payroll scientists all day long.

We have insurers and reinsurers whose business depends on understanding the mounting risk of natural disasters, folks such as Munich Re, Swiss Re, Allianz, and the Reassurance Association of America. We have State and local governments that are already active. Nine Northeastern States, for instance, including my own Rhode Island, engage in cap and trade through the Regional Greenhouse Gas Initiative. Four Florida counties share resources and strategies for adapting to climate change through the bipartisan Southeast Florida Regional Climate Change Compact, and those are just two examples of many from around the country.

A coalition of investors worth nearly $3 trillion just wrote to 45 fossil fuel companies seeking explanation about risks facing their fossil fuel investments. Divestment campaigns are popping up at college campuses across the Nation. Major utilities accept the science and are investing in renewables and improving efficiency. Energy companies PG&E, the Public Service Company of New Mexico, and Exelon all quit the U.S. Chamber of Commerce after a Chamber official called for putting climate science on trial such as the Scopes ''monkey trial'' of 1925.

America's flagship companies such as General Motors, Ford, Coca-Cola, Pepsi, Nike, Apple, Walmart, and Alcoa all recognize the serious implications of climate change. This support is latent, though, and it is unorganized. It is time to wake up and to gather our armies. We have to create allied command, assemble our divisions, agree on a strategy, and go into action. That will affect the calculus in Congress.

Most important, we have the American people. Sixty-five percent of voters support the President taking significant steps to address climate change now. Another poll found that 82 percent of Americans believe we should start preparing now for rising sea levels and severe storms from climate change. Those in Congress who would deny science to protect the polluting interests increasingly look ridiculous, even to their own side. Misleading statements in the media, such as the stuff purveyed by the opinion page of the Wall Street Journal, are losing their battle and losing their audience. It is not just time to wake up. People are waking up. Inevitably, the truth will be fully known.

The polls show clearly that climate denial is a losing tactic. Four out of five voters under 35 support the President taking action to address climate change. Fifty-two percent of young Republican voters would be less likely to vote for someone who opposed the President's climate action plan. Even a majority of Texans say more should be done about global warming by all levels of government, with 62 percent of

Texans saying more should be done in Congress. For those last holdout deniers comes this: Fifty-three percent of young Republican voters under age 35 said they would describe a climate denier as ignorant, out of touch, or crazy.

Republicans outside of Congress are trying to lead their party back to reality and away from what even young Republicans are calling ignorant, out of touch, and crazy extremist views. They support a revenue-neutral carbon fee: Republicans such as our former colleagues in Congress, Sherwood Boehlert, Wayne Gilchrest, and Robert Inglis; Republicans such as former Environmental Protection Agency Administrators William Ruckelshaus, Lee Thomas, William Reilly, and Christine Todd Whitman, who served under Presidents Nixon, Reagan, George H.W. Bush, and George W. Bush respectively; advisers such as President Reagan's Secretary of State George Schultz, Reagan's economic policy adviser, Art Laffer—known as Reagan's economist—and David Fromm, speech writer for George W. Bush.

Here is what the Republican Presidential nominee had to say 5 years ago:

[I]n the end, we're all left with the same set of facts. The facts of global warming demand our urgent attention, especially in Washington. Good stewardship, prudence, and simple common sense demand that we [act to] meet the challenge, and act quickly. . . . We have many advantages in the fight against global warming, but time is not one of them.

[T]he fundamental incentives on the market are still on the side of carbon-based energy. This has to change before we can make the decisive shift away from fossil fuels. . . . [T]here were costs we weren't counting . . . [a]nd these terrible costs have added up now, in the atmosphere, in the oceans, and all across the natural world. . . . We Americans like to say that there is no problem we can't solve, however complicated, and no obstacle we cannot overcome if we meet it together. I believe this about our country. I know this about our country. And now it is time for us to show those qualities once again.

It is indeed time for us to show those qualities once again. It is time to wake up. It is time to turn back from the misleading propaganda of the polluters, the misguided extremism of the tea party, and the mistaken belief that we can ignore without consequence the harm our carbon pollution is causing. It is time to face facts, be adults, and meet our responsibilities.

I give these speeches because climate change is real, because the campaign of denial is as poisonous to our democracy as carbon pollution is to our atmosphere and oceans, and because I am confident, I am confident we can do this. We can strengthen our economy, we can redirect our future, we can protect our democracy, and we can do our duty to the generations that will follow us and will look back in shame unless we change our program. But we have to pay attention. We have to wake up.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

## THE ECONOMY

Mr. COONS. Mr. President, I come to the floor once again to talk about jobs and economic growth.

We are continuing to see signs of a steadily improving economy, with more than 200,000 jobs created last month in the jobs report just released last Friday. Of those, 19,000 were new manufacturing jobs. We have had 43 straight months of private sector job growth, but the unemployment rate remains stubbornly high and sadly particularly for those who are long-term unemployed.

Earlier today the Budget Conference Committee met, and we heard from Congressional Budget Office Director Dr. Elmendorf. He let us know that in his view, the uncertainty—the lack of clarity about the path forward for all of us here, for the solutions we need for the budget and for the deficit—is one of the greatest drags on job creation and on competitiveness for our country and our economy.

In our Budget Conference Committee, we need to come together and reach a balanced budget deal that repeals sequester and allows the Appropriations Committee—ably led by Chairman MIKULSKI—to move forward with an Omnibus appropriations bill for this fiscal year. We cannot afford, in my view, another long-term continuing resolution at the current sequester levels.

As we heard today from Dr. Elmendorf, and as we have heard from other sources, the sequester will have killed 750,000 jobs by the end of the year, and next year these ongoing, steady, grinding cuts could kill another 800,000. These are jobs. These are investments by the Federal Government that could be helping the private sector create jobs in repairing our crumbling infrastructure. In Delaware alone, we have 175 deficient bridges being neglected. These are jobs that help families to put food on the table. In Kent County, DE, where Dover Air Force base is, sequester has hurt those who serve our Nation who operate the base and serve our country valiantly. These are jobs that could be going to help research a cure for cancer. NIH supported more than 500 jobs in Delaware in 2011. Now cuts are costing those jobs and setting us back in the fight to find a cure for cancer and many other diseases.

Sequester has been devastating to Delaware and the whole Nation. We need to replace it with a smarter, more balanced set of spending reforms that maintains investments that will allow our country to be competitive. In particular, if I might, we need to refocus on jobs by investing in infrastructure and focusing on manufacturing.

In my view, the 19,000 jobs in the manufacturing sector that we just learned were created in the last month were a promising development but far from as many as we should be filling. Why? Because manufacturing jobs are high-quality jobs. They pay more in wages and benefits. They help create secondary local service jobs. They contribute more to the local economy. And manufacturers invest more in private R&D than any other sector in our economy.

Mr. President, as you know, before I came here to the Senate and before my service in county government, I spent 8 years with a manufacturing company in Delaware. At one point I was part of a large site location team that went around the country to try to decide where to build a new state-of-the-art semiconductor chip packaging manufacturing plant. To make a long story short, in the end we decided on a location where there was a skilled and reliable workforce, a responsive government that invested in the local infrastructure, and certainly we considered other factors—tax rates and incentives offered by the State and local government—but really the skill of the workforce and the quality of the infrastructure were absolutely essential to the decision we made—a surprising decision in terms of where we ultimately located. We invested and were able to get up and running a state-of-the-art plant in record time and were able to contribute significantly to local employment and the tax base. This taught me a lot about the significance of infrastructure and workforce skills.

If I could mention this, the World Economic Forum ranked the United States 25th overall in infrastructure, a key drag on our competitiveness. The American Society of Civil Engineers says we are falling behind by $250 billion a year in deferred maintenance, in investments not made by Federal, State, and local government. In my view, the case for infrastructure investment is a no-brainer. This is exactly the sort of thing we should be doing and that the sequester is preventing us from doing, making wise, timely, and needed investments in improving our infrastructure.

Another critical foundation for growth, as we saw, is a skilled and adaptable workforce. We can be the world's manufacturing leader again but not without investing in workforce skills and in workforce training. There are many programs that can help make this possible. One I like to point to is the Federal, State, and local partnership called the Manufacturing Extension Partnership that helps make it possible for university-based researchers to partner with local manufacturers to deliver skills training that keeps them at the cutting edge, that makes them more productive.

In today's modern manufacturing workplace, there are fewer people, but they are more productive because of their skills. Back in August I visited a new facility, the ILC Grayling plastics manufacturing plant in Seaford, DE, which is a great example of what it will take for America's manufacturing resurgence to continue and grow. This plant has already brought more than 100 jobs to Sussex, DE. These are not the manufacturing jobs of the past. The men and women working on this

line need to be able to collaborate and communicate, to do advanced math and adequate quality control work and oversee high-tech machinery and have an intimate understanding of the products they are working with. In the end, this company looks forward to growing, to probably doubling the number of jobs in this facility in Sussex County. To me, in an even more exciting development, these are jobs that had left the United States to go south to a lower wage country and that have been brought back, brought back from Juarez, Mexico, to Seaford, DE, where there are now Delawareans employed in this newly expanded manufacturing facility.

Let me conclude by simply saying that here in Congress we have the opportunity, if we work together across the aisle, to find a pathway toward making these investments in the skills of our workforce, in the infrastructure of our country, that will help grow our economy and help create good manufacturing jobs today and tomorrow.

One of the core challenges we face in the budget conference committee is to find a path forward that will respond to the call that I hear up and down the State of Delaware, and I presume my colleagues hear from their home States, that we should make principled compromises that allow us to invest again, to replace the sequester with a more responsible and balanced package of revenue and cuts that allow us to return to investing in the skills and infrastructure necessary to grow our economy.

I yield the floor.

The PRESIDING OFFICER (Mr. BROWN). The Senator from Wyoming is recognized.

OBAMACARE

Mr. BARRASSO. Mr. President, it has now been more than 6 weeks since the Obama administration launched its health insurance marketplace. This afternoon, the Obama administration finally confirmed how few people have been able to select insurance through the exchange. According to the White House, only 106,185 people have selected coverage since October 1. This doesn't mean people actually bought their coverage, it just means they selected a plan.

For most of these, it was through the State-based exchanges. People may be wondering how the Washington-run exchange did. Only 26,794 people selected a plan through healthcare.gov. It is safe to say, if this were a commercial Web site, the plug would have been pulled by now. They came, they saw, they did not buy it.

Low expectations met with even lower reality. The numbers paint a bleak picture of the confidence the American people have in the health care law and the faulty Web site created to sell it. The administration's goal was for a half million people, 500,000 Americans, to sign up in the month of October, the month of October alone. Instead, we now know that only a little over 100,000 people have actually signed up.

The reason the numbers are so low and so disappointing is that the Web site is totally broken and the American people are discovering that the coverage offered on the exchange often costs them more than they can afford, and more than they were previously paying. So far, the ObamaCare exchanges have only succeeded at crashing people's computers or lightening their wallets.

To make matters worse, for every one person who has selected an ObamaCare plan—either from the State or Federal exchanges—40 people have received cancellation notices. This is not what the President repeatedly promised and it is not what the American people deserve.

Enough is enough. It is time to give Americans what they wanted all along: access to quality, affordable health care. It is time to stop this train wreck and ease the damage being done by this terrible law.

To help make that happen, Senator GRAHAM and I will soon introduce a bill that lets States opt out of some of the health care law's most burdensome provisions. Under the State Health Care Choice Act, States could opt out of the individual mandate that requires people to buy government-approved health insurance or face a tax penalty. They could opt out of the employer mandate that will force businesses to provide government-approved health insurance or pay penalties.

Under our bill States could also opt out from the health care law's benefits mandates. These are the requirements that health insurance plans provide numerous expensive services that many people may not want, may not need, will never use, cannot afford, and do not want to pay for. The Obama administration has already issued hundreds of waivers to businesses and it has delayed the employer mandate by a year. States should have the same opportunity to give relief to their citizens.

We know the numbers coming out of Wyoming. In Wyoming we see over 3,000 people have received cancellation notices. Yet only 85 people have been able to select a plan. I was at the Target store in Casper this Saturday. A former patient came up to me, somebody I had operated on. He told me he had received a cancellation notice. He is a small businessman, works hard for himself and for his family, and the insurance he had worked for him. It was something he could afford. What he told me is he will now have to pay a higher premium and also more out-of-pocket costs in terms of a higher copay and higher deductibles. Frankly, he is not sure what he is going to do.

The people I talk to tell me about all of the mandates, the higher costs, the bad side effects of the President's health care law, and they tell me this is not what they wanted in health care reform.

I got a letter from one woman from Newcastle, WY. She told me she is losing her health insurance plan also. The reason she is losing it is it does not meet the President's requirements that she have maternity coverage. As she points out, she doesn't need maternity care, she said, because she has had a hysterectomy and she doesn't like Washington telling her that she has to pay twice as much to get a plan that covers it—something she doesn't want, will never use, doesn't need, cannot afford.

When it comes to health care and health care coverage, one size does not fit all. States should be free to help the citizens of those States get the care they need from the doctor they choose at lower costs. A lot of people in this country do not want all these new mandates, all the burdens and the higher costs. All they actually wanted was President Obama to keep the promises, to allow them to have what the President promised them: that they could keep the insurance and the doctor they already had. After all, that is what the President said.

We have millions of people getting letters from their insurance company canceling their insurance plans. As of today I know that number is over 4.2 million—42 people canceled for every 1 that actually got insurance through the exchange. One of the reasons for all of the insurance plans being canceled, in spite of what the President told the American people repeatedly, is something called the grandfather regulation that the Obama administration actually wrote. The President's own people wrote the regulation so that people cannot keep the insurance they want, in spite of the President's repeated promises. This was a rule the Obama administration wrote to force more people off the insurance plans they had before the law was passed, and force them into new Washington-approved plans.

Three years ago Republicans saw that this regulation was going to lead directly to the millions of cancellation letters that have now gone out across the country. My colleague from Wyoming, Senator ENZI, took the lead and he took to the Senate floor to try to stop this destructive rule from the Obama administration. He introduced a bill that would immediately overturn the administration's restrictive regulations about people keeping their plans. Senator ENZI pointed out back then, 3 years ago, that the administration's rule would have caused millions of people to lose the insurance they had and that they liked. He was right, and the Washington Democrats, here on the floor of the Senate, did not seem to care. Every Democratic Member of this body, every Democrat in the Senate, voted to make sure that the restrictive regulations stayed on the books. Because of that vote, now we have over 4 million Americans looking for new insurance plans that satisfy Obama administration mandates, but they have lost their insurance in spite of the President's repeated promises that if

they like what they have, they could keep it.

Many of them—such as my friend and former patient whom I ran into this past weekend in Casper—are learning that their copays and their deductibles will be much higher than the plans they have lost. Once they get those plans, many of them are going to find out that their costs have increased—but not just that; their choice of doctors has shrunk as well. They may not be able to go to their family doctor because he or she will not be covered by their new plan anymore.

Last week President Obama finally admitted he and his administration were not, as he said, ''as clear as we needed to be.''

Not as clear as he needed to be? That is what the President regrets, that he was not as clear as he needed to be? For the millions of people who are losing their doctors, they don't want an apology; they don't want a new government handout. What they want is what they had before this law came into effect. They want President Obama to live up to his promise and to allow them to keep the coverage they had and they liked and that worked for them. Even former President Bill Clinton has called for a change. Remember, the Obama administration has called President Clinton the so-called ''Secretary of Explaining Stuff.'' They had him traveling the country, trying to convince people that their health care law was going to work out well for everybody. Now it looks as though he is trying to explain to President Obama how badly the President's own health care law has hurt Americans who are losing access to their insurance plans and to their doctors.

Bill Clinton said it just the other day. He said:

. . . even if it takes a change to the law, the president should honor the commitment the federal government made to those people and let them keep what they got.

Well, that is exactly right. Not only should President Obama take steps to keep his promise to the American people, he should support Republicans who want to help all Americans who are being harmed by the President and the Democrats' terrible health care law. Today's enrollment numbers show what a disaster that law has been, and the President should support the Health Care Choice Act so that States can serve their citizens and opt-out of this terrible law.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. BROWN. Mr. President, I ask unanimous consent to speak as in morning business for up to 10 minutes.

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

NETWORK FOR MANUFACTURING INNOVATION

Mr. BROWN. Mr. President, earlier this afternoon, I appeared with Senator BLUNT, my Republican friend from Missouri, in front of Senator ROCKEFELLER's Commerce Committee to talk about our bipartisan legislation with manufacturing hubs. It would promote new technologies to make our country a leader in advanced manufacturing.

Let me illustrate by saying this: Along the Ohio Turnpike—from Toledo, to Lorain, to Cleveland, to Akron, to Youngstown—much of the auto industry grew, from glass that would go for windshields in Toledo, to steel in Lorain and Cleveland for the fenders and the hoods and much of the car, to rubber in Akron for tires—the world's leading tire manufacturer—to assembly in Youngstown, where today the Chevy Cruze is made. If you are on the Ohio Turnpike, you will see this huge plant with the big letters ''CHEVY CRUZE.'' If you have not been at an auto plant or you are not from Ohio and you may not have seen one, the expansiveness of this plant is pretty remarkable. Autos were assembled all along this turnpike.

But the reason this matters—in addition to why it matters in the Presiding Officer's State of Connecticut and other places—is not just that the auto industry, the supply chain, creates jobs, but what happens when an industry sort of locates with a critical mass in a community.

Because Toledo, OH, with the auto industry, had huge glass manufacturing, the University of Toledo had scientists who worked in material science and in glass manufacturing. Today, as a result, while we do not make quite as much glass in Toledo as we did for autos, Toledo is one of the top two or three largest centers for solar energy manufacturing.

Go to Akron, which used to be the center of the world for tire manufacturing. There is not so much of that now, although Goodyear's corporate headquarters is still there and there is a lot of research. But now, again, in partnership with the University of Akron, the scientists who were processing and researching and innovating in rubber and tires—now, for polymer development and manufacturing, Akron is one of the leaders in the country and in the world.

The lesson we learned is what Senator BLUNT and I were talking about. We know in Ohio and Missouri manufacturing is a ticket to the middle class. We also know that for too long Washington made choices which biased finance over manufacturing, that left manufacturing behind—bad trade deals, failure to enforce trade laws, taxes that did not work for manufacturing, and a kind of backing off of a focus on innovation and technology.

So we have seen communities such as Lordstown and Cleveland and Dayton live with the consequences. Between 2000 and 2010, 60,000 plants closed in this country and 5 million manufacturing jobs were lost.

Since the auto rescue and the more aggressive trade enforcement from President Obama—while I do not agree with some of his trade policies, he has been more aggressive on trade enforcement, through the Commerce Department and through the International Trade Commission, than any of his predecessors in either party.

So since 2010, we have seen a beginning of growth coming back in manufacturing—not nearly making up anything close to the 5 million jobs lost or the 60,000 plants closed. But the importance of manufacturing—not just because it is in my State, where my State is No. 3 in the country in production, in manufacturing; and only Texas, with twice our population, and California, with three times our population, make more than we do—but the importance of manufacturing is the multiplier effect. More than any other industry in our country, in manufacturing, for every $1 spent in manufacturing, another $1.48 is added to the economy. We know what that means in the auto supply chain or in the wind turbine supply chain or in the chemical supply chain or anything we manufacture in this country. But what is holding us back is this—we never consciously follow this—but this sort of ''innovate here, make it there'' syndrome. Yes, we still have the best scientists, the best engineers, the best researchers, the best universities. Whether it is storrs at the University of Connecticut or in Cleveland at Case Western or in Dayton or in Cincinnati, we have the best universities, the best researchers, but too often we do the innovation, we do the discovery, we do the experimentation that leads to products, and then we offshore and make the products there.

Let me give you an example about why that does not work and what does work. There is a small community in Ohio: Minster, OH. It is not far from Wapakoneta, Neil Armstrong's hometown—the first man who walked on the moon—and just north of Dayton. It is in Auglaize County, where I visited some time ago. It has the largest yogurt manufacturer in North America. When I went in that plant, they had just made it more efficient. In the past, their supplier had delivered little plastic cups to this yogurt manufacturer. In the plant they had these big silver vats of fermented milk with yogurt, and they would squirt this yogurt into these plastic cups and seal it and package it.

A young industrial engineer and a couple of people who had worked on the line for a decade or so said: We can do this better. Instead of bringing the plastic cups in from a supplier, they did something simple for an engineer—not so simple for me. They took plastic rolls, and they fed a plastic sheet into a machine—the whole assembly line was maybe 80 feet long—and the plastic

would be heated and then extruded and then cooled slowly, and the yogurt would be squirted into the plastic cup and sealed and sent.

Now, the innovation took place on the shop floor. That is what happens. When you develop a product, wherever you manufacture it, the innovation, the product innovation and the process innovation—the process innovation meaning how you make it, the process of making it, as they did Dannon yogurt in the packaging and the actual improvement of the product—it takes place on the shop floor. That is why this is so important.

This legislation, the Revitalize American Manufacturing and Innovation Act of 2013, creates a Network for Manufacturing Innovation and would position the U.S. as the world's leader in advanced manufacturing.

We have already done something like this in Youngstown, OH, mentioned by the President in his State of the Union message, the first ever National Additive Manufacturing Innovation Institute. It is called America Makes. It is in conjunction with the University of Missouri and in conjunction with businesses and universities—Eastern Gateway and Youngstown State in the Mahoning Valley and the University of Pittsburgh. It is sort of this tech belt along there. They do something called 3–D printing, which is kind of hard to conceptualize, until you see it. But it really is something to look for in the future.

We know how to produce in this country. We have seen, with some Federal funding matched by $40 million in private funds, it is making Youngstown a world leader in 3–D printing manufacturing technology already.

We need to build on this momentum. That is why our legislation is so important. It is supported by manufacturing associations, semiconductor groups. We have seen other countries begin to sort of mimic it and parrot it and imitate it. We know we have something here that will help America lead the world.

In concluding, before yielding to the Senator from Oregon, think of this in terms of a teaching hospital, where you have a great teaching hospital at the University of Cincinnati or Ohio State or Case Western in Cleveland or the University of Toledo. At these teaching hospitals—where research and development and innovation are happening with great scientists and great doctors and great researchers—often what they produce, what they come up with is commercialized locally, and you build a critical mass in that field. In some kind of scientific medical field you build that expertise in that region. That is what we want to do with these manufacturing hubs, like NMI in Youngstown, where in Youngstown we will see all kinds of job creation that will make Youngstown the vital city that it has been in much of its history and we want to see it become in the future.

It is good for our country. It is good for manufacturing. It is good for families who earn their living from manufacturing. And it will be particularly good for our communities.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, I ask unanimous consent to speak for up to 10 minutes as in morning business.

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

NOMINATIONS

Mr. MERKLEY. Mr. President, I rise to address an issue that should be of concern to all Americans; that is, the advice and consent function of the Senate regarding nominations. This is the critical check envisioned by our Founders in which the President has the power to nominate for the executive branch positions and for judicial nominees, and the Senate is held responsible to provide a check to make sure there are not outrageous nominees that are placed in positions.

That is the advice and consent function which throughout our history has basically been a simple majority function with very rare exceptions. This issue comes up at this moment because 2 weeks ago the minority of this body in the Senate would not allow there to be a vote on whether to confirm Mel Watt. They did that by preventing there being enough votes to close debate.

So that blockade was basically put in place without respecting, if you will, the fact that Mel Watt is highly qualified for his position at the Federal Housing Finance Agency, a position he would hold, and giving the entire Senate the ability to weigh in about whether they agreed with that judgment, the judgment of the President that Mel Watt was well qualified.

In the same week, this body also blocked an up-or-down vote on Patricia Millett, who was a nominee for the DC Circuit Court. On this occasion, it was not because folks said she was not qualified. They said, instead: We do not want to put any more of President Obama's nominees onto the DC Circuit Court because we want it to be dominated by the judges who were confirmed when President Bush was President.

Then, just yesterday, this pattern of blockading up-and-down votes on nominees continued with the minority filibustering, blocking the closing of debate on Cornelia Pillard—again, a highly qualified individual. An argument was not made that there was some exceptional circumstance in her background that left her unprepared for this position. The argument was simply made: We do not want to let the President put any judges on this DC Circuit Court.

That is of extreme concern. I must say that it has caused folks who have been scholars in this area to look at it. Norm Ornstein of the American Enterprise Institute basically said: It is ridiculous for the minority to block up-and-down votes, not on the basis that there is something wrong with her qualifications, but just they want to take away the President's ability and constitutional responsibility to nominate individuals to fill vacancies.

So this obstruction, exercised over the last almost 5 years now, has done significant damage to the court. It has done significant damage to the executive branch. It prevents qualified nominees to get a vote on this floor so that they can—if they receive a simple majority vote of support—work on behalf of the American people either in their executive branch capacity or addressing the huge backlog in our judicial system.

The Senate has the advice and consent role which is a treasured responsibility. It is a weighty responsibility. I think everyone in this body—I think all 100 Senators—could agree that under advice and consent the Senate must exercise a significant check on the quality of Presidential nominees, whether for the courts or for the executive branch.

The Senate should vet nominees. The committees that are related to a particular position should explore their background, they should hold a hearing, they should ask tough questions, they should debate the nominees, and then once recommended on the floor of the Senate, we should continue that vetting and debating process. Then, having shared our insights on their background, we need to vote to confirm or reject.

It should be on very rare exceptions, when there are extraordinary circumstances that make someone unworthy that they should be blocked from having a final vote. Advice and consent must not become ''block and destroy.'' But advice and consent has become block and destroy. The Senate nomination process is broken.

A minority of one branch of government, the Senate, should not be able to systematically undermine the other two branches of government. Yet that is what we see today. President Obama's district court nominees have waited, on average, more than twice as long as President George Bush's nominees to be confirmed by the Senate after being reported out of committee.

So we have the challenge of getting up-or-down votes. We also have basically a process of dragging feet in order to make it more difficult to actually get to the votes on these individuals in the first place. For the circuit courts, that comparison is even worse. President Obama's nominees have waited 3½ times longer than the nominees of his predecessor—3½ times longer.

The Congressional Research Service notes that of the last five Presidents, President Obama is the only one to have his district and circuit court nominees wait, on average, more than 6 months for confirmation. So those delays, in combination with ultimately denying the possibility to hold an up-or-down vote—to hold a final vote on whether to confirm or not confirm—

they constitute a systematic undermining of the function of the other two branches of government.

Now, this was not envisioned in any possible way by the creators of our Constitution. They argued there should be three coequal branches. But this outcome, in which the Senate minority seeks to undermine an executive branch nominee, is inconsistent with the constitutional design of coequal branches. They are not coequal if one branch can systematically undermine another.

In regard to the courts, in an outcome in which the Senate minority is seeking to ideologically pack the courts by having insisted on up-or-down votes for President Bush's nominees and then blocking up-and-down votes on President Obama's nominees, it politicizes our judicial system. It undermines the integrity of our court system.

The Senate has confronted this abuse of advice and consent three times in recent history. In 2005, the Democratic minority was blocking up-and-down votes on a series of President Bush's nominees. They were doing the same thing that we see today. A gang of 14 gathered to debate this, because essentially the Republican majority said: If you do not quit blocking up-or-down votes on the President's nominees, we are going to change the rules and make it a simple majority. Out of the gang of 14 came a deal. The deal was that Democrats would, except under exceptional circumstances, not block the nominee. The counterpoint being that the Republicans would not change the rules. So they got what they wanted, which was up-and-down votes without a rule change.

That pledge the Democrats made was honored when subsequent nominees got their up-or-down votes. Now, in January of this year the Democrats, in the reversal of positions, insisted that the Republican minority quit blocking up-or-down votes of President Obama's nominees—kind of a deja vu moment, only the two parties were reversed.

Out of that conversation, out of that dialogue in January, came a promise from the Republican minority leader of this body. He promised a return to the norms and traditions of the Senate regarding nominations. What are those norms and traditions? Those norms and traditions are simple up-or-down votes with rare exception.

But that promise was barely made and within weeks it was broken, when we saw the first ever filibuster of a Defense Secretary nominee. It just so happened, ironically, that the Republican filibuster—the first time in history of a Defense nominee—was against one of their former colleagues, our Republican colleague Chuck Hagel. So the January promise was broken. This led to increasing tensions until July of this year when Democratic and Republican Members met in the Old Senate Chamber to privately share their concerns. A new deal was hammered out, which is, essentially that executive nominees would get up-or-down votes. That happened for a significant list of nominees.

There was an up-or-down vote on Richard Cordray to be the head of the Consumer Financial Protection Bureau; Gina McCarthy to lead the EPA; nominees to fill the National Labor Relations Board; nominees to head Alcohol, Tobacco and Firearms; a nominee to lead the Ex-Im Bank; and, following shortly thereafter, a nominee to be the U.S. Ambassador to the United Nations, Samantha Powers.

So that July deal held through a list of nominees until 2 weeks ago. Two weeks ago this body blocked an up-or-down vote on MEL WATT. So we are right back where we were before, right back where we were, the promise made in January shattered, the promise made in July shattered, and the ability of this body to do its advice and consent responsibility shattered.

This should be deeply troubling to all. We must restore the ability of the Senate to perform its responsibilities under the Constitution to advise and consent. The Senate with simple up-or-down votes will be a check on bad nominations from the President. I have voted against at least one of the President's nominees. I was prepared to vote against another here just a few weeks ago. The President withdrew that nominee so that vote was not necessary. But that was related to a judgment of the qualifications of the individuals and whether they were a good fit for a particular position. It was not about trying to systematically undermine the executive branch and keep them from operating.

That is essentially why we have up-or-down votes; it is a check on unqualified individuals or a poor fit for a particular position. So in this area, both in the Senate's failure to do its job vis-a-vis judicial nominees and to do its job vis-a-vis executive nominees, we have created unequal branches of government. It is time to fix the broken Senate in regard to nominations. It is time to restore the traditional role of the Senate in evaluating nominations so that with nominees who are confirmed, they can go to work in the courts, can go to work in the executive branch to do the work that the citizens of the United States of America expect them to do on behalf of our Nation.

I yield the floor and 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. SCHATZ. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. SCHATZ. I ask unanimous consent to speak for up to 15 minutes as in morning business.

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

TYPHOON YOLANDA

Mr. SCHATZ. Five days ago Typhoon Yolanda devastated the central Philippines. As a category 5 supertyphoon, this was reportedly the strongest storm ever to make landfall anywhere in recorded history, sweeping away almost everything in its path.

Nearly 10 million people were impacted by this supertyphoon and tens of thousands of homes were destroyed. Eighty to ninety percent of the homes in city of Ormoc, the second largest city in the Leyte Province, are gone. The stories of loss are shocking and heartbreaking.

We do not yet know the full extent of the devastation this typhoon has brought to the Philippines. Local authorities estimate as many as 10,000 people may be dead in the Leyte Province alone, one of the hardest hit regions.

The State Department has said roughly 3,000 Americans were impacted when the storm hit. Our Embassy in Manila is coordinating with U.S. agencies to locate these Americans and bring them home.

The United States and the Philippines share a special bond, rooted in strong cultural and historical ties between our two countries. In Hawaii, where more than 197,000 Filipinos have made their home, we know this bond well.

Our Filipino community has been a part of the islands for more than 100 years, and many at home maintain close relationships with family and friends in the Philippines. My deepest condolences go to those who have lost family and friends in this tragedy.

Although the storm is over, our work has just begun. Millions of survivors are without clean drinking water, food, shelter or power. Rescue workers are attempting to reach isolated coastal communities, but debris and downed power lines are blocking road access.

The U.S. Government is helping the Philippines to recover. We have provided $20 million in humanitarian aid and deployed a Disaster Assistance Response Team to support the Philippine Government. These experts will help to assess the extent of the damage and determine what resources remain to be added.

The USAID Office of U.S. Foreign Disaster Assistance has shipped relief supplies, including shelter materials and hygienic supplies, to help around 10,000 families. We are partnering with the U.N. World Food Program to provide $10 million for emergency food assistance because close to 2.5 million people will need food assistance over the next 6 months.

This aid will help airlift 55 metric tons in emergency food to feed more than 20,000 children and 15,000 adults, providing immediate relief for the next 4 to 5 days. It will bring more than 1,000 metric tons of rice to feed 60,000 people for 1 month.

U.S. marines are on the ground. Our military is helping to airlift relief supplies, conduct aerial damage assessments, and coordinate search and rescue operations.

U.S. Pacific Command has forces in Manila to help deliver food and water to the impacted areas. The *George Washington* Carrier Strike Group and its 5,000 sailors are expected in the area soon to provide humanitarian assistance and disaster relief.

For those still searching for displaced or missing loved ones, I urge you to contact the Philippine Red Cross or the National Disaster Risk Reduction and Management Council operations center.

Google has also launched the Person Finder: Typhoon Yolanda. Americans can also visit CNN's iReport Web site to upload photos and information about people you may be looking for.

The challenge for the Filipino people is great, but the Philippines is a resilient nation and a true American ally. They need our help. Please donate.

I am proud of our local organizations in Hawaii collecting donations to help survivors and the families of victims. The Philippine consulate in Honolulu, Filipino Chamber of Commerce, Filipino Community Center, Congress of Visayan Organizations, and Kokua Philippines have all stepped up in this time of tremendous need. A full list of organizations is available on my Web site schatz.senate.gov. One may also text AID to 80108 to give a $10 donation to the mGive Philippines Typhoon Disaster Relief Fund. Text AID to 80108 if you would like to give $10 to the relief efforts.

I wish to especially recognize and thank all of the women and men of the U.S. Embassy in Manila, USAID mission in Manila, the State Department, USAID in the District of Columbia, and the U.S. Pacific Command for their great efforts in coordinating our ongoing response.

Today I introduced a resolution expressing the support of the Senate for the victims of the typhoon, along with several of my colleagues. I thank Senators MENENDEZ, DURBIN, CARDIN, RUBIO, HIRONO, TOM UDALL, BOXER, and BEGICH for cosponsoring this resolution.

As the Philippines begins the recovery from this tragedy, I ask that we all pledge together to work with them. When they rebuild their communities, rest assured they will emerge stronger than ever.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BEGICH. 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. BEGICH. Mr. President, I ask unanimous consent to speak as in morning business for 10 minutes.

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

Mr. BEGICH. Before I make my comments regarding manufacturing and job creation in America and in Alaska, I would like to say I know my friend from Hawaii was here earlier, Senator SCHATZ, talking about the important resolution that has been submitted that I was honored to be able to cosponsor regarding the typhoon in the Philippines.

Alaska has over 20,000 Filipinos living in our State—an incredible group of individuals, people I have known in the business world, as individuals, and family members. The devastation is unbelievable as you look at the photos and see the devastation of the typhoon and the impact it has had on families there. Even though it is thousands of miles away, I can tell you, in Alaska, we feel it, we see it. Our Filipino friends there have many relatives on the islands, and the impact is just unbelievable.

I was in Alaska this weekend and met with members of the leadership of the Filipino community, as well as members from the Red Cross and others to see what we can do from an Alaskan perspective, because Alaska knows what disasters are like. From earthquakes to floods, we seem to have them quite often. We know what type of impact these events have on families, so I was very happy to support the resolution my friend from Hawaii submitted, but also want to recognize the 20,000 Filipino community members in Alaska who are suffering and thinking about their families and friends overseas.

We want to do everything we can. I know our country is there and ready and moving a lot of resources to assist. So I wanted to put that on the record and give my condolences to families who have lost loved ones, but also to Alaskans who are grieving for family and friends who may have been lost in the typhoon. I know personally I have done my own contributions, whatever I can to assist in moving operations forward and bringing resources to the islands.

JOB CREATION

I also came today to talk on the floor about the need for additional job creation. Already in the first 10 months of this year we have created 1.9 million new jobs—higher than last year at this same time—which is a good start, but more needs to be done. Senators COONS and DURBIN and others have been discussing our Manufacturing Jobs in America initiative. In particular, we are talking about the skills necessary to succeed in today's economy—the skills Americans need to land and to keep good manufacturing jobs.

There used to be a time when a bright kid in this country could work hard in school, graduate with a high school diploma, and go work in a factory. He or she could make a decent living, a living wage, enough to raise a family and own a home and think about the future of their kids. Those days are long gone. Unfortunately, today's factories and plants don't look like they used to. The level of technical expertise needed to operate some new machinery is pretty high. That is why I have made career and technical education a priority. We need to have options for the bright kids after high school or that mid-career worker looking to shift gears.

My own State of Alaska is already a leader in career technical education—CTE. As these programs continue to innovate and change across the country, Alaska is in the forefront. I see it when I travel around the State. From career pathways in high schools to creative programs through the University of Alaska system, my State is a leader in career technical education.

To address these issues, I have introduced a bill entitled Investing in Innovation, otherwise called i3, which takes a look at what is happening in our local schools and puts resources into what is working. It supports and expands programs that are helping to improve student achievement. This bill requires 25 percent of the money to go to local rural communities. There are so many programs that sometimes forget our small and rural communities, not only in Alaska but throughout this country.

I have also introduced the Career Readiness package of legislation focused on career and technical education. One of the bills in this package is the Counseling for Career Choice Act. This bill will help fund stakeholders in developing comprehensive career counseling models that emphasize guiding students to productive careers.

Our counselors are in unique position to help expose and guide our students to postsecondary opportunities—to help prepare them for high-demand careers. This bill makes sure our school counselors have the resources they need to emphasize all types of postsecondary education, not just the traditional 4-year degree. It focuses on opportunities such as apprenticeships, certificate programs, associate degrees, and, of course, 4-year degrees. It makes sure that business, economic development, and industry leaders are at the table providing information on available postsecondary training opportunities and career trends—basically making sure that we match what we are teaching to not only what is available in the market today but in the future. Our students need the best teachers and the best facilities.

I also have legislation that focuses on career technical education, CTE, professional development for teachers and principals.

Another career readiness bill provides funding to make sure we are modernizing our CTE facilities. We know students who are involved in career and technical education programs are engaged in their future careers. We have to keep making sure what our students learn is relevant to the real

world. We must align our educational system with the in-demand careers to fill those jobs in that pipeline, and we must keep our students engaged.

If we are going to compete in the 21st century as we did in the 20th century, we need to make sure our students have the very best skills—skills that are tailored to the 21st century economy. Career and technical education is the best approach, in my opinion, to give students those skills.

I am a big fan of the Manufacturing Jobs for America initiative led by Senator COONS and several of my colleagues. America's manufacturing sector has enormous potential to create new jobs and to speed up our economy and economic recovery. These are good jobs and they spin off into even more jobs.

According to the National Association of Manufacturers, every manufacturing job we create adds 1½ jobs to the local economy. So let's move forward, let's pass these bills to help with job training, career facilities and readiness, and let's do everything we can to get our manufacturing sector running full speed ahead.

Before I conclude my remarks, let me say that I know there is a lot of debate on the floor where we talk about health care, we are talking about a national defense authorization bill, and we are going to talk about a compounding bill, but at the end of the day, what Americans, what Alaskans, come to me to talk about on a regular basis—and certainly it was true in the 4½ days I just spent in Alaska—is what are we doing to create jobs for the future, not only for people today in the work environment but the kids of the future who will be in the work environment.

This legislation, and many other pieces that have been introduced in this package, help lead this economy and continue to move this economy. We have to remind ourselves where we are: This year, this month, we created over 200,000 jobs. The first month I came here, when I was sworn in, the economy was in a tailspin. We had lost over 700,000 jobs. So we have been in the positive trendline for several months here, but we have more to do. And an area that I think is an incredible opportunity not only for Alaska but for all across this country is improving our manufacturing sector and ensuring our young people are ready for the 21st century.

Again, I thank my friend Senator COONS for all the work he is doing to bring manufacturing to the forefront, as well as all my colleagues who have been coming to the floor to talk about an important piece of legislation to create jobs and improve our economy for the long term.

Mr. President, 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.

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

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

## CONDOLENCES TO SENATOR INHOFE

Mr. REED. Mr. President, I rise to express my deepest sympathy to the senior Senator from Oklahoma Senator JAMES INHOFE and his wife Kay on the sudden and untimely loss of their son, Dr. Perry Inhofe, this weekend in a plane crash. I extend my thoughts and prayers to the entire Inhofe family.

Perry Inhofe was an orthopedic surgeon as well as a licensed pilot and flight instructor, with a family of his own. Flying is integral to the Inhofe family—I know that from my service with Senator INHOFE on the Armed Services Committee and as cochair with him of the Army Caucus, a caucus he created along with Senator Dan Akaka to support the men and women serving in the Army. I know of his intense involvement in flying.

I hope, certainly, that the memories and the time he had with his son will help sustain and comfort him in the days ahead. Senator INHOFE is a man of great integrity, with great dedication to his faith, to the Nation. Again, at this time of loss, I only hope the memory and the example of his son, his son's service and his courage and faith and love will sustain the Inhofe family.

## NOMINATION OF PATRICIA M. WALD

Mr. LEAHY. Mr. President, I commend President Obama for renominating Judge Patricia M. Wald to serve as a member of the Privacy and Civil Liberties Oversight Board, ''PCLOB''. The Senate unanimously confirmed Judge Wald to this post on August 2, 2012. The President renominated Judge Wald to this position in March, and the Judiciary Committee favorably reported the nomination without objection months ago. During her tenure on this important oversight board, Judge Wald has served with great professionalism and dedication. And next week, she will receive the Presidential Medal of Freedom, the highest civilian honor that the President can bestow.

For the past several months, we have been engaged in a national debate about the ever-growing need for limits on the government's surveillance powers. In the coming weeks, the House and the Senate will consider bipartisan legislation to rein in those expansive powers in an effort to protect Americans' privacy and to increase transparency and oversight. While I look forward to that debate and consideration of this important legislation, it is urgent that the Privacy and Civil Liberties Oversight Board continue to operate at full strength to safeguard our constitutional rights. The PCLOB has held two all day hearings on these surveillance matters in recent months, and plans to issue an important report to the President and Congress. Judge Wald has been a key participant in these proceedings. Should the Senate fail to confirm her nomination before we adjourn, however, Judge Wald would be forced to step down from the PCLOB at a critical time when the board is conducting its work to evaluate the privacy and civil liberties implications of the Nation's surveillance programs.

Democrats, Independents, and Republicans alike have supported the important work of this nonpartisan board. Unfortunately, a secret objection on the Republican side is needlessly delaying Judge Wald's confirmation. I urge the Senate to promptly confirm this well qualified nominee, so that the PCLOB can carry out its important responsibilities. If a single Republican Senator has a concern about Judge Patricia Wald's impeccable credentials, they should come forward with the reason they are holding up her confirmation.

## NATIVE AMERICAN HERITAGE MONTH

Mr. LEAHY. Mr. President, this month, we commemorate Native American Heritage Month. It is an important opportunity to recognize the exceptional achievements and contributions of those in the Native American community. They are an integral part of this country's history, which has been both proud and painful. It is important to stop and reflect on how we as a nation can learn from the past and plan for our shared future as fellow Americans.

It is fitting that in this month we also celebrate Veterans Day. For over 200 years, Native Americans, including American Indians, Alaska Natives, and Native Hawaiians, have served honorably and with distinction in the U.S. Armed Forces. Native Americans have served in every conflict since the Revolutionary War and contribute in disproportionately high numbers to our Nation's defense. No group of Americans has a higher per capita service rate in the military than Native Americans.

One of the most unique and extraordinary contributions was by the ''Code Talkers'' during both world wars. Using codes based on their distinct languages, these Native American soldiers transmitted orders and communications to troops and allies, which were indecipherable to our enemies. Later

this month, 33 tribes will be recognized with Congressional Gold Medals to celebrate this significant contribution during the Second World War. This recognition is both historic and overdue.

Throughout the military history of the United States, Native Americans have served bravely and honorably. We are grateful to these soldiers, sailors, marines, and airmen for their tradition of unwavering patriotism.

As we celebrate Native American contributions to our country, we must also examine the unique struggles faced by these communities and work together to find solutions. I am proud of the significant steps we took earlier this year to confront the long-ignored epidemic of violence against Native women through reauthorization of the Violence Against Women Act, a bill I authored with Senator CRAPO. Nearly three out of five Indian women have been assaulted by their spouses or intimate partners. On some reservations, Native American women are murdered at a rate more than times the national average. Those statistics are chilling. Native women are being brutalized and killed at rates that simply shock the conscience.

The Violence Against Women Reauthorization of 2013 addresses this problem directly and provides landmark protections for Native American women. These include expanding the jurisdiction of tribal courts in several ways. First, the law clarifies that tribal courts have the authority to issue and enforce tribal protection orders, a tool that is necessary to stop the escalation of violence. Second, and perhaps most importantly, it recognizes the jurisdiction of tribal courts to prosecute non-Indians who abuse Native women on tribal lands.

More than 50 percent of Native American women are married to non-Native American men. Before the Violence Against Women Act was reauthorized this year, tribal courts were unable to prosecute these men if they committed acts of domestic abuse. The Federal authorities who had jurisdiction were often hours away from tribal lands and ill-equipped to prosecute these crimes. As a result, countless victims were left without protection and offenders were allowed to prey upon women with impunity. As a former prosecutor, I was appalled, and I am proud that we fixed this glaring problem with the enactment of these historic changes.

Beyond resolving jurisdictional issues, VAWA improved the grant making process to Indian tribal coalitions to ensure tribes are better able to respond to domestic violence, sexual assault, dating violence, and stalking. It creates new Federal crimes with tougher penalties for offenses often committed against Native American women and encourages greater cooperation between the Federal Government and tribal governments.

The success of VAWA, and the inclusion of these historic provisions, was the result of years of careful investigation and creative problem solving. We worked closely with tribal leaders and the National Congress of American Indians and in close consultation with the Indian Affairs Committee. I would like to thank the former chairman of that committee, Senator Daniel Akaka, and current chairwoman MARIA CANTWELL for their cooperation and persistence on these important measures.

Another area of law critical to the protection of civil rights for Native Americans is the Voting Rights Act. I am working hard with members from both sides of the aisle to restore the vital protections of this landmark law, undermined by the Supreme Court's recent decision in Shelby County v. Holder.

The Voting Rights Act is the most successful piece of civil rights legislation in this Nation's history. It has worked to protect the Constitution's guarantees against racial discrimination in voting for nearly five decades. It has helped minorities of all races—including Native Americans—overcome major barriers to participation in the political process. For example, in 2008, in Charles Mix County, SD, the Department of Justice found evidence of discriminatory intent by the officials of the county, who had attempted to dilute the voting strength of Native Americans. The Voting Rights Act prevented these discriminatory actions from taking place. It is imperative that we reinvigorate and restore these protections.

In addition to our legislative efforts, we are also making strides in confirming Native American judges to our Federal courts. President Obama nominated Diane J. Humetewa, a Native American woman, to serve on the U.S. district court for Arizona on September 19, 2013. Humetewa, a member of the Hopi Tribe, was the U.S. attorney in Arizona between 2007 and 2009, a position to which she was nominated by former President George W. Bush at the urging of Senator JOHN MCCAIN. If the Senate confirms her nomination, she would become the only active member of a Native American tribe to serve in the Federal judiciary and the first Native American woman ever to serve on the Federal bench.

This month, let us celebrate the Native American contributions that make this Nation better and stronger. And let us renew our commitment to work together with leaders of these sovereign nations to address ongoing challenges to ensure that all who live in this great country are afforded the respect, dignity and opportunities they deserve.

## EMPLOYEE BENEFIT RESEARCH INSTITUTE

Mr. BAUCUS. Mr. President, I rise today to congratulate the Employee Benefit Research Institute on their 35th anniversary. EBRI was founded in 1978 with the purpose of conducting research on employee benefit plans and distributing that information to the public. Their mission ''is to contribute to, to encourage, and to enhance the development of sound employee benefit programs and sound public policy through objective research and education.''

EBRI has fulfilled its mission and purpose for 35 years in a nonpartisan and unbiased manner. That is why EBRI's research staff is frequently asked to testify before Congress, including several times before the Finance Committee. EBRI produces trustworthy analysis on both health and retirement issues. EBRI does not take policy positions and they do not lobby—they provide us with just the facts without spin. When it comes to retirement and health policy, EBRI is an indispensable source of expert data. And that is why both Members and our staff on Capitol Hill depend on their expertise and reliability.

I salute EBRI and its staff for 35 years of exceptional work and look forward to their continued help in the future.

## TRIBUTE TO GARY OSTROSKE

Ms. LANDRIEU. Mr. President, today I wish to ask my colleagues to join me in recognizing Mr. Gary Ostroske, who retired on July 1, 2013, as President and CEO of the United Way of Southeast Louisiana. Mr. Ostroske has been an integral part of the United Way Worldwide system for 40 years and has served as President and CEO of the Southeastern region for the past 25 years.

Throughout his tenure at the United Way, Mr. Ostroske implemented important changes to a wide breadth of programs to improve the lives of residents of Southeast Louisiana. Mr. Ostroske has worked tirelessly to provide citizens with quality healthcare, education, and human services and has undoubtedly provided many opportunities for residents of Southeast Louisiana to succeed and improve their lives.

As the President and CEO of United Way of Southeast Louisiana, Mr. Ostroske worked collaboratively with community organizations and Greater New Orleans leaders to create innovative ways to deliver critical services to Southeast Louisiana residents. Through these community partnerships, Mr. Ostroske strengthened United Way's impact and allowed it to play an integral role in crafting a strong economic agenda for our region.

Mr. Ostroske's unwavering leadership in the wake of Hurricanes Katrina and Isaac and the Deepwater Horizon oil spill was truly remarkable. Mr. Ostroske's diligent efforts to rebuild our region after these disasters ensured our region's renewed sense of vitality and economic strength.

Upon his retirement, Mr. Ostroske is looking forward to volunteering in our community and spending time with his wife of 35 years, Mary Ann and his family—their son, Peter Ostroske, president of O Look!, an internet company

based in São Paulo, Brazil and their daughter, Jenny Ostroske Luke, who is a veterinarian, married to Fletcher Luke. Gary and Mary Ann are the proud grandparents to Jenny and Fletcher's children—Ellis and Myles.

Mr. Ostroske's service to the people of Louisiana has been truly extraordinary and serves as an inspiration to us all. It is with my greatest sincerity that I ask my colleagues to join me along with Mr. Ostroske's family in recognizing his dedicated service to the people of Louisiana, as well as wishing him well in his retirement.

## HOLT INTERNATIONAL CHILDREN'S SERVICES

Mr. MERKLEY. Mr. President, Senator WYDEN and I wish to recognize Holt International Children's Services during this year's celebration of National Adoption Month.

On July 27, 2013 we celebrated the 60th anniversary of the end of the Korean war. By signing the armistice agreement, the border between the Koreas near the 38th Parallel was established. It was in the wake of this armistice that Holt International Children's Services first began its compassionate work, and today continues to be a leader in the field of adoption and child welfare issues.

Harry and Bertha Holt of Eugene, OR were of humble means—Harry a lumberjack and a farmer and Bertha a nurse. In 1954, the Holts went to a small high school auditorium to view a film about Amerasian children living in South Korean orphanages. Moved by the film, their faith and a firm belief that all children deserve permanent, loving homes, the Holts began their lifelong mission in 1955 to revolutionize intercountry adoption.

At the time, there were no laws allowing children to immigrate to one country from another for the purpose of adoption. Overcoming legal and cultural barriers, Mr. and Mrs. Holt sought families for children orphaned by the Korean war. The Holts persuaded Oregon U.S. Senator Richard Neuberger to introduce legislation titled ''The Relief of Certain Korean War Orphans.'' The legislation became law on August 11, 1955, enabling the Holts to adopt eight Korean war orphans: Joseph Han, Mary Chae, Helen Chan, Paul Kim, Betty Rhee, Robert Chae, Christine Lee and Nathanial Chae. With this act of love and the founding of their agency—Holt International Children's Services—two farmers from rural Oregon became pioneers in international adoption.

Today, Holt International strives to uphold Harry and Bertha's vision of finding loving homes for children regardless of race, religion, ethnicity or gender. Holt is committed to finding families for children, not children for families, an important distinction that sets the tone and priorities for Holt. Since the 1955 act, Holt has placed 49,630 children from 31 countries with families in all 50 States. As the oldest intercountry adoption agency, Holt is the only organization that has more than three generations of adult adoptees.

Holt continues to play an active and vital role in establishing policy and practice for intercountry adoption. In 1993, Holt adoptees Susan Cox and David Kim were members of the U.S. delegation to the Hague Convention on Intercountry Adoption, an agreement which sets international standards for intercountry adoption that protects the child, the birth family and the adoptive family. Later, in 2008, Holt was a leading advocate in ensuring U.S. ratification of the Hague Convention treaty. Holt believes that adoption is a life long experience and has been at the forefront of developing post adoption services to ensure that adoptees grow and develop to their fullest potential.

In addition to these monumental accomplishments, Holt International has become much more than an adoption agency. When considering a child's future, Holt always keeps the child's best interest at the forefront of every decision. For some children adoption is the only option, but Holt realizes that it is not the first option for children without families. Holt believes that it is best if children can stay with their birth family. Over the years, Holt has worked to develop and maintain programs overseas to give orphaned, abandoned and vulnerable children safe and nurturing environments in which to grow and thrive. These overseas programs include initiatives directed at family preservation, nutrition support, child and maternal health, income generation, assisting children with special needs, and shaping and establishing intercountry child welfare systems. Through these initiatives, Holt impacts approximately 30,000 children each year and helps to ensure that children at all stages of need are provided for in an effort to avoid the separation of families.

In November, as National Adoption Month is celebrated, it is appropriate to recognize Holt International Children's Services for its diligent efforts and accomplishments in the field of child-welfare and intercountry adoption that have impacted thousands of children in the U.S. and around the world.

## ADDITIONAL STATEMENTS

### CHARACTERPLUS

● Mr. BLUNT. Mr. President, today I wish to honor CHARACTERplus, an organization based in my State of Missouri, which helps build strong school communities where students feel valued and can succeed. As a former classroom teacher, I appreciate the work CHARACTERplus does to help educators instill positive character traits in students—such as responsibility and respect—by teaching, encouraging and living these values at school.

Created by Sanford N. McDonnell in 1985, CHARACTERplus is the largest community-wide character education organization in the country. More importantly, because of the efforts of CHARACTERplus, Missouri leads the Nation in character education.

Currently more than 75 school districts across several States are members of CHARACTERplus, which serves more than 330,000 students and 29,000 teachers at 645 schools to transform school climate.

Member districts and schools have unlimited access to professional development, national experts, the most current research on social, emotional and character development, skill training modules, survey tools to access school climate and opportunities to network with others in the field.

Each year, the Character Education Partnership, CEP, recognizes schools that have demonstrated a commitment to character education by naming them a National School of Character. In 2013, CEP chose 29 schools, 9 of which were members of CHARACTERplus, making Missouri the national leader in character education.

Those schools include Independence Elementary in the Francis Howell School District; Jefferson City Academic Center in the Jefferson City School District; Beasley Elementary, Bierbaum Elementary, Hagemann Elementary, and Mehlville High School in the Mehlville School District; Chesterfield Elementary and LaSalle Springs Middle School in the Rockwood School District; and Discovery Ridge Elementary in the Wentzville School District.

CHARACTERplus also works closely with the Missouri Department of Secondary and Elementary Education on several projects and runs the State School of Character Awards.

I would like to congratulate CHARACTERplus for all of their hard work and commend them for helping the State of Missouri be a leader in character education.●

## TRIBUTE TO LARRY WILCOX

● Mr. JOHNSON of South Dakota. Mr. President, today I wish to offer my heartfelt congratulations to Larry Wilcox who is retiring as superintendent of the Michael J. Fitzmaurice State Veterans Home in Hot Springs, SD. The retirement is effective November 14, 2013.

Born in Burke, Larry grew up in Winner, SD. After graduating from Winner High School in the mid-1960s, Larry joined the South Dakota Army National Guard. He remained in the National Guard for nearly four decades, including 26 years in the Medical Services Corps. A Gulf War veteran, Larry rose to the rank of Lieutenant Colonel before retiring in 2003.

Larry's service to our State continued when he was named superintendent of South Dakota's only State Veterans Home in May 2004 by Maj. Gen. Michael

Gorman. He has provided excellent stewardship of the State Veterans Home, including overseeing plans to construct a new facility. On November 11, 1889, the cornerstone for the first State Home was laid in Hot Springs. The much-anticipated groundbreaking for a new South Dakota Veterans Home was held in late September 2013. Thousands of veterans and their families have enjoyed the services of the State Veterans Home over these many years. Aging veterans have found solace on the beautiful, aesthetic grounds of the State Veterans Home and have benefited from the dedicated medical care and support services provided.

Larry has played a major role in providing consistent and superior levels of care and comfort to veterans at the State Home during his time as superintendent. He has been passionate about providing the highest degree of compassionate care, understanding and service to the residents. Larry is a strong advocate for the Veterans Home, promoting the importance of the Veterans Home to the general public and making sure the congressional delegation is aware of any challenges veterans may face. Over the years I have appreciated Larry's insight on issues and the open line of communication between our offices.

I thank Larry for all he has done for veterans in South Dakota and wish him all the best in his retirement.●

## NORTHWEST NAZARENE UNIVERSITY

● Mr. RISCH. Mr. President, on behalf of myself and Senator CRAPO, I wish to recognize the 100-year anniversary of Northwest Nazarene University in the city of Nampa in the great State of Idaho.

On September 13, 1913, this education institution began as an elementary school—the Idaho Holiness School. With a strong and unstoppable vision for the future, the founders quickly developed it into a secondary school and then a university. Highly respected in the community and, indeed, all across the great State of Idaho and in several other States in the region, Northwest Nazarene University has conferred degrees upon thousands of college graduates since 1917.

Dr. David Alexander, who began his association with NNU as a member of the faculty and in 2008 became its 12th president, continues to carry out the early vision of growth, excellence and the Great Commission. The university offers a world-class, multi-discipline education, which now serves more than 2,000 undergraduate and graduate students; more than 6,000 continuing education students; and 2,300 high school students through its concurrent credit program. On its 90-acre campus in Nampa, 60 education disciplines are offered as well as 11 graduate-level programs. The university also offers programs of study in other Idaho cities including nearby Boise, Twin Falls and Idaho Falls, and works in cooperation with education programs in 10 countries.

NNU, a nonprofit Christian school, is affiliated with the Church of the Nazarene and is one of the premiere universities in our State. Through education and spiritual development, students become leaders in business, public service, education and in faith-based careers. At NNU, they have become students of scholarship, strong in character and robust contributors to their communities.

As Governor, Lieutenant Governor and State Senator, I have had a long and good working relationship with NNU, which I tremendously value. I mark their achievements and continued growth as terrific highlights for the Treasure Valley and the State of Idaho. Their commitment to their original vision and the foundations of their beliefs as they recognize changing times has made NNU an institution of stability and a vital resource for Idahoans.

I remember well participating in the dedication of the Thomas Family Health and Science Center, which further moves NNU into the ranks of a competitive university with state-of-the-art laboratories and researchers. In addition, I am proud to have had their participation on the Nursing Task Force, which I initiated as governor, and which continues to make a significant impact on reducing the shortage of nurses in Idaho and beyond.

For 100 years, Northwest Nazarene University has proved itself a strong asset to our community and state. It is a proverbial shining light, making a positive difference on its campus, in nearby neighborhoods and across oceans. We are very proud to have this institution serving our young people and those continually updating their skills and education. Our country stands stronger because NNU goes the extra mile, perseveres and stays the course.

May God bless Northwest Nazarene University with another 100 years of being a top-rated institution of higher learning.●

## MESSAGES FROM THE PRESIDENT

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

## EXECUTIVE MESSAGES REFERRED

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

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

## MESSAGES FROM THE HOUSE

### ENROLLED BILL SIGNED

At 12:19 p.m., a message from the House of Representatives, delivered by Mr. Hanrahan, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 2747. An act to amend title 40, United States Code, to transfer certain functions from the Government Accountability Office to the Department of Labor relating to the processing of claims for the payment of workers who were not paid appropriate wages under certain provisions of such title.

The enrolled bill was subsequently signed by the President pro tempore (Mr. LEAHY).

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At 2:16 p.m., a message from the House of Representatives, delivered by Mr. Hanrahan, one of its reading clerks, announced that the House has passed the following bills, without amendment:

S. 330. An act to amend the Public Health Service Act to establish safeguards and standards of quality for research and transplantation of organs infected with human immunodeficiency virus (HIV).

S. 893. An act to provide for an increase, effective December 1, 2013, in the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes.

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At 4:31 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. 2871. An act to amend title 28, United States Code, to modify the composition of the southern judicial district of Mississippi to improve judicial efficiency, and for other purposes.

H.R. 2922. An act to extend the authority of the Supreme Court Police to protect court officials away from the Supreme Court grounds.

The message further announced that the House has passed the following bill, with amendments, in which it requests the concurrence of the Senate:

S. 252. An act to reduce preterm labor and delivery and the risk of pregnancy-related deaths and complications due to pregnancy, and to reduce infant mortality caused by prematurity.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mrs. FEINSTEIN, from the Select Committee on Intelligence:

Report to accompany S. 1681, An original bill to authorize appropriations for fiscal year 2014 for intelligence and intelligence-related activities of the United States Government and the Office of the Director of National Intelligence, the Central Intelligence Agency Retirement and Disability System, and for other purposes (Rept. No. 113–120).

## 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. KIRK (for himself and Mr. ROCKEFELLER):

S. 1688. A bill to award the Congressional Gold Medal to the members of the Office of Strategic Services (OSS), collectively, in recognition of their superior service and major contributions during World War II; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SCHUMER:

S. 1689. A bill to treat payments by charitable organizations with respect to certain firefighters as exempt payments; to the Committee on Finance.

By Mr. LEAHY (for himself, Mr. PORTMAN, Mr. DURBIN, Ms. KLOBUCHAR, Mr. FRANKEN, Mr. MURPHY, Mr. BROWN, Ms. LANDRIEU, and Mr. MENENDEZ):

S. 1690. A bill to reauthorize the Second Chance Act of 2007; to the Committee on the Judiciary.

By Mr. TESTER (for himself and Mr. MCCAIN):

S. 1691. A bill to amend title 5, United States Code, to improve the security of the United States border and to provide for reforms and rates of pay for border patrol agents; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. BOXER (for herself, Ms. CANTWELL, Ms. KLOBUCHAR, and Mr. MARKEY):

S. 1692. A bill to require the Secretary of Transportation to modify the final rule relating to flightcrew member duty and rest requirements for passenger operations of air carriers to apply to all-cargo operations of air carriers, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mrs. SHAHEEN (for herself, Mr. UDALL of Colorado, Ms. LANDRIEU, Mr. MERKLEY, and Mrs. FEINSTEIN):

S. 1693. A bill to amend the Patient Protection and Affordable Care Act to extend the initial open enrollment period; to the Committee on Finance.

By Mr. HARKIN (for himself and Mr. HELLER):

S. 1694. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for the purchase of hearing aids; to the Committee on Finance.

By Ms. CANTWELL (for herself and Mr. KIRK):

S. 1695. A bill to designate a portion of the Arctic National Wildlife Refuge as wilderness; to the Committee on Environment and Public Works.

By Mr. BLUMENTHAL (for himself, Ms. BALDWIN, Mrs. BOXER, Mr. SCHATZ, Ms. HIRONO, Mr. HARKIN, Mr. WHITEHOUSE, Mr. SANDERS, Mr. SCHUMER, Mrs. MURRAY, Mrs. GILLIBRAND, Ms. CANTWELL, Mr. MURPHY, Mr. BROWN, Ms. WARREN, Mr. TESTER, Mr. MENENDEZ, Mr. HEINRICH, Mr. COONS, Mr. MARKEY, Mr. MERKLEY, Mrs. SHAHEEN, Ms. MIKULSKI, Mr. BOOKER, Mrs. FEINSTEIN, Ms. STABENOW, Mr. WYDEN, Mr. FRANKEN, Ms. KLOBUCHAR, Mr. CARDIN, and Mrs. MCCASKILL):

S. 1696. A bill to protect a women's right to determine whether and when to bear a child or end a pregnancy by limiting restrictions on the provision of abortion services; to the Committee on the Judiciary.

By Mr. HARKIN (for himself, Mrs. MURRAY, Mr. CASEY, Ms. HIRONO, Mr. MURPHY, Mr. SANDERS, Ms. BALDWIN, Ms. WARREN, Mr. COONS, Mr. KAINE, Mrs. GILLIBRAND, Mr. WYDEN, and Mr. FRANKEN):

S. 1697. A bill to support early learning; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MARKEY:

S. 1698. A bill to provide for the establishment of clean technology consortia to enhance the economic, environmental, and energy security of the United States by promoting domestic development, manufacture, and deployment of clean technologies; to the Committee on Energy and Natural Resources.

By Mr. UDALL of Colorado (for himself and Mrs. SHAHEEN):

S. 1699. A bill to permit individuals to renew certain health insurance coverage offered in the individual or small group markets and to provide that such individuals would not be subject to the individual mandate penalty; to the Committee on Finance.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. SCHATZ (for himself, Mr. MENENDEZ, Mr. DURBIN, Mr. CARDIN, Mr. RUBIO, Ms. HIRONO, Mr. UDALL of New Mexico, Mrs. BOXER, and Mr. BEGICH):

S. Res. 292. A resolution expressing support for the victims of the typhoon in the Philippines and the surrounding region; to the Committee on Foreign Relations.

By Ms. HEITKAMP (for herself, Mr. HOEVEN, Mr. BEGICH, Mr. UDALL of New Mexico, Mrs. MURRAY, Mr. SCHATZ, Ms. HIRONO, Mr. TESTER, Mr. FRANKEN, Mr. LEVIN, Mr. MORAN, Mr. JOHNSON of South Dakota, Mr. THUNE, Ms. STABENOW, Mr. BARRASSO, Ms. BALDWIN, Ms. KLOBUCHAR, Mr. BAUCUS, and Mr. HEINRICH):

S. Res. 293. A resolution designating the week beginning on November 18, 2013, as ''National Tribal Colleges and Universities Week'' ; considered and agreed to.

By Ms. LANDRIEU (for herself, Mr. INHOFE, Ms. KLOBUCHAR, Mr. GRASSLEY, Mr. UDALL of New Mexico, Mr. BLUNT, Mr. KING, Mr. CORNYN, Mr. THUNE, Mr. JOHNSON of South Dakota, Mr. PORTMAN, Mr. WICKER, Mrs. FISCHER, Mr. MORAN, Mr. BOOZMAN, and Mr. COCHRAN):

S. Res. 294. A resolution expressing support for the goals of National Adoption Day and National Adoption Month by promoting national awareness of adoption and the children awaiting families, celebrating children and families involved in adoption, and encouraging the people of the United States to secure safety, permanency, and well-being for all children; considered and agreed to.

By Mr. JOHNSON of South Dakota (for himself and Mr. INHOFE):

S. Con. Res. 25. A concurrent resolution authorizing the use of Emancipation Hall in the Capitol Visitor Center for activities associated with the ceremony to award the Congressional Gold Medal to Native American code talkers; considered and agreed to.

## ADDITIONAL COSPONSORS

S. 252

At the request of Mr. ALEXANDER, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 252, a bill to reduce preterm labor and delivery and the risk of pregnancy-related deaths and complications due to pregnancy, and to reduce infant mortality caused by prematurity.

S. 381

At the request of Mr. BROWN, the names of the Senator from Arizona (Mr. FLAKE), the Senator from Missouri (Mrs. MCCASKILL), the Senator from Alabama (Mr. SESSIONS) and the Senator from Nebraska (Mr. JOHANNS) were added as cosponsors of S. 381, a bill to award a Congressional Gold Medal to the World War II members of the ''Doolittle Tokyo Raiders'', for outstanding heroism, valor, skill, and service to the United States in conducting the bombings of Tokyo.

S. 544

At the request of Mr. HARKIN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 544, a bill to require the President to develop a comprehensive national manufacturing strategy, and for other purposes.

S. 610

At the request of Mr. JOHANNS, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 610, a bill to amend the Patient Protection and Affordable Care Act to repeal certain limitations on health care benefits.

S. 734

At the request of Mr. NELSON, the name of the Senator from New Jersey (Mr. MENENDEZ) 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. 862

At the request of Ms. AYOTTE, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 862, a bill to amend section 5000A of the Internal Revenue Code of 1986 to provide an additional religious exemption from the individual health coverage mandate.

S. 878

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

S. 908

At the request of Mr. JOHNSON of South Dakota, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 908, a bill to amend the Public Health Service Act to improve the diagnosis and treatment of hereditary hemorrhagic telangiectasia, and for other purposes.

S. 917

At the request of Mr. CARDIN, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 917, a bill to amend the Internal Revenue Code of 1986 to provide a reduced rate of excise tax on beer produced domestically by certain qualifying producers.

S. 942

At the request of Mr. CASEY, the name of the Senator from Wisconsin

(Ms. BALDWIN) was added as a cosponsor of S. 942, a bill to eliminate discrimination and promote women's health and economic security by ensuring reasonable workplace accommodations for workers whose ability to perform the functions of a job are limited by pregnancy, childbirth, or a related medical condition.

S. 949

At the request of Mr. JOHANNS, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 949, a bill to amend the Truth in Lending Act to improve upon the definitions provided for points and fees in connection with a mortgage transaction.

S. 1011

At the request of Mr. JOHANNS, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. 1011, a bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of Boys Town, and for other purposes.

S. 1143

At the request of Mr. TESTER, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1143, a bill to amend title XVIII of the Social Security Act with respect to physician supervision of therapeutic hospital outpatient services.

S. 1158

At the request of Mr. WARNER, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1158, a bill to require the Secretary of the Treasury to mint coins commemorating the 100th anniversary of the establishment of the National Park Service, and for other purposes.

S. 1187

At the request of Ms. STABENOW, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1187, a bill to prevent homeowners from being forced to pay taxes on forgiven mortgage loan debt.

S. 1208

At the request of Mr. TESTER, the name of the Senator from Montana (Mr. BAUCUS) was added as a cosponsor of S. 1208, a bill to require meaningful disclosures of the terms of rental-purchase agreements, including disclosures of all costs to consumers under such agreements, to provide certain substantive rights to consumers under such agreements, and for other purposes.

S. 1262

At the request of Mr. NELSON, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1262, a bill to require the Secretary of Veterans Affairs to establish a veterans conservation corps, and for other purposes.

S. 1291

At the request of Mr. REED, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1291, a bill to strengthen families' engagement in the education of their children.

S. 1364

At the request of Mr. WYDEN, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 1364, a bill to promote neutrality, implicity, and fairness in the taxation of digital goods and digital services.

S. 1419

At the request of Mr. WYDEN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1419, a bill to promote research, development, and demonstration of marine and hydrokinetic renewable energy technologies, and for other purposes.

S. 1456

At the request of Ms. AYOTTE, the names of the Senator from Nevada (Mr. REID) and the Senator from Alaska (Mr. BEGICH) were added as cosponsors of S. 1456, a bill to award the Congressional Gold Medal to Shimon Peres.

S. 1462

At the request of Mr. THUNE, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 1462, a bill to extend the positive train control system implementation deadline, and for other purposes.

S. 1622

At the request of Ms. HEITKAMP, the names of the Senator from California (Mrs. FEINSTEIN), the Senator from Minnesota (Mr. FRANKEN) and the Senator from North Dakota (Mr. HOEVEN) were added as cosponsors of S. 1622, a bill to establish the Alyce Spotted Bear and Walter Soboleff Commission on Native Children, and for other purposes.

S. 1644

At the request of Mrs. BOXER, the names of the Senator from Virginia (Mr. WARNER), the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Indiana (Mr. DONNELLY) were added as cosponsors of S. 1644, a bill to amend title 10, United States Code, to provide for preliminary hearings on alleged offenses under the Uniform Code of Military Justice.

S. 1661

At the request of Mr. CRUZ, the names of the Senator from Florida (Mr. RUBIO) and the Senator from Texas (Mr. CORNYN) were added as cosponsors of S. 1661, a bill to require the Secretary of State to offer rewards of up to $5,000,000 for information regarding the attacks on the United States diplomatic mission at Benghazi, Libya that began on September 11, 2012.

S. 1675

At the request of Mr. WHITEHOUSE, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 1675, a bill to reduce recidivism and increase public safety, and for other purposes.

S. 1683

At the request of Mr. MENENDEZ, the name of the Senator from Indiana (Mr. COATS) was added as a cosponsor of S. 1683, a bill to provide for the transfer of naval vessels to certain foreign recipients, and for other purposes.

S.J. RES. 15

At the request of Mr. CARDIN, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S.J. Res. 15, a joint resolution removing the deadline for the ratification of the equal rights amendment.

S. RES. 203

At the request of Mrs. FEINSTEIN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. Res. 203, a resolution expressing the sense of the Senate regarding efforts by the United States to resolve the Israeli-Palestinian conflict through a negotiated two-state solution.

S. RES. 284

At the request of Mr. RISCH, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. Res. 284, a resolution calling on the Government of Iran to immediately release Saeed Abedini and all other individuals detained on account of their religious beliefs.

## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. LEAHY (for himself, Mr. PORTMAN, Mr. DURBIN, Ms. KLOBUCHAR, Mr. FRANKEN, Mr. MURPHY, Mr. BROWN, Ms. LANDRIEU, and Mr. MENENDEZ):

S. 1690. A bill to reauthorize the Second Chance Act of 2007; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, today I join with Senator PORTMAN to introduce the bipartisan Second Chance Reauthorization Act, a bill that builds on recent successes and takes important new steps to ensure that people coming out of prison have the opportunity to turn their lives around, rather than returning to a life of crime. Investing in community-based reentry programs prevents crime, reduces prison costs, improves public safety, and saves taxpayer dollars. It is also the right thing to do.

This important legislation improves Federal reentry policy and funds collaborations between State and local corrections agencies, nonprofits, educational institutions, service providers, and families to ensure that former offenders have the resources and support they need to become contributing members of the community. Our bill also seeks to expand upon the successes of the original Second Chance Act by continuing, improving, and consolidating its programs, while reauthorizing these important grant programs at reduced levels in recognition of current fiscal constraints.

In 2008, I joined with Senators BIDEN, SPECTER, and BROWNBACK as an original cosponsor of the Second Chance Act, and helped to shepherd that legislation through the Senate. I was proud when the Senate recognized the value

of the Second Chance Act and, after a great deal of work and compromise, passed the bill unanimously.

The bipartisan spirit of this legislation also continues in the House, where today Representatives SENSENBRENNER and DAVIS will introduce an identical version of the Senate bill authored by myself and Senator PORTMAN. Together, we have been working hard for the past several months to reach an agreement that is fair, fiscally responsible, and meets the needs of key stakeholders. As a result, we have the support of faith groups, law enforcement, and community groups who provide services to the mentally ill and those struggling with addiction. This broad coalition has one thing in common—we all want to see our justice system work better.

In the past few decades, Congress and the states have passed new criminal laws creating longer sentences for more and more crimes. As a result, our country currently incarcerates more than two million people, and more than 13 million people spend some time in jail or prison each year. This has resulted in severely stretched budgets and we have fewer resources for programs that actually prevent crime in the first place. We cannot afford to stay on our current path, and I am working on separate legislation to address the exploding costs of our Federal prisons. The Second Chance Reauthorization Act helps support innovative reentry programs at the state and local level which have brought down costs and reduced recidivism, and the federal system should replicate these efforts.

More than 650,000 ex-offenders are released from prison each year. The experience inmates have in prison, how we prepare them to rejoin society, and how we integrate them into the broader community when they are released are issues that profoundly affect the communities in which we live.

The Second Chance Act funds grants for key reentry programs and requires that these programs demonstrate measurable positive results, including a reduction in recidivism.

The Second Chance Act of 2008 authorized research into educational methods used in prisons and jails. Today's reauthorization bill directs the Attorney General to review that research, identify best practices, and implement them in our prisons and jails.

The bill also makes nonprofit organizations eligible for grants promoting family-based substance abuse treatment and training in technology careers. It gives priority consideration to applicants that conduct individualized post-release employment planning, demonstrate connections to employers within the local community, or track and monitor employment outcomes.

This legislation also makes improvements to federal reentry policy that have the added benefit of reducing Bureau of Prison costs. It continues the successful Elderly and Family Reunification for Certain Non-Violent Offenders Pilot Program and expands the pool of inmates eligible to apply for the program.

Finally, the Second Chance Reauthorization Act promotes accountability by requiring periodic audits of grantees to ensure that federal dollars are spent responsibly. Grantees who have unresolved audit problems will not be eligible for funding in future years.

As a former prosecutor, I believe strongly in securing tough and appropriate prison sentences for people who break our laws. But it is also important that we do everything we can to ensure that when people get out of prison, they enter our communities as productive members of society, so we can start to reverse the dangerous cycle of recidivism and violence. The Second Chance Reauthorization Act helps break this cycle.

I thank Senator PORTMAN, Representative SENSENBRENNER, and Representative DAVIS for their hard work and cooperation in leading these efforts. We have come together in a truly exceptional way in this bipartisan, bicameral effort. I am proud of the work we have done so far and I look forward to joining with Democrats and Republicans to get this bill passed and signed into law.

Mr. President, President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1690

*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 ''Second Chance Reauthorization Act of 2013''.

**SEC. 2. IMPROVEMENTS TO EXISTING PROGRAMS.**

(a) REAUTHORIZATION OF ADULT AND JUVENILE OFFENDER STATE AND LOCAL DEMONSTRATION PROJECTS.—Section 2976 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797w) is amended—

(1) by striking subsection (a) and inserting the following:

''(a) GRANT AUTHORIZATION.—The Attorney General shall make grants to States, local governments, territories, or Indian tribes, or any combination thereof (in this section referred to as an 'eligible entity'), in partnership with interested persons (including Federal corrections and supervision agencies), services providers, and nonprofit organizations for the purpose of strategic planning and implementation of adult and juvenile offender reentry projects.'';

(2) in subsection (b)—

(A) in paragraph (3), by inserting ''or reentry courts,'' after ''community,'';

(B) in paragraph (6), by striking ''and'' at the end;

(C) in paragraph (7), by striking the period at the end and inserting ''; and''; and

(D) by adding at the end the following:

''(8) promoting employment opportunities consistent with the Transitional Jobs strategy (as defined in section 4 of the Second Chance Act of 2007 (42 U.S.C. 17502)).'';

(3) by striking subsections (d), (e), and (f) and inserting the following:

''(d) COMBINED GRANT APPLICATION; PRIORITY CONSIDERATION.—

''(1) IN GENERAL.—The Attorney General shall develop a procedure to allow applicants to submit a single application for a planning grant under subsection (e) and an implementation grant under subsection (f).

''(2) PRIORITY CONSIDERATION.—The Attorney General shall give priority consideration to grant applications under subsections (e) and (f) that include a commitment by the applicant to partner with a local evaluator to identify and analyze data that will—

''(A) enable the grantee to target the intended offender population; and

''(B) serve as a baseline for purposes of the evaluation.

''(e) PLANNING GRANTS.—

''(1) IN GENERAL.—Except as provided in paragraph (3), the Attorney General may make a grant to an eligible entity of not more than $75,000 to develop a strategic, collaborative plan for an adult or juvenile offender reentry demonstration project as described in subsection (h) that includes—

''(A) a budget and a budget justification;

''(B) a description of the outcome measures that will be used to measure the effectiveness of the program in promoting public safety and public health;

''(C) the activities proposed;

''(D) a schedule for completion of the activities described in subparagraph (C); and

''(E) a description of the personnel necessary to complete the activities described in subparagraph (C).

''(2) MAXIMUM TOTAL GRANTS AND GEOGRAPHIC DIVERSITY.—

''(A) MAXIMUM AMOUNT.—The Attorney General may not make planning grants and implementation grants to 1 eligible entity in a total amount that is more than a $1,000,000.

''(B) GEOGRAPHIC DIVERSITY.—The Attorney General shall make every effort to ensure equitable geographic distribution of grants under this section and take into consideration the needs of underserved populations, including rural and tribal communities.

''(3) PERIOD OF GRANT.—A planning grant made under this subsection shall be for a period of not longer than 1 year, beginning on the first day of the month in which the planning grant is made.

''(f) IMPLEMENTATION GRANTS.—

''(1) APPLICATIONS.—An eligible entity desiring an implementation grant under this subsection shall submit to the Attorney General an application that—

''(A) contains a reentry strategic plan as described in subsection (h), which describes the long-term strategy and incorporates a detailed implementation schedule, including the plans of the applicant to fund the program after Federal funding is discontinued;

''(B) identifies the local government role and the role of governmental agencies and nonprofit organizations that will be coordinated by, and that will collaborate on, the offender reentry strategy of the applicant, and certifies the involvement of such agencies and organizations;

''(C) describes the evidence-based methodology and outcome measures that will be used to evaluate the program funded with a grant under this subsection, and specifically explains how such measurements will provide valid measures of the impact of that program; and

''(D) describes how the project could be broadly replicated if demonstrated to be effective.

''(2) REQUIREMENTS.—The Attorney General may make a grant to an applicant under this subsection only if the application—

''(A) reflects explicit support of the chief executive officer, or their designee, of the State, unit of local government, territory, or

Indian tribe applying for a grant under this subsection;

''(B) provides extensive discussion of the role of Federal corrections, State corrections departments, community corrections agencies, juvenile justice systems, and tribal or local jail systems in ensuring successful reentry of offenders into their communities;

''(C) provides extensive evidence of collaboration with State and local government agencies overseeing health, housing, child welfare, education, substance abuse, victims services, and employment services, and with local law enforcement agencies;

''(D) provides a plan for analysis of the statutory, regulatory, rules-based, and practice-based hurdles to reintegration of offenders into the community;

''(E) includes the use of a State, local, territorial, or tribal task force, described in subsection (i), to carry out the activities funded under the grant;

''(F) provides a plan for continued collaboration with a local evaluator as necessary to meeting the requirements under subsection (h); and

''(G) demonstrates that the applicant participated in the planning grant process or engaged in comparable planning for the reentry project.

''(3) PRIORITY CONSIDERATIONS.—The Attorney General shall give priority to grant applications under this subsection that best—

''(A) focus initiative on geographic areas with a disproportionate population of offenders released from prisons, jails, and juvenile facilities;

''(B) include—

''(i) input from nonprofit organizations, in any case where relevant input is available and appropriate to the grant application;

''(ii) consultation with crime victims and offenders who are released from prisons, jails, and juvenile facilities;

''(iii) coordination with families of offenders;

''(iv) input, where appropriate, from the juvenile justice coordinating council of the region;

''(v) input, where appropriate, from the reentry coordinating council of the region; and

''(vi) other interested persons, as appropriate;

''(C) demonstrate effective case assessment and management abilities in order to provide comprehensive and continuous reentry, including—

''(i) planning for prerelease transitional housing and community release that begins upon admission for juveniles and jail inmates, and, as appropriate, for prison inmates, depending on the length of the sentence;

''(ii) establishing prerelease planning procedures to ensure that the eligibility of an offender for Federal, tribal, or State benefits upon release is established prior to release, subject to any limitations in law, and to ensure that offenders obtain all necessary referrals for reentry services, including assistance identifying and securing suitable housing; and

''(iii) delivery of continuous and appropriate mental health services, drug treatment, medical care, job training and placement, educational services, vocational services, and any other service or support needed for reentry;

''(D) review the process by which the applicant adjudicates violations of parole, probation, or supervision following release from prison, jail, or a juvenile facility, taking into account public safety and the use of graduated, community-based sanctions for minor and technical violations of parole, probation, or supervision (specifically those violations that are not otherwise, and independently, a violation of law);

''(E) provide for an independent evaluation of reentry programs that include, to the maximum extent possible, random assignment and controlled studies to determine the effectiveness of such programs;

''(F) target moderate and high-risk offenders for reentry programs through validated assessment tools; and

''(G) target offenders with histories of homelessness, substance abuse, or mental illness, including a prerelease assessment of the housing status of the offender and behavioral health needs of the offender with clear coordination with mental health, substance abuse, and homelessness services systems to achieve stable and permanent housing outcomes with appropriate support service.

''(4) AMOUNT.—The amount of a grant made under this subsection may not be more than $925,000.

''(5) PERIOD OF GRANT.—A grant made under this subsection shall be effective for a 2-year period—

''(A) beginning on the date on which the planning grant awarded under subsection (e) concludes; or

''(B) in the case of an implementation grant awarded to an eligible entity that did not receive a planning grant, beginning on the date on which the implementation grant is awarded.'';

(4) in subsection (h)—

(A) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(B) by striking paragraph (1) and inserting the following:

''(1) IN GENERAL.—As a condition of receiving financial assistance under subsection (f), each application shall develop a comprehensive reentry strategic plan that—

''(A) contains a plan to assess inmate reentry needs and measurable annual and 3-year performance outcomes;

''(B) uses, to the maximum extent possible, randomly assigned and controlled studies, or rigorous quasi-experimental studies with matched comparison groups, to determine the effectiveness of the program funded with a grant under subsection (f); and

''(C) includes as a goal of the plan to reduce the rate of recidivism for offenders released from prison, jail or a juvenile facility with funds made available under subsection (f).

''(2) LOCAL EVALUATOR.—A partnership with a local evaluator described in subsection (d)(2) shall require the local evaluator to use the baseline data and target population characteristics developed under a subsection (e) planning grant to derive a feasible and meaningful target goal for recidivism reduction during the 3-year period beginning on the date of implementation of the program.'';

(5) in subsection (i)(1)—

(A) in the matter preceding subparagraph (A), by striking ''under this section'' and inserting ''under subsection (f)''; and

(B) in subparagraph (B), by striking ''subsection (e)(4)'' and inserting ''subsection (f)(2)(D)'';

(6) in subsection (j)—

(A) in paragraph (1), by inserting ''for an implementation grant under subsection (f)'' after ''applicant'';

(B) in paragraph (2)—

(i) in subparagraph (E), by inserting '', where appropriate'' after ''support''; and

(ii) by striking subparagraphs (F), (G), and (H), and inserting the following:

''(F) increased number of staff trained to administer reentry services;

''(G) increased proportion of individuals served by the program among those eligible to receive services;

''(H) increased number of individuals receiving risk screening needs assessment, and case planning services;

''(I) increased enrollment in, and completion of treatment services, including substance abuse and mental health services among those assessed as needing such services;

''(J) increased enrollment in and degrees earned from educational programs, including high school, GED, vocational training, and college education;

''(K) increased number of individuals obtaining and retaining employment;

''(L) increased number of individuals obtaining and maintaining housing;

''(M) increased self-reports of successful community living, including stability of living situation and positive family relationships;

''(N) reduction in drug and alcohol use; and

''(O) reduction in recidivism rates for individuals receiving reentry services after release, as compared to either baseline recidivism rates in the jurisdiction of the grantee or recidivism rates of the control or comparison group.'';

(C) in paragraph (3), by striking ''facilities.'' and inserting ''facilities, including a cost-benefit analysis to determine the cost effectiveness of the reentry program.'';

(D) in paragraph (4), by striking ''this section'' and inserting ''subsection (f)''; and

(E) in paragraph (5), by striking ''this section'' and inserting ''subsection (f)'';

(7) in subsection (k)(1), by striking ''this section'' each place the term appears and inserting ''subsection (f)'';

(8) in subsection (l)—

(A) in paragraph (2), by inserting ''beginning on the date on which the most recent implementation grant is made to the grantee under subsection (f)'' after ''2-year period''; and

(B) in paragraph (4), by striking ''over a 2-year period'' and inserting ''during the 2-year period described in paragraph (2)'';

(9) in subsection (o)(1), by striking ''appropriated'' and all that follows and inserting the following: ''appropriated $35,000,000 for each of fiscal years 2014 through 2018.''; and

(10) by adding at the end the following:

''(p) DEFINITION.—In this section, the term 'reentry court' means a program that—

''(1) monitors juvenile and adult eligible offenders reentering the community;

''(2) provides continual judicial supervision;

''(3) provides juvenile and adult eligible offenders reentering the community with coordinated and comprehensive reentry services and programs, such as—

''(A) drug and alcohol testing and assessment for treatment;

''(B) assessment for substance abuse from a substance abuse professional who is approved by the State or Indian tribe and licensed by the appropriate entity to provide alcohol and drug addiction treatment, as appropriate;

''(C) substance abuse treatment from a provider that is approved by the State or Indian tribe, and licensed, if necessary, to provide medical and other health services;

''(D) health (including mental health) services and assessment;

''(E) aftercare and case management services that—

''(i) facilitate access to clinical care and related health services; and

''(ii) coordinate with such clinical care and related health services; and

''(F) any other services needed for reentry;

''(4) convenes community impact panels, victim impact panels, or victim impact educational classes;

''(5) provides and coordinates the delivery of community services to juvenile and adult eligible offenders, including—

''(A) housing assistance;

''(B) education;

''(C) job training;

''(D) conflict resolution skills training;

''(E) batterer intervention programs; and

''(F) other appropriate social services; and

''(6) establishes and implements graduated sanctions and incentives.''.

(b) GRANTS FOR FAMILY-BASED SUBSTANCE ABUSE TREATMENT.—Part DD of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797s et seq.) is amended—

(1) in section 2921 (42 U.S.C. 3797s), in the matter preceding paragraph (1), by inserting ''nonprofit organizations,'' before ''and Indian'';

(2) in section 2923 (42 U.S.C. 3797s–2), by adding at the end the following:

''(c) PRIORITY CONSIDERATIONS.—The Attorney General shall give priority consideration to grant applications for grants under section 2921 that are submitted by a nonprofit organization that demonstrates a relationship with State and local criminal justice agencies, including—

''(1) within the judiciary and prosecutorial agencies; or

''(2) with the local corrections agencies, which shall be documented by a written agreement that details the terms of access to facilities and participants and provides information on the history of the organization of working with correctional populations.''; and

(3) by striking section 2926(a) (42 U.S.C. 3797s–5(a)), and inserting the following:

''(a) IN GENERAL.—There are authorized to be appropriated to carry out this part $10,000,000 for each of fiscal years 2014 through 2018.''.

(c) GRANT PROGRAM TO EVALUATE AND IMPROVE EDUCATIONAL METHODS AT PRISONS, JAILS, AND JUVENILE FACILITIES.—Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended—

(1) by redesignating part KK (42 U.S.C. 3797ee et seq.) as part LL;

(2) by redesignating the second part designated as part JJ, as added by the Second Chance Act of 2007 (Public Law 110–199; 122 Stat. 677), relating to grants to evaluate and improve educational methods, as part KK;

(3) by redesignating the second section designated as section 3001 and section 3002 (42 U.S.C. 3797dd and 3797dd–1), as added by the Second Chance Act of 2007 (Public Law 110–199; 122 Stat. 677), relating to grants to evaluate and improve educational methods, as sections 3005 and 3006, respectively;

(4) in section 3005, as so redesignated—

(A) in subsection (a)—

(i) in paragraph (2), by striking ''and'' at the end;

(ii) in paragraph (3), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(4) implement methods to improve academic and vocational education for offenders in prisons, jails, and juvenile facilities consistent with the best practices identified in subsection (c).'';

(B) by redesignating subsection (c) as subsection (d); and

(C) by inserting after subsection (b), the following:

''(c) BEST PRACTICES.—Not later than 180 days after the date of enactment of the Second Chance Reauthorization Act of 2013, the Attorney General shall identify and publish best practices relating to academic and vocational education for offenders in prisons, jails, and juvenile facilities. The best practices shall consider the evaluations performed and recommendations made under grants made under subsection (a) before the date of enactment of the Second Chance Reauthorization Act of 2013.''; and

(5) in section 3006, as so redesignated, by striking ''to carry'' and all that follows through ''2010'' and inserting ''for each of fiscal years 2014, 2015, 2016, 2017, and 2018 for grants for purposes described in section 3005(a)(4)''.

(d) CAREERS TRAINING DEMONSTRATION GRANTS.—Section 115 of the Second Chance Act of 2007 (42 U.S.C. 17511) is amended—

(1) in subsection (a)—

(A) by striking ''and Indian'' and inserting ''nonprofit organizations, and Indian''; and

(B) by striking ''technology career training to prisoners'' and inserting ''career training, including subsidized employment, when part of a training program, to prisoners and reentering youth and adults'';

(2) in subsection (b)—

(A) by striking ''technology careers training'';

(B) by striking ''technology-based''; and

(C) by inserting '', as well as upon transition and reentry into the community'' after ''facility'';

(3) by striking subsections (c) and (e);

(4) by inserting after subsection (b) the following:

''(c) PRIORITY CONSIDERATION.—Priority consideration shall be given to any application under this section that—

''(1) provides assessment of local demand for employees in the geographic areas to which offenders are likely to return;

''(2) conducts individualized reentry career planning upon the start of incarceration or post-release employment planning for each offender served under the grant;

''(3) demonstrates connections to employers within the local community; or

''(4) tracks and monitors employment outcomes.''; and

(5) by adding at the end the following:

''(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $10,000,000 for each of fiscal years 2014, 2015, 2016, 2017, and 2018.''.

(e) OFFENDER REENTRY SUBSTANCE ABUSE AND CRIMINAL JUSTICE COLLABORATION PROGRAM.—Section 201(f)(1) of the Second Chance Act of 2007 (42 U.S.C. 17521(f)(1)) is amended to read as follows:

''(1) IN GENERAL.—There are authorized to be appropriated to carry out this section $15,000,000 for each of fiscal years 2014 through 2018.''.

(f) COMMUNITY-BASED MENTORING AND TRANSITIONAL SERVICE GRANTS TO NONPROFIT ORGANIZATIONS.—

(1) IN GENERAL.—Section 211 of the Second Chance Act of 2007 (42 U.S.C. 17531) is amended—

(A) in the header, by striking ''**MENTORING GRANTS TO NONPROFIT ORGANIZATIONS**'' and inserting ''**COMMUNITY-BASED MENTORING AND TRANSITIONAL SERVICE GRANTS TO NONPROFIT ORGANIZATIONS**'';

(B) in subsection (a), by striking ''mentoring and other'';

(C) in subsection (b), by striking paragraph (2) and inserting the following:

''(2) transitional services to assist in the reintegration of offenders into the community, including—

''(A) educational, literacy, and vocational, services and the Transitional Jobs strategy;

''(B) substance abuse treatment and services;

''(C) coordinated supervision and comprehensive services for offenders, including housing and mental and physical health care;

''(D) family services; and

''(E) validated assessment tools to assess the risk factors of returning inmates; and''; and

(D) in subsection (f), by striking ''this section'' and all that follows and inserting the following: ''this section $15,000,000 for fiscal years 2014 through 2018.''.

(2) TABLE OF CONTENTS AMENDMENT.—The table of contents in section 2 of the Second Chance Act of 2007 (42 U.S.C. 17501 note) is amended by striking the item relating to section 211 and inserting the following:

''Sec. 211. Community-based mentoring and transitional service grants.''.

(g) DEFINITIONS.—

(1) IN GENERAL.—Section 4 of the Second Chance Act of 2007 (42 U.S.C. 17502) is amended to read as follows:

**''SEC. 4. DEFINITIONS.**

''In this Act—

''(1) the term 'exoneree' means an individual who—

''(A) has been convicted of a Federal, tribal, or State offense that is punishable by a term of imprisonment of more than 1 year;

''(B) has served a term of imprisonment for not less than 6 months in a Federal, tribal, or State prison or correctional facility as a result of the conviction described in subparagraph (A); and

''(C) has been determined to be factually innocent of the offense described in subparagraph (A);

''(2) the term 'Indian tribe' has the meaning given in section 901 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3791);

''(3) the term 'offender' includes an exoneree; and

''(4) the term 'Transitional Jobs strategy' means an employment strategy for youth and adults who are chronically unemployed or those that have barriers to employment that—

''(A) is conducted by State, tribal, and local governments, State, tribal, and local workforce boards, and nonprofit organizations;

''(B) provides time-limited employment using individual placements, team placements, and social enterprise placements, without displacing existing employees;

''(C) pays wages in accordance with applicable law, but in no event less than the higher of the rate specified in section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)) or the applicable State or local minimum wage law, which are subsidized, in whole or in part, by public funds;

''(D) combines time-limited employment with activities that promote skill development, remove barriers to employment, and lead to unsubsidized employment such as a thorough orientation and individual assessment, job readiness and life skills training, case management and supportive services, adult education and training, child support-related services, job retention support and incentives, and other similar activities;

''(E) places participants into unsubsidized employment; and

''(F) provides job retention, re-employment services, and continuing and vocational education to ensure continuing participation in unsubsidized employment and identification of opportunities for advancement.''.

(2) TABLE OF CONTENTS AMENDMENT.—The table of contents in section 2 of the Second Chance Act of 2007 (42 U.S.C. 17501 note) is amended by striking the item relating to section 4 and inserting the following:

''Sec. 4. Definitions.''.

(h) EXTENSION OF THE LENGTH OF SECTION 2976 GRANTS.—Section 6(1) of the Second Chance Act of 2007 (42 U.S.C. 17504(1)) is amended by inserting ''or under section 2976 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797w)'' after ''and 212''.

**SEC. 3. AUDIT AND ACCOUNTABILITY OF GRANTEES.**

(a) DEFINITION.—In this section, the term ''unresolved audit finding'' means an audit

report finding or recommendation that a grantee has used grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved during a 1-year period beginning on the date of an initial notification of the finding or recommendation.

(b) AUDIT REQUIREMENT.—Beginning in fiscal year 2013, and every 3 years thereafter, the Inspector General of the Department of Justice shall conduct an audit of not less than 5 percent of all grantees that are awarded funding under—

(1) section 2976(b) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797w(b));

(2) part CC of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797q et seq.), as amended by this Act;

(3) part DD of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797s et seq.);

(4) part JJ of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797dd et seq.); or

(5) section 115, 201, or 211 of the Second Chance Act of 2007 (42 U.S.C. 17511, 17521, and 17531).

(c) MANDATORY EXCLUSION.—A grantee that is found to have an unresolved audit finding under an audit conducted under subsection (b) may not receive grant funds under the grant programs described in paragraphs (1) through (5) of subsection (b) in the fiscal year following the fiscal year to which the finding relates.

(d) PRIORITY OF GRANT AWARDS.—The Attorney General, in awarding grants under the programs described in paragraphs (1) through (5) of subsection (b) shall give priority to eligible entities that during the 2-year period preceding the application for a grant have not been found to have an unresolved audit finding.

**SEC. 4. FEDERAL REENTRY IMPROVEMENTS.**

(a) RESPONSIBLE REINTEGRATION OF OFFENDERS.—Section 212 of the Second Chance Act of 2007 (42 U.S.C. 17532) is repealed.

(b) FEDERAL PRISONER REENTRY INITIATIVE.—Section 231 of the Second Chance Act of 2007 (42 U.S.C. 17541) is amended—

(1) in subsection (g)—

(A) in paragraph (3), by striking ''carried out during fiscal years 2009 and 2010'' and inserting ''carried out during fiscal years 2014 through 2018''; and

(B) in paragraph (5)(A)—

(i) in clause (i), by striking ''65 years'' and inserting ''60 years''; and

(ii) in clause (ii), by striking ''or 75 percent'' and inserting ''or ⅔'';

(2) by striking subsection (h);

(3) by redesignating subsection (i) as subsection (h); and

(4) in subsection (h), as so redesignated, by striking ''2009 and 2010'' and inserting ''2014 through 2018''.

(c) ENHANCING REPORTING REQUIREMENTS PERTAINING TO COMMUNITY CORRECTIONS.—Section 3624(c) of title 18, United States Code, is amended—

(1) in paragraph (5), in the second sentence, by inserting '', and number of prisoners not being placed in community corrections facilities for each reason set forth'' before '', and any other information''; and

(2) in paragraph (6), by striking ''the Second Chance Act of 2007'' and inserting ''the Second Chance Reauthorization Act of 2013''.

(d) TERMINATION OF STUDY ON EFFECTIVENESS OF DEPOT NALTREXONE FOR HEROIN ADDICTION.—Section 244 of the Second Chance Act of 2007 (42 U.S.C. 17554) is repealed.

(e) AUTHORIZATION OF APPROPRIATIONS FOR RESEARCH.—Section 245 of the Second Chance Act of 2007 (42 U.S.C. 17555) is amended—

(1) by striking ''243, and 244'' and inserting ''and 243''; and

(2) by striking ''$10,000,000 for each of the fiscal years 2009 and 2010'' and inserting ''$5,000,000 for each of the fiscal years 2014, 2015, 2016, 2017, and 2018''.

(f) FEDERAL PRISONER RECIDIVISM REDUCTION PROGRAMMING ENHANCEMENT.—

(1) IN GENERAL.—Section 3621 of title 18, United States Code, is amended—

(A) by redesignating subsection (g) as subsection (h); and

(B) by inserting after subsection (f) the following:

''(g) PARTNERSHIPS TO EXPAND ACCESS TO REENTRY PROGRAMS PROVEN TO REDUCE RECIDIVISM.—

''(1) DEFINITION.—The term 'demonstrated to reduce recidivism' means that the Director of Bureau of Prisons has determined that appropriate research has been conducted and has validated the effectiveness of the type of program on recidivism.

''(2) ELIGIBILITY FOR RECIDIVISM REDUCTION PARTNERSHIP.—A faith-based or community-based nonprofit organization that provides mentoring or other programs that have been demonstrated to reduce recidivism is eligible to enter into a recidivism reduction partnership with a prison or community-based facility operated by the Bureau of Prisons.

''(3) RECIDIVISM REDUCTION PARTNERSHIPS.—The Director of the Bureau of Prisons shall develop policies to require wardens of prisons and community-based facilities to enter into recidivism reduction partnerships with faith-based and community-based nonprofit organizations that are willing to provide, on a volunteer basis, programs described in paragraph (2).

''(4) REPORTING REQUIREMENT.—The Director of the Bureau of Prisons shall submit to Congress an annual report on the last day of each fiscal year that—

''(A) details, for each prison and community-based facility for the fiscal year just ended—

''(i) the number of recidivism reduction partnerships under this section that were in effect;

''(ii) the number of volunteers that provided recidivism reduction programming; and

''(iii) the number of recidivism reduction programming hours provided; and

''(B) explains any disparities between facilities in the numbers reported under subparagraph (A).''.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect 180 days after the date of enactment of this Act.

(g) REPEALS.—

(1) Section 2978 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797w–2) is repealed.

(2) Part CC of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797q et seq.) is repealed.

**SEC. 5. TASK FORCE ON FEDERAL PROGRAMS AND ACTIVITIES RELATING TO REENTRY OF OFFENDERS.**

(a) TASK FORCE REQUIRED.—The Attorney General, in consultation with the Secretary of Housing and Urban Development, the Secretary of Labor, the Secretary of Education, the Secretary of Health and Human Services, the Secretary of Veterans Affairs, the Secretary of Agriculture, and the heads of such other agencies of the Federal Government as the Attorney General considers appropriate, and in collaboration with interested persons, service providers, nonprofit organizations, States, tribal, and local governments, shall establish an interagency task force on Federal programs and activities relating to the reentry of offenders into the community (referred to in this section as the ''Task Force'').

(b) DUTIES.—The Task Force shall—

(1) identify such programs and activities that may be resulting in overlap or duplication of services, the scope of such overlap or duplication, and the relationship of such overlap and duplication to public safety, public health, and effectiveness and efficiency;

(2) identify methods to improve collaboration and coordination of such programs and activities;

(3) identify areas of responsibility in which improved collaboration and coordination of such programs and activities would result in increased effectiveness or efficiency;

(4) develop innovative interagency or intergovernmental programs, activities, or procedures that would improve outcomes of reentering offenders and children of offenders;

(5) develop methods for increasing regular communication among agencies that would increase interagency program effectiveness;

(6) identify areas of research that can be coordinated across agencies with an emphasis on applying evidence-based practices to support, treatment, and intervention programs for reentering offenders;

(7) identify funding areas that should be coordinated across agencies and any gaps in funding; and

(8) in collaboration with the National Adult and Juvenile Offender Reentry Resources Center, identify successful programs currently operating and collect best practices in offender reentry from demonstration grantees and other agencies and organizations, determine the extent to which such programs and practices can be replicated, and make information on such programs and practices available to States, localities, nonprofit organizations, and others.

(c) REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Task Force shall submit a report, including recommendations, to Congress on barriers to reentry.

(2) CONTENTS.—The report required under paragraph (1) shall identify Federal and other barriers to successful reentry of offenders into the community and analyze the effects of such barriers on offenders and on children and other family members of offenders, including—

(A) admissions and evictions from Federal housing programs;

(B) child support obligations and procedures;

(C) Social Security benefits, veterans benefits, food stamps, and other forms of Federal public assistance;

(D) Medicaid Program and Medicare Program procedures, requirements, regulations, and guidelines;

(E) education programs, financial assistance, and full civic participation;

(F) Temporary Assistance for Needy Families program funding criteria and other welfare benefits;

(G) employment and training;

(H) reentry procedures, case planning, and transitions of persons from the custody of the Federal Bureau of Prisons to a Federal parole or probation program or community corrections;

(I) laws, regulations, rules, and practices that may require a parolee to return to the same county that they were living in before their arrest and therefore prevent offenders from changing their setting upon release; and

(J) trying to establish pre-release planning procedures for prisoners to ensure that a prisoner's eligibility for Federal or State benefits (including Medicaid, Medicare, Social Security and veterans benefits) upon release is established prior to release, subject

to any limitations in law, and to ensure that prisoners are provided with referrals to appropriate social and health services or are referred to appropriate nonprofit organizations.

(d) UPDATED REPORTS.—On an annual basis, the Task Force shall submit to Congress an updated report on the activities of the Task Force, including specific recommendations on issues described in subsections (b) and (c).

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By Mr. HARKIN (for himself and Mr. HELLER):

S. 1694. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for the purchase of hearing aids; to the Committee on Finance.

Mr. HARKIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1694

*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 ''Hearing Aid Assistance Tax Credit Act''.

**SEC. 2. CREDIT FOR HEARING AIDS.**

(a) IN GENERAL.—Subpart A of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 (relating to nonrefundable personal credits) is amended by inserting after section 25D the following new section:

**''SEC. 25E. CREDIT FOR HEARING AIDS.**

''(a) ALLOWANCE OF CREDIT.—In the case of an individual, there shall be allowed as a credit against the tax imposed by this chapter an amount equal to the amount paid during the taxable year, not compensated by insurance or otherwise, by the taxpayer for the purchase of any qualified hearing aid.

''(b) MAXIMUM AMOUNT.—The amount allowed as a credit under subsection (a) shall not exceed $500 per qualified hearing aid.

''(c) QUALIFIED HEARING AID.—For purposes of this section, the term 'qualified hearing aid' means a hearing aid—

''(1) which is described in sections 874.3300 and 874.3305 of title 21, Code of Federal Regulations, and is authorized under the Federal Food, Drug, and Cosmetic Act for commercial distribution, and

''(2) which is intended for use—

''(A) by the taxpayer, or

''(B) by an individual with respect to whom the taxpayer, for the taxable year, is allowed a deduction under section 151(c) (relating to deduction for personal exemptions for dependents).

''(d) ELECTION ONCE EVERY 5 YEARS.—This section shall apply with respect to any individual for any taxable year only if there is an election in effect with respect to such individual (at such time and in such manner as the Secretary may by regulations prescribe) to have this section apply for such taxable year. An election to have this section apply with respect to any individual may not be made for any taxable year if such an election is in effect with respect to such individual for any of the 4 taxable years preceding such taxable year.

''(e) DENIAL OF DOUBLE BENEFIT.—No credit shall be allowed under subsection (a) for any expense for which a deduction or credit is allowed under any other provision of this chapter.''.

(b) CLERICAL AMENDMENT.—The table of sections for subpart A of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting after the item relating to section 25D the following new item:

''Sec. 25E. Credit for hearing aids.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2013.

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By Mr. MARKEY:

S. 1698. A bill to provide for the establishment of clean technology consortia to enhance the economic, environmental, and energy security of the United States by promoting domestic development, manufacture, and deployment of clean technologies; to the Committee on Energy and Natural Resources.

Mr. MARKEY. Mr. President, today I am introducing the Consortia-Led Energy and Advanced Manufacturing Networks Act.

For more than a century, America's innovation community has been the foundation of our high-tech economy and generated broad-based growth to support a strong middle class. While our innovators remain the best in the world, we have seen a disturbing trend in recent years. When it comes to moving innovations out of the lab and into the factory, we are getting beat. Breakthroughs achieved in U.S. research universities and laboratories are all too often being commercialized and manufactured overseas. As recent research by the Massachusetts Institute of Technology and others has demonstrated, innovation and production are closely related. When manufacturing facilities move overseas, we lose more than just those manufacturing jobs. We can lose our ability to continue to innovate in that industry and lose our hold on those jobs forever.

At the same time, we have some industries in the United States dominated by deeply entrenched companies that are resistant to innovation or adaptation of century-old business models. In those sectors, we need to look at ways of partnering with our innovators on proof-of-concept and demonstration projects so that more breakthroughs can bridge the so-called ''Valley of Death'' between the lab bench and commercialization of a new technology. That will ensure that innovative and potentially disruptive technologies can actually reach the market, and provide badly needed competition in industries where incumbents may be failing to innovate. This is what my legislation is intended to address.

In order to reach their full market potential, scientific breakthroughs must be translated into commercial applications, demonstrated, connected to appropriate markets, and scaled up. The bill I am introducing today would fertilize America's innovation ecosystems by making available $100 million to 6 or more consortia to support these types of activities and help shepherd innovations through the commercialization process. Consortia could include a mix of research universities, large and small companies, national laboratories, venture capital, and state and nonprofit entities with expertise in technology commercialization. The bill includes rigorous cost-share requirements to ensure that taxpayers are only partnering on the best ideas in which the private sector also has significant capital committed.

We have seen the benefits of regional innovation ecosystems in places like Silicon Valley; Boston, Cambridge and the Route 128 Corridor; the Research Triangle in North Carolina; Austin, TX; and elsewhere. The geographic proximity of institutions in these areas improves the flow of information between scientists, engineers, and entrepreneurs, and it facilitates the sharing of skilled human resources and facilities. Most critically when it comes to commercializing innovations, these regions have demonstrated a unique ability to pull investor capital off the sidelines and channel it into new production. We need to bolster these existing ecosystems and help nurture new ones.

America's universities and research institutions are truly national treasures. Our venture capitalists and entrepreneurs are the sharpest in the world. When we sprinkle the right mix of scientific brain power and capitalist drive, we get something uniquely American and extremely potent.

This legislation will help link inventors with investors, professors with producers, and get technologies out of laboratories and into factories. It provides the type of responsible and forward-looking partnership that we need with the private sector right now. This legislation builds on provisions I included in both the Waxman-Markey bill and the America COMPETES reauthorization, bills that passed the U.S. House of Representatives in 2009 and 2010, respectively.

## SUBMITTED RESOLUTIONS

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### SENATE RESOLUTION 292—EXPRESSING SUPPORT FOR THE VICTIMS OF THE TYPHOON IN THE PHILIPPINES AND THE SURROUNDING REGION

Mr. SCHATZ (for himself, Mr. MENENDEZ, Mr. DURBIN, Mr. CARDIN, Mr. RUBIO, Ms. HIRONO, Mr. UDALL of New Mexico, Mrs. BOXER, and Mr. BEGICH) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 292

Whereas on November 8, 2013, Typhoon Yolanda, also known as Typhoon Haiyan, struck the Republic of the Philippines and the surrounding region;

Whereas Typhoon Yolanda is the strongest typhoon in recorded history to make landfall;

Whereas President Benigno Aquino III declared a state of national calamity after Typhoon Yolanda hit the central Philippines;

Whereas the typhoon caused widespread flooding and landslides, particularly in the provinces of Eastern Samar and Leyte, which experienced storm surges of up to 13

feet and sustained winds of more than 175 miles per hour;

Whereas authorities in the Philippines have confirmed at least 1,798 deaths, a toll that is expected to rise as thousands of individuals remain missing as of the date of this resolution;

Whereas unofficial estimates project the number of deaths to be over 10,000;

Whereas, according to the United Nations Office for the Coordination of Humanitarian Affairs, more than 670,000 people have been displaced and 11,300,000 people have been affected by Typhoon Yolanda;

Whereas, according to the Philippine National Disaster Risk Reduction and Management Council, the typhoon destroyed or damaged approximately 149,015 houses, as well as public infrastructure and agricultural land across 41 provinces;

Whereas, in Ormoc City, the second largest city in the province of Leyte, the typhoon damaged or destroyed approximately 80 to 90 percent of housing;

Whereas the United Nations World Food Program estimates that 2,500,000 people will need food assistance in the aftermath of the typhoon;

Whereas the Government of the Philippines has been leading and coordinating the disaster response in the Philippines, including the evacuation of more than 792,000 people to temporary shelters and pre-positioning food commodities and emergency relief supplies in advance of the typhoon, and deploying military assets and road-clearing equipment to assist with relief operations;

Whereas the response by the United States Government to this tragedy has included $20,000,000 in aid;

Whereas a United States Agency for International Development Disaster Assistance Response Team, elements of the 3rd Marine Expeditionary Brigade, and other United States military and civilian personnel have deployed to the Philippines to provide aid and coordinate United States relief efforts;

Whereas the Philippines and the United States fought side-by-side during World War II to defend the Bataan Peninsula and subsequently liberate the Philippines from Japanese control;

Whereas the Philippines and the United States share a long, close relationship as allies, as evidenced by the 1951 U.S.-Philippines Mutual Defense Treaty, which was reaffirmed by the Manila Declaration signed in 2011, and the United States designation of the Philippines as a Major Non-NATO Ally;

Whereas the Philippines and the United States share strong economic, security, and people-to-people ties, including approximately 4,000,000 Americans of Philippine ancestry living in the United States, and more than 300,000 United States citizens residing in the Philippines; and

Whereas the Philippines and the United States share a long tradition of mutual support and cooperation: Now, therefore, be it

*Resolved,* That the Senate—

(1) mourns the loss of life resulting from the typhoon;

(2) expresses its deepest condolences to the families of the victims of this tragedy;

(3) expresses solidarity with the survivors, and all those who have lost loved ones or otherwise been affected by the tragedy;

(4) supports the efforts of the Government of the Philippines to lead and coordinate assistance to address immediate humanitarian needs and to begin reconstruction efforts;

(5) supports the ongoing efforts of the United States Government, the international community, relief agencies, and private citizens to assist the governments and peoples of the Philippines and the surrounding region in their time of need; and

(6) encourages the United States and the international community to provide additional humanitarian assistance to aid the survivors and support reconstruction efforts, as appropriate.

## SENATE RESOLUTION 293—DESIGNATING THE WEEK BEGINNING ON NOVEMBER 18, 2013, AS ''NATIONAL TRIBAL COLLEGES AND UNIVERSITIES WEEK''

Ms. HEITKAMP (for herself, Mr. HOEVEN, Mr. BEGICH, Mr. UDALL of New Mexico, Mrs. MURRAY, Mr. SCHATZ, Ms. HIRONO, Mr. TESTER, Mr. FRANKEN, Mr. LEVIN, Mr. MORAN, Mr. JOHNSON of South Dakota, Mr. THUNE, Ms. STABENOW, Mr. BARRASSO, Ms. BALDWIN, Ms. KLOBUCHAR, Mr. BAUCUS, and Mr. HEINRICH) submitted the following resolution; which was considered and agreed to:

S. RES. 293

Whereas there are 37 tribal colleges and universities operating on more than 75 campuses in 15 States;

Whereas tribal colleges and universities are tribally or Federally chartered institutions of higher education and therefore have a unique relationship with the Federal Government;

Whereas tribal colleges and universities serve students from more than 250 Federally recognized Indian tribes;

Whereas tribal colleges and universities offer students access to knowledge and skills grounded in cultural traditions and values, including indigenous languages, which enhance Indian communities and enrich the United States as a whole;

Whereas tribal colleges and universities provide access to quality higher education opportunities for American Indians, Alaska Natives, and other individuals living in some of the most isolated and economically depressed areas in the United States;

Whereas tribal colleges and universities are accredited institutions of higher education that effectively prepare students to succeed in a global and highly competitive workforce;

Whereas open enrollment policies have resulted in non-Indians constituting nearly one-fifth of the students at tribal colleges and universities;

Whereas tribal colleges and universities are effectively providing access to quality higher education opportunities to residents of reservation communities and the North Slope of Alaska; and

Whereas the mission and achievements of tribal colleges and universities deserve national recognition: Now, therefore, be it

*Resolved,* That the Senate—

(1) designates the week beginning on November 18, 2013, as ''National Tribal Colleges and Universities Week''; and

(2) calls on the people of the United States and interested groups to observe the week with appropriate ceremonies, activities, and programs to demonstrate support for tribal colleges and universities.

## SENATE RESOLUTION 294—EXPRESSING SUPPORT FOR THE GOALS OF NATIONAL ADOPTION DAY AND NATIONAL ADOPTION MONTH BY PROMOTING NATIONAL AWARENESS OF ADOPTION AND THE CHILDREN AWAITING FAMILIES, CELEBRATING CHILDREN AND FAMILIES INVOLVED IN ADOPTION, AND ENCOURAGING THE PEOPLE OF THE UNITED STATES TO SECURE SAFETY, PERMANENCY, AND WELL-BEING FOR ALL CHILDREN

Ms. LANDRIEU (for herself, Mr. INHOFE, Ms. KLOBUCHAR, Mr. GRASSLEY, Mr. UDALL of New Mexico, Mr. BLUNT, Mr. KING, Mr. CORNYN, Mr. THUNE, Mr. JOHNSON of South Dakota, Mr. PORTMAN, Mr. WICKER, Mrs. FISCHER, Mr. MORAN, Mr. BOOZMAN, and Mr. COCHRAN) submitted the following resolution; which was considered and agreed to:

S. RES. 294

Whereas there are millions of unparented children in the world, including 399,546 children in the foster care system in the United States, approximately 102,000 of whom are waiting for families to adopt them;

Whereas 60 percent of the children in foster care in the United States are age 10 or younger;

Whereas the average length of time a child spends in foster care is approximately 2 years;

Whereas for many foster children, the wait for a loving family in which they are nurtured, comforted, and protected seems endless;

Whereas in 2012, nearly 26,000 youth ''aged out'' of foster care by reaching adulthood without being placed in a permanent home;

Whereas every day, loving and nurturing families are strengthened and expanded when committed and dedicated individuals make an important difference in the life of a child through adoption;

Whereas a 2007 survey conducted by the Dave Thomas Foundation for Adoption demonstrated that although ''Americans overwhelmingly support the concept of adoption, and in particular foster care adoption . . . foster care adoptions have not increased significantly over the past five years'';

Whereas while 4 in 10 Americans have considered adoption, a majority of Americans have misperceptions about the process of adopting children from foster care and the children who are eligible for adoption;

Whereas 50 percent of Americans believe that children enter the foster care system because of juvenile delinquency, when in reality the vast majority of children who have entered the foster care system were victims of neglect, abandonment, or abuse;

Whereas 39 percent of Americans believe that foster care adoption is expensive, when in reality there is no substantial cost for adopting from foster care and financial support is available to adoptive parents after the adoption is finalized;

Whereas family reunification, kinship care, and domestic and inter-county adoption promote permanency and stability to a far greater degree than long-term institutionalization and long-term, often disrupted foster care;

Whereas both National Adoption Day and National Adoption Month occur in the month of November;

Whereas National Adoption Day is a collective national effort to find permanent, loving

families for children in the foster care system;

Whereas since the first National Adoption Day in 2000, nearly 45,000 children have joined forever families during National Adoption Day;

Whereas in 2012, a total of 390 events were held in 47 States and the District of Columbia, finalizing the adoptions of 4,615 children from foster care and celebrating an additional 500 adoptions finalized during November or earlier in the year; and

Whereas the President traditionally issues an annual proclamation to declare the month of November as National Adoption Month, and National Adoption Day is on November 23, 2013: Now, therefore, be it

*Resolved*, That the Senate—

(1) supports the goals and ideals of National Adoption Day and National Adoption Month;

(2) recognizes that every child should have a permanent and loving family; and

(3) encourages the people of the United States to consider adoption during the month of November and all throughout the year.

## SENATE CONCURRENT RESOLUTION 25—AUTHORIZING THE USE OF EMANCIPATION HALL IN THE CAPITOL VISITOR CENTER FOR ACTIVITIES ASSOCIATED WITH THE CEREMONY TO AWARD THE CONGRESSIONAL GOLD MEDAL TO NATIVE AMERICAN CODE TALKERS

Mr. JOHNSON of South Dakota (for himself and Mr. INHOFE) submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 25

*Resolved by the Senate (the House of Representatives concurring),*

**SECTION 1. USE OF EMANCIPATION HALL FOR GOLD MEDAL CEREMONY FOR NATIVE AMERICAN CODE TALKERS.**

Emancipation Hall in the Capitol Visitor Center is authorized to be used on November 20, 2013, for a ceremony to award the Congressional Gold Medal to Native American code talkers. Physical preparations for the conduct of the ceremony shall be carried out in accordance with such conditions as may be prescribed by the Architect of the Capitol.

## AMENDMENTS SUBMITTED AND PROPOSED

SA 2024. Mr. VITTER submitted an amendment intended to be proposed by him to the bill H.R. 3204, to amend the Federal Food, Drug, and Cosmetic Act with respect to human drug compounding and drug supply chain security, and for other purposes; which was ordered to lie on the table.

SA 2025. Mr. KAINE submitted an amendment intended to be proposed by him to the bill S. 1197, 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; which was ordered to lie on the table.

SA 2026. Mr. KAINE submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2027. Mr. INHOFE (for himself and Mr. CHAMBLISS) submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2028. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2029. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2030. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

SA 2031. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 1197, supra; which was ordered to lie on the table.

## TEXT OF AMENDMENTS

**SA 2024.** Mr. VITTER submitted an amendment intended to be proposed by him to the bill H.R. 3204, to amend the Federal Food, Drug, and Cosmetic Act with respect to human drug compounding and drug supply chain security, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. ___. TRANSPARENCY OF COVERAGE DETERMINATION.**

(a) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Chief Administrative Officer of the House of Representatives and the Financial Clerk of the Senate shall make publically available the determinations of each member of the House of Representatives and each Senator, as the case may be, regarding the designation of their respective congressional staff (including leadership and committee staff) as ''official'' for purposes of requiring such staff to enroll in health insurance coverage provided through an Exchange as required under section 1312(d)(1)(D) of the Patient Protection and Affordable Care Act (42 U.S.C. 18032(d)(1)(D)), and the regulations relating to such section.

(b) FAILURE TO SUBMIT.—The failure by any member of the House of Representatives or Senator to designate any of their respective staff, whether committee or leadership staff, as ''official'' (as described in subsection (a)), shall be noted in the determination made publically available under subsection (a) along with a statement that such failure permits the staff involved to remain in the Federal Employee Health Benefits Program.

(c) PRIVACY.—Nothing in this Act shall be construed to permit the release of any individually identifiable information concerning any individual, including any health plan selected by an individual.

**SA 2025.** Mr. KAINE submitted an amendment intended to be proposed by him to the bill S. 1197, 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; which was ordered to lie on the table; as follows:

On page 130, beginning on line 3, strike ''**SKILLS AND TRAINING REQUIRED FOR CIVILIAN CERTIFICATIONS AND LICENSES**'' and insert ''**ELIGIBILITY, SKILLS, AND TRAINING REQUIRED FOR CIVILIAN CERTIFICATIONS, CREDENTIALS, AND LICENSES**''.

On page 130, line 19, strike ''skills and training'' and insert ''eligibility, skills, and training''.

On page 131, line 11, insert ''eligibility and'' after ''including''.

On page 132, line 15, insert ''in connection with military occupational specialites'' before the period.

**SA 2026.** Mr. KAINE submitted an amendment intended to be proposed by him to the bill S. 1197, 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; which was ordered to lie on the table; as follows:

At the end of subtitle A of title X, add the following:

**SEC. 1003. SENSE OF THE SENATE REGARDING REPORTING ON THE LONG-TERM BUDGETARY EFFECTS OF SEQUESTRATION.**

(a) FINDINGS.—Congress finds that—

(1) the reductions in discretionary appropriations and direct spending accounts under section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a) (in this section referred to as ''sequestration'') were never intended to take effect;

(2) the readiness of the Nation's military is weakened by sequestration;

(3) sequestration has budgetary and cost impacts beyond the programmatic level; and

(4) there is limited information about these indirect costs to the Federal Government.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the Office of Management and Budget should establish a task force to report on the long-term budgetary costs and effects of sequestration, including on procurement activities and contracts with the Federal Government.

**SA 2027.** Mr. INHOFE (for himself and Mr. CHAMBLISS) submitted an amendment intended to be proposed by him to the bill S. 1197, 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; which was ordered to lie on the table; as follows:

Strike section 1032.

**SA 2028.** Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 1197, 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; which was ordered to lie on the table; as follows:

Strike section 1033 and insert the following:

**SEC. 1033. PROHIBITION ON THE USE OF FUNDS FOR THE TRANSFER OR RELEASE OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.**

None of the funds authorized to be appropriated by this Act for fiscal year 2014 may

be used to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions of Khalid Sheikh Mohammed or any other detainee who—

(1) is not a United States citizen or a member of the Armed Forces of the United States; and

(2) is or was held on or after January 20, 2009, at United States Naval Station, Guantanamo Bay, Cuba, by the Department of Defense.

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**SA 2029.** Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 1197, 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; which was ordered to lie on the table; as follows:

Strike section 1031 and insert the following:

**SEC. 1031. REQUIREMENTS FOR CERTIFICATIONS RELATING TO THE TRANSFER OF DETAINEES AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO FOREIGN COUNTRIES AND OTHER FOREIGN ENTITIES.**

(a) CERTIFICATION REQUIRED PRIOR TO TRANSFER.—

(1) IN GENERAL.—Except as provided in paragraph (2) and subsection (d), the Secretary of Defense may not use any amounts authorized to be appropriated or otherwise available to the Department of Defense for fiscal year 2014 to transfer any individual detained at Guantanamo to the custody or control of the individual's country of origin, any other foreign country, or any other foreign entity unless the Secretary submits to Congress the certification described in subsection (b) not later than 30 days before the transfer of the individual.

(2) EXCEPTION.—Paragraph (1) shall not apply to any action taken by the Secretary to transfer any individual detained at Guantanamo to effectuate an order affecting the disposition of the individual that is issued by a court or competent tribunal of the United States having lawful jurisdiction (which the Secretary shall notify Congress of promptly after issuance).

(b) CERTIFICATION.—A certification described in this subsection is a written certification made by the Secretary of Defense, with the concurrence of the Secretary of State and in consultation with the Director of National Intelligence, that—

(1) the government of the foreign country or the recognized leadership of the foreign entity to which the individual detained at Guantanamo is to be transferred—

(A) is not a designated state sponsor of terrorism or a designated foreign terrorist organization;

(B) maintains control over each detention facility in which the individual is to be detained if the individual is to be housed in a detention facility;

(C) is not, as of the date of the certification, facing a threat that is likely to substantially affect its ability to exercise control over the individual;

(D) has taken or agreed to take effective actions to ensure that the individual cannot take action to threaten the United States, its citizens, or its allies in the future;

(E) has taken or agreed to take such actions as the Secretary of Defense determines are necessary to ensure that the individual cannot engage or reengage in any terrorist activity; and

(F) has agreed to share with the United States any information that—

(i) is related to the individual or any associates of the individual; and

(ii) could affect the security of the United States, its citizens, or its allies; and

(2) includes an assessment, in classified or unclassified form, of the capacity, willingness, and past practices (if applicable) of the foreign country or entity in relation to the Secretary's certifications.

(c) PROHIBITION IN CASES OF PRIOR CONFIRMED RECIDIVISM.—

(1) PROHIBITION.—Except as provided in paragraph (2) and subsection (d), the Secretary of Defense may not use any amounts authorized to be appropriated or otherwise made available to the Department of Defense to transfer any individual detained at Guantanamo to the custody or control of the individual's country of origin, any other foreign country, or any other foreign entity if there is a confirmed case of any individual who was detained at United States Naval Station, Guantanamo Bay, Cuba, at any time after September 11, 2001, who was transferred to such foreign country or entity and subsequently engaged in any terrorist activity.

(2) EXCEPTION.—Paragraph (1) shall not apply to any action taken by the Secretary to transfer any individual detained at Guantanamo to effectuate an order affecting the disposition of the individual that is issued by a court or competent tribunal of the United States having lawful jurisdiction (which the Secretary shall notify Congress of promptly after issuance).

(d) NATIONAL SECURITY WAIVER.—

(1) IN GENERAL.—The Secretary of Defense may waive the applicability to a detainee transfer of a certification requirement specified in subparagraph (D) or (E) of subsection (b)(1), or the prohibition in subsection (c), if the Secretary certifies the rest of the criteria required by subsection (b) for transfers prohibited by (c) and, with the concurrence of the Secretary of State and in consultation with the Director of National Intelligence, determines that—

(A) alternative actions will be taken to address the underlying purpose of the requirement or requirements to be waived;

(B) in the case of a waiver of subparagraph (D) or (E) of subsection (b)(1), it is not possible to certify that the risks addressed in the paragraph to be waived have been completely eliminated, but the actions to be taken under subparagraph (A) will substantially mitigate such risks with regard to the individual to be transferred;

(C) in the case of a waiver of subsection (c), the Secretary has considered any confirmed case in which an individual who was transferred to the country subsequently engaged in terrorist activity, and the actions to be taken under subparagraph (A) will substantially mitigate the risk of recidivism with regard to the individual to be transferred; and

(D) the transfer is in the national security interests of the United States.

(2) REPORTS.—Whenever the Secretary makes a determination under paragraph (1), the Secretary shall submit to the appropriate committees of Congress, not later than 30 days before the transfer of the individual concerned, the following:

(A) A copy of the determination and the waiver concerned.

(B) A statement of the basis for the determination, including—

(i) an explanation why the transfer is in the national security interests of the United States;

(ii) in the case of a waiver of paragraph (D) or (E) of subsection (b)(1), an explanation why it is not possible to certify that the risks addressed in the paragraph to be waived have been completely eliminated; and

(iii) a classified summary of—

(I) the individual's record of cooperation while in the custody of or under the effective control of the Department of Defense; and

(II) the agreements and mechanisms in place to provide for continuing cooperation.

(C) A summary of the alternative actions to be taken to address the underlying purpose of, and to mitigate the risks addressed in, the paragraph or subsection to be waived.

(D) The assessment required by subsection (b)(2).

(e) RECORD OF COOPERATION.—In assessing the risk that an individual detained at Guantanamo will engage in terrorist activity or other actions that could affect the security of the United States if released for the purpose of making a certification under subsection (b) or a waiver under subsection (d), the Secretary of Defense may give favorable consideration to any such individual—

(1) who has substantially cooperated with United States intelligence and law enforcement authorities, pursuant to a pre-trial agreement, while in the custody of or under the effective control of the Department of Defense; and

(2) for whom agreements and effective mechanisms are in place, to the extent relevant and necessary, to provide for continued cooperation with United States intelligence and law enforcement authorities.

(f) DEFINITIONS.—In this section:

(1) The term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) The term ''individual detained at Guantanamo'' means any individual located at United States Naval Station, Guantanamo Bay, Cuba, as of October 1, 2009, who—

(A) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(B) is—

(i) in the custody or under the control of the Department of Defense; or

(ii) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

(3) The term ''foreign terrorist organization'' means any organization so designated by the Secretary of State under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

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**SA 2030.** Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 1197, 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; which was ordered to lie on the table; as follows:

At the end of subtitle D of title X, add the following:

**SEC. 1035. PROHIBITION ON USE OF FUNDS TO CONSTRUCT OR MODIFY FACILITIES IN THE UNITED STATES TO HOUSE DETAINEES TRANSFERRED FROM UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.**

(a) IN GENERAL.—No amounts authorized to be appropriated or otherwise made available for fiscal year 2014 by this Act or any other Act may be used to construct or modify any

facility in the United States, its territories, or possessions to house any individual detained at Guantanamo for the purposes of detention or imprisonment in the custody or under the control of the Department of Defense unless authorized by Congress.

(b) EXCEPTION.—The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantanamo Bay, Cuba.

(c) INDIVIDUAL DETAINED AT GUANTANAMO DEFINED.—In this section, the term ''individual detained at Guantanamo'' means any individual located at United States Naval Station, Guantanamo Bay, Cuba, as of October 1, 2009, who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) is—

(A) the custody or under the control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

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**SA 2031.** Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 1197, 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; which was ordered to lie on the table; as follows:

At the end of subtitle D of title VI, add the following:

**SEC. 646. SPECIAL ASSISTANCE FOR GOLD STAR SPOUSES AND DEPENDENTS.**

(a) GOLD STAR FAMILY ADVOCATES.—

(1) ADVOCATES REQUIRED.—Each Secretary of a military department shall designate for each Armed Force under the jurisdiction of such Secretary a member of such Armed Force or civilian employee of such military department to act as an advocate for spouses and dependents of members of such Armed Force (including members of the National Guard or Reserve of such Armed Force, as applicable) who die on active duty in the Armed Forces. The individual so designated shall be known as the ''Gold Star Advocate'' for the Armed Force concerned.

(2) DUTY AS OMBUDSMAN.—An individual designated as a Gold Star Advocate for an Armed Force pursuant to paragraph (1) shall serve as the ombudsman for spouses and dependents of members of such Armed Force who die on active duty in the Armed Forces with respect to complaints regarding casualty assistance or receipt of benefits authorized by law for spouses and dependents of members of the Armed Forces who die on active duty in the Armed Forces. In performing such duty, an individual may do the following:

(A) Address complaints by spouses and dependents, and provide support, regarding such casualty assistance or receipt of such benefits.

(B) Make reports to appropriate officers or officials in the Department of Defense or the military department concerned regarding resolution of such complaints, including recommendations regarding the settlement of claims with respect to such benefits, as appropriate.

(C) Perform such other actions as the Secretary of the military department concerned considers appropriate.

(b) TRAINING FOR CASUALTY ASSISTANCE PERSONNEL.—

(1) TRAINING PROGRAM REQUIRED.—The Secretary of Defense shall implement a standardized comprehensive training program on casualty assistance for the following personnel of the Department of Defense:

(A) Casualty assistance officers.

(B) Casualty assistance calls officers.

(C) Casualty assistance representatives.

(2) GENERAL ELEMENTS.—The training program required by paragraph (1) shall include training designed to ensure that the personnel specified in that paragraph provide spouses of members of the Armed Forces who die on active duty in the Armed Forces with accurate information on the benefits to which they are entitled and other appropriate casualty assistance following the death of such members on active duty.

(3) SERVICE-SPECIFIC ELEMENTS.—The Secretary of the military department concerned may, in coordination with the Secretary of Defense, provide for the inclusion in the training program required by paragraph (1) that is provided to casualty assistance personnel of such military department such elements of training that are specific or unique to the requirements or particulars of the Armed Forces under the jurisdiction of such military department as the Secretary of the military department concerned considers appropriate.

(4) FREQUENCY OF TRAINING.—Training shall be provided under the program required by paragraph (1) not less often than annually.

## AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Ms. WARREN. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on November 13, 2013, at 2:30 p.m. in room 253 of the Russell Senate Office Building.

The Committee will hold a hearing entitled, ''The Role of Manufacturing Hubs in a 21st Century Innovation Economy.''

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Ms. WARREN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on November 13, 2013, at 10 a.m.

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

COMMITTEE ON THE JUDICIARY

Ms. WARREN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on November 13, 2013, at 2 p.m. in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Judicial Nominations.''

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

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Ms. WARREN. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on November 13, 2013, at 9:30 a.m. in room 428A of the Russell Senate Office building to conduct a roundtable entitled ''Serving Our Service Members: A Review of Programs for Veteran Entrepreneurs.''

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

SUBCOMMITTEE ON PRIVACY, TECHNOLOGY AND THE LAW

Ms. WARREN. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on Privacy, Technology and the Law, be authorized to meet during the session of the Senate on November 13, 2013, at 10 a.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''The Surveillance Transparency Act of 2013.''

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

## PRIVILEGES OF THE FLOOR

Mr. HARKIN. Mr. President, I ask unanimous consent that Teresa Danso-Danquah, Emily Flores, and Charles Hayes of my staff be granted floor privileges for the duration of today's session.

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

Mr. MERKLEY. Mr. President, I ask unanimous consent for my intern, Bruce Lehman, to have the privileges of the floor for the balance of the day.

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

Mr. SCHATZ. Mr. President, I ask unanimous consent to offer floor privileges to my staffer, Michael Inacay, for the remainder of the evening.

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

## NATIONAL TRIBAL COLLEGES AND UNIVERSITIES WEEK

Mr. BEGICH. Mr. President, I ask unanimous consent the Senate proceed to the consideration of S. Res. 293, which was submitted earlier today.

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

The bill clerk read as follows:

A resolution (S. Res. 293) designating the week beginning November 18, 2013 as ''National Tribal Colleges and Universities Week.''

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

Mr. BEGICH. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table, with no intervening action or debate.

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

The resolution (S. Res. 293) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

## NATIONAL ADOPTION DAY AND NATIONAL ADOPTION MONTH

Mr. BEGICH. Mr. President, I ask unanimous consent the Senate proceed

to the immediate consideration of S. Res. 294, submitted earlier today by Senators LANDRIEU, INHOFE, and others.

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

The bill clerk read as follows:

A resolution (S. Res. 294) expressing support for the goals of National Adoption Day and National Adoption Month by promoting national awareness of adoption and the children awaiting families, celebrating children and families involved in adoption, and encouraging the people of the United States to secure safety, permanency, and well-being for all children.

There being no objection, the Senate proceeded to the resolution.

Mr. BEGICH. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table, with no intervening action or debate.

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

The resolution (S. Res. 294) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

## AUTHORIZING THE USE OF EMANCIPATION HALL

Mr. BEGICH. Mr. President, I ask unanimous consent the Senate proceed to the consideration of S. Con. Res. 25, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The bill clerk read as follows:

A concurrent resolution (S. Con. Res. 25) authorizing the use of Emancipation Hall in the Capitol Visitor Center for activities associated with the ceremony to award the Congressional Gold Medal to Native American code talkers.

There being no objection, the Senate proceeded to the concurrent resolution.

Mr. BEGICH. I ask unanimous consent the concurrent resolution be agreed to, and the motion to reconsider be laid upon the table, with no intervening action or debate.

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

The concurrent resolution (S. Con. Res. 25) was agreed to.

(The concurrent resolution is printed in today's RECORD under ''Submitted Resolutions.'')

## ORDERS FOR THURSDAY, NOVEMBER 14, 2013

Mr. BEGICH. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Thursday, November 14, 2013, and that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate be in a period of morning business for 2 hours, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the final half; and that following morning business, the Senate proceed to vote on adoption of the motion to proceed to H.R. 3204, the Pharmaceutical Drug Compounding bill; finally, that the Senate recess from 1 p.m. to 2:15 p.m. to allow for caucus meetings.

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

## PROGRAM

Mr. BEGICH. The vote on adoption of the motion to proceed to the compounding bill is expected to be a voice vote.

## ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. BEGICH. If there is no further business to come before the Senate, I ask unanimous consent it adjourn under the previous order.

There being no objection, the Senate, at 6:03 p.m., adjourned until Thursday, November 14, 2013, at 9:30 a.m.

## NOMINATIONS

Executive nominations received by the Senate:

COMMODITY FUTURES TRADING COMMISSION

TIMOTHY G. MASSAD, OF CONNECTICUT, TO BE A COMMISSIONER OF THE COMMODITY FUTURES TRADING COMMISSION FOR A TERM EXPIRING APRIL 13, 2017, VICE GARY GENSLER, TERM EXPIRED.

TIMOTHY G. MASSAD, OF CONNECTICUT, TO BE CHAIRMAN OF THE COMMODITY FUTURES TRADING COMMISSION, VICE GARY GENSLER.

DEPARTMENT OF STATE

MARK GILBERT, OF THE DISTRICT OF COLUMBIA, TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE INDEPENDENT STATE OF SAMOA.

IN THE AIR FORCE

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

*To be brigadier general*

COL. STEPHEN E. RADER

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant commander*

COREY N. DOOLITTLE

THE FOLLOWING NAMED OFFICERS FOR TEMPORARY APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 5721:

*To be lieutenant commander*

CHRISTOPHER W. ACOR
GIEORAG M. ANDREWS
BENJAMIN M. BEARMAN
CLAYTON C. BEAS
JEFFREY R. BERNHARDT
MATTHEW D. COLLINSWORTH
GREGORY M. COY
KIRK T. DELPH
THOMAS D. DOTSTRY
PAUL S. DUBOSE
PETER C. FLYNN
MICHELLE A. GIRE
JOSEPH GUNTA
DAVID C. HAERTEL
DANIEL W. HARKINS, JR.
MICHAEL S. HARTZELL
THOMAS H. HAWKINS
JAMES F. HOPP
JAMES J. IRRGANG, JR.
DANIEL T. JONES
JOHN D. KINMAN
MICHAEL J. KOS
FRANK J. MORALES
JASON R. PATTON
NATHAN J. PECK
BRIAN A. ROSS
MATTHEW N. RYAN
JEREMIAH S. SHUMWAY
CHRISTOPHER R. SMITH
JOSEPH P. SNELGROVE
THEODOSIUS SOILES II
EDWIN M. SPENCER
JASON W. SPRAY
JAMES A. STEELE
RYAN A. STEWART
ERIC F. STILES
ROBERT W. VILLANUEVA
AMANDA H. ZAWORA