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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.

Eternal Spirit, today teach our lawmakers to do things Your way, embracing Your precepts and walking in Your path. Remind them that the narrow and difficult road less traveled leads to life and few find it. As our Senators receive guidance from You and follow Your leading, replace anxiety with calm, confusion with clarity, and despair with hope. May Your peace become the hallmark of their labors as You keep them focused on the priorities that reflect Your kingdom. 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.

HOMEOWNER FLOOD INSURANCE AFFORDABILITY ACT OF 2013—MOTION TO PROCEED

Mr. REID. Mr. President, I move to proceed to Calendar No. 266.

The PRESIDENT pro tempore. The clerk will report.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 266, S. 1846, a bill to delay the implementation of certain provisions of the Biggert-Waters Flood Insurance Reform Act of 2012, and for other purposes.

Mr. REID. Mr. President, we will have further discussion on this matter today; that is, the matter I moved to. On our side, we have cleared the bill. We could complete it quickly. We are waiting to hear from the Republicans. This is one of the bills where, if we need to do some amendments on it, we can do some amendments on it.

The point is, I think we should try to get this done. We have been waiting for a long time to get this done. This is truly a bipartisan bill. As I explained to the Republican leader yesterday, I have had a number of Republicans come to me to see if there is a way this bill could be moved quickly. It has become a desperate situation, with so many problems. Construction has been, in some areas, brought to a halt. So hopefully we can work something out on this in the immediate future.

SCHEDULE

Mr. President, following my remarks and those of the Republican leader, the Senate will resume consideration of the unemployment insurance extension. The time until 12:30 will be equally divided and controlled between the two leaders or their designees, with the majority controlling the first 30 minutes and the Republicans the second 30 minutes. The Senate will then recess from 12:30 until 2:15, as we do every Tuesday, for our caucus meetings. At 2:30, there will be up to two rollcall votes; first, a cloture vote on the Reed of Rhode Island substitute amendment. If cloture is not invoked, there will be a second cloture vote on the underlying bill.

We have had some good discussions, and I am going to—as I know the Republican leader will—discuss if there is a way to move forward on unemployment insurance. I hope there is. At 2:30 today, after our caucuses, we will come out and see if there is a consent agreement we can present to the Senate to move forward with the legislation. I hope that is possible, and we are certainly trying.

UNEMPLOYMENT INSURANCE

Mr. President, each day Bloomberg releases a list of the 300 richest individuals in the world—the Bloomberg Billionaires index. The list includes 67 fortunate and really fabulously wealthy Americans. More than any other country in the world, we have 67 of the 300. Last year, the members of the billionaire index added $524 billion in new wealth to their net worth.

Listen to that, Mr. President: Last year, the billionaire's index—these 67 people—added $524 billion of new wealth. Not million but billion—$2 billion per person last year.

These are 300 fortunate individuals, flooded with their already flush coffers, with another $2 billion each, while millions of American families struggle to pay their rent. I don't begrudge these people at their making a lot of money. Their good fortune is something that speaks well of our country. We are truly a land of opportunity. But I do believe it is time for average Americans to share in that prosperity, particularly as the economy recovers.

If this were just a quirk in the indexes of how rich people are, that would be one thing, but in the last 30 years this same top 1 percent have seen their wealth increase—their incomes triple—while the middle class has gone down 10 percent in the same 30 years. It is time for average Americans—and I believe this so sincerely—to share in that prosperity in some way, especially as the economy is now recovering.

For most Americans, hard work isn't paying off the way it does for the top 1 percent. For many it has been impossible to even find steady full-time work since the recession began. That is why we must not abandon the 1.4 million Americans who are out there struggling—unemployed people who have been cut off from these crucial benefits now for the last 2 weeks, and they are looking forward to maybe being cut off forever.

This small stipend—an average of $300 per week—is helping them keep

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

food on the table and, literally, roofs over their heads while they look for work. I read here on the floor a letter from someone in Nevada, a woman, who said she doesn't know where she is going to go, what she is going to do. She, as have many people, has looked for work so very hard. As part of the unemployment compensation, an individual has to have been fired or laid off through no fault of their own and then they have to look for work every week.

Americans do want to go back to work. They do not want to set a bad example for their kids. They do not want to live off the system—whatever that means. But there is still only one job for every three people searching all over America. Some places are worse off than others. In Nevada, a man wrote to me—1 of almost 20,000 Nevadans who lost unemployment benefits last month—and he said he had applied for 700 jobs in the last 10 months—not 70, not 7, but 700. He has been able to get a dozen interviews but still can't find work.

But he hasn't given up hope. He hasn't given up the hope of finding a good-paying job, and he hasn't given up hope that Congress will restore emergency unemployment benefits until he does find a job. Neither have the 200 Nevada veterans who attended a job fair I put on last week. It was held at the University of Nevada over the weekend. It is shameful that tens of thousands of veterans of this Nation's armed forces lost their unemployment benefits last year.

It is inspiring to hear the stories of hard-working Americans who simply won't give up until they find a job. So I hope Senators will remember the perseverance of these brave individuals as they continue to seek a compromise here in this body that would restore emergency unemployment benefits to 1.4 million Americans.

This says it all: 67 of the richest people in the world living in America got a $2 billion tip last year. For 1.4 million Americans, they lost $300 on average per week. That is not fair. This is America, the land of opportunity. People who work hard are supposed to be rewarded—but not during the last 30 years.

The middle class has lost 10 percent of their income, and that doesn't take into consideration the poor—the poor. There are more poor than ever in America. The middle class, we know, is being squeezed out of existence. It is time for us to take care of these people who are desperate for help. That is what the government is all about.

Looking back at my home life, I feel government has been good for the people who live in my little town of Searchlight. It is a town mostly of old people. Many of them are getting pensions from wherever they worked. They get Social Security. But the government has done so many good things. Let us not denigrate government. This is a time when people have no opportunity. They need government help. They are desperate. All they want is one job, but they know if there is a vacancy over here, there are going to be scores—and we have seen this in the news accounts of job opportunities—thousands of people showing up for sometimes just a handful of jobs.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Republican leader is recognized.

UNEMPLOYMENT INSURANCE

Mr. MCCONNELL. Mr. President, on the unemployment insurance bill, there have been productive conversations between the majority leader and several Members on this side. The Republicans have offered numerous commonsense proposals to get to a conclusion. Ideally, we would have spent the past week voting on those proposals, so there is really no good reason for us to be in the position that we are in right now.

Let me just underscore some of the things on my side that we would like to see in the final product. First, the Senate should actually be paying for whatever it passes, and not with spending cuts 11 years from now that we know aren't going to happen. It is also reasonable to expect practical progrowth job creation measures so we can actually get people back to work, and for a solution to be reasonable it should also respect the right of our constituents to be heard on this issue through a more open amendment process.

We have to get away from an attitude that essentially says the views of half the American people don't matter in the Senate. These days it has gotten even worse than that; ideas on both sides are often completely ignored. That is just not how the Senate is supposed to work. So we have an opportunity to begin to start fixing the problem on the bill that is before us. It is the right thing to do. I am hopeful common sense will prevail.

(The further remarks of Mr. MCCONNELL pertaining to the introduction of S. 1916 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. MCCONNELL. I yield the floor.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. BOOKER). Under the previous order, the leadership time is reserved.

EMERGENCY UNEMPLOYMENT COMPENSATION EXTENSION ACT

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 1845, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 1845) to provide for the extension of certain unemployment benefits, and for other purposes.

Pending:

Reid (for Reed) amendment No. 2631, relating to extension and modification of emergency unemployment compensation program.

Reid amendment No. 2632 (to amendment No. 2631), to change the enactment date.

Reid motion to commit the bill to the Committee on Finance, with instructions, Reid amendment No. 2633, to change the enactment date.

Reid amendment No. 2634 (to (the instructions) amendment No. 2633), of a perfecting nature.

Reid amendment No. 2635 (to amendment No. 2634), of a perfecting nature.

The PRESIDING OFFICER. Under the previous order, the time until 12:30 p.m. will be equally divided and controlled between the two leaders or their designees, with the majority controlling the first 30 minutes and the Republicans controlling the second 30 minutes.

The Senator from Vermont.

CONSOLIDATED APPROPRIATIONS ACT

Mr. LEAHY. Mr. President, I should first note I am pleased to see the Presiding Officer. It is a pleasure to share the podium with him today.

I ask unanimous consent that upon the completion of my remarks, the Chair recognize the senior Senator from Illinois, Mr. DURBIN.

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

Mr. LEAHY. Mr. President, after many long days and nights of four-party negotiations across a dozen subcommittees over the past month, on Sunday night the Appropriations Committee completed work on the fiscal year 2014 Consolidated Appropriations Act.

I commend Chairwoman MIKULSKI, without whom this would not have been possible. It was, above all, her relentless pursuit of this goal and her unmatched ability to rally her subcommittee troops together to get us to this point.

I would also note that she was helped by some of the most hard working members of the Senate staff one can imagine. I want to especially commend Tim Rieser of my staff, and Janet Stormes and Nikole Manatt who worked with him. I could not keep track of the number of times I received emails or calls at midnight or 1 a.m. from Tim as we worked through all the difficult parts of this bill.

And it could not have been done without the cooperation of my friend from Alabama Senator SHELBY, the committee's ranking member, who knew how important it was to pass appropriations bills rather than put the government on autopilot.

This means there will be no sequester in fiscal year 2014, and there will not be another disastrous government shutdown that achieved nothing, disrupted the lives of millions of American families, and cost the taxpayers some $24 billion and private industry tens of billions of dollars more.

As Chairman of the Department of State and Foreign Operations Subcommittee, I want to thank Senator LINDSEY GRAHAM, who brings a level of energy and knowledge to our subcommittee few can match. He and I

agree on an awful lot more than we disagree.

I want to mention a few things in the bill. But first, the big picture. For the Department of State and foreign operations, the bill provides $49 billion in discretionary budget authority to protect a wide array of U.S. security, humanitarian, and economic interests around the world. This total is $2.2 billion below the fiscal year 2013 enacted post-sequester level.

Of that amount, $6.5 billion is for overseas contingency operations in Afghanistan, Pakistan and Iraq and other areas in political transition, including the Middle East and North Africa, and to respond to humanitarian emergencies, particularly in Syria, the Middle East, and Central Africa.

If anyone should question why these funds are important, look at what is happening in Syria, and Lebanon, Jordan, and Turkey, where 2 million Syrians have fled, and in South Sudan and the Central African Republic, where hundreds of thousands of people have been displaced because of an explosion of ethnic and tribal violence. The bill provides significant increases in funding for refugees and other humanitarian programs.

The bill provides funding above the President's request for security at U.S. embassies and other diplomatic facilities; it fully funds our commitment to key allies such as Israel and Jordan; it substantially funds our contributions to the United Nations and other international organizations and for U.N. peacekeeping; and it fully funds the U.S. contributions to the Global AIDS Fund.

Many Senators care about global health, for good reason. HIV/AIDS and other infectious diseases threaten millions of Americans who travel, live, study, and serve in the Armed Forces overseas as well as here at home. Many of the diseases we work to eradicate are only an airplane trip away from our own shores. Billions of people in the poorest countries, especially children, die or suffer from illnesses that can be easily prevented or treated. Our children and grandchildren will be immunized, but many children born in the poorest countries die before the age of five because of these diseases.

We provide a total of $6 billion—the highest amount in history—for programs to combat HIV/AIDS, including $1.65 billion for the Global Fund. We provide historic levels to combat polio, malaria, tuberculosis, and neglected tropical diseases, and $175 million for the GAVI Alliance which provides lifesaving children's vaccines.

For Egypt, which many have been asking about, the bill provides up to the amounts requested for fiscal year 2014—$250 million for economic aid and $1.3 billion for military aid. But the military aid is only available to pay current defense contracts, and the goods and services may not be delivered to Egypt unless the Secretary of State certifies there is a national referendum and the government is taking steps to support the democratic transition and there are democratic elections and a newly elected government is taking steps to govern democratically.

These are the same commitments the government of Egypt made to the Egyptian people. Contrary to some inaccurate press reports, there is no waiver if the Egyptian Government reneges on these commitments. These are the toughest conditions the Congress has imposed on aid to the Egyptian military.

We want to see the restoration of democracy and respect for fundamental freedoms in Egypt, including the rights of women, civil society, and religious minorities. This is discussed in the explanatory statement accompanying the bill. If the military continues its repressive tactics, arresting democracy activists, and does not hold free and fair elections, the certifications will not be possible and U.S. aid will be cut.

The bill cuts aid for Afghanistan by 50 percent from the current level. It has become abundantly clear that as U.S. troops withdraw, the security environment is worsening. This reality, coupled with the refusal of the Karzai government to sign a bilateral security agreement, widespread corruption in that government, and the diminishing ability to monitor how U.S. funds are spent, compel a more targeted, sustainable approach.

I am pleased we were able to include the amounts requested for the Clean Technology Fund and the Strategic Climate Fund, and to protect tropical forests which are being destroyed at an alarming rate, and to combat poaching and trafficking of wildlife.

There are some things I wish were not in here, particularly a House provision which would weaken limits on carbon emissions from projects financed by the Export-Import Bank and the Overseas Private Investment Corporation. We should be using public funds to support exports of clean, renewable technology, not to fund polluting projects that worsen global warming.

I am also very disappointed that a Senate provision to bring the United States into compliance with the Vienna Convention on Consular Relations was rejected by the House of Representatives. By not including this provision we jeopardize the essential rights of consular assistance for Americans arrested in foreign countries, and we also weaken our credibility as a nation that respects the rule of law.

I would point out, the next time a constituent of a House Member is arrested overseas and denied access to the U.S. embassy, they should ask why they refused to support bringing the U.S. into compliance with the treaty that requires that access. It is hard for us to insist on consular assistance when Americans are arrested abroad, when we don't provide the same right to foreigners arrested here.

I do appreciate, however, the way the House—particularly Chairwoman GRANGER and Ranking Member LOWEY and their staffs—worked with me, Senator GRAHAM and his very able staff, and others. And, we all owe a debt of gratitude to the printing and editorial staff of the Government Printing Office who worked day and night, week after week and on many weekends, to produce draft after draft of the documents. It was a collaborative effort from beginning to end, and the outcome is a balanced bill that deserves bipartisan support.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, how much time is remaining?

The PRESIDING OFFICER. About 20 minutes.

Mr. DURBIN. I ask unanimous consent that I be given 10 minutes and that Senator SCHUMER be given the remaining 10 minutes.

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

Mr. DURBIN. Mr. President, pending before the Congress now is debate about unemployment benefits.

On January 1 1.3 million Americans got a notice that they were not going to receive any more unemployment benefit checks. These are people out of work through no fault of their own who are required, under law, to be actively pursuing additional employment and regularly reporting to the government. For that, they receive average unemployment benefits of about $300 a week. Three hundred dollars a week is not a generous amount in this day and age. It is very difficult for any family to get by. They are going to have to dip into their savings to make rent payments, utility payments, put gas in the car to look for a job, and pay for the cell telephone they need in order to go looking for work. So we are now debating as to whether we should extend those unemployment benefits which were cut off on January 1. I think we should. Historically we have. Even with lower unemployment rates in the past, we have extended unemployment benefits.

Think about this for a second. The average person unemployed in America takes 38 weeks to find a job. However, we are cutting off unemployment benefits at 27 weeks in most places. That means people will have 10 or 11 weeks on average without any support.

What happens to a family under those circumstances? Awful things happen. They cannot make their rent payments or their mortgage payment or the utility payments or their health payments, and they find themselves literally facing bankruptcy. Losing a job is bad enough. Making it worse by cutting off unemployment checks is unacceptable. So we are debating it.

Historically, we have extended these unemployment benefits on an emergency basis, which means we do not pay for them because we understand this is an unusual time in our economy when we need to give a helping hand. We also understand the money that we

give to these families is frequently spent immediately. They have to spend it to get by. As they put money back in the economy, it helps other people go to work. So it is a bit of an accelerant. It is a catalyst for more economic growth. It is good for the overall economy.

However, we have run into something new. The Republican side of the aisle has now said if you want to give unemployment benefits to Americans, you have to pay for them. In other words, you have to cut spending in other areas to pay for them.

Listen to what the Republicans have suggested we should do in order to provide unemployment benefits for 1.3 million people who were cut off on January 1. MITCH MCCONNELL, the senior Senator from Kentucky and Republican leader, came to the floor and suggested last week that the way to pay for the unemployment benefits was to eliminate that section of the Affordable Care Act which creates a personal responsibility for people to buy their own health insurance and a tax to be paid if they do not, about $95 a person per year. He says eliminate that.

The problem with eliminating it is you do raise some revenue, but on the other hand you cut off the pool of uninsured people who are now buying insurance. By doing this, you eliminate the protection we built into the law for every American family that has someone in the household with a preexisting condition. You cannot say to insurance companies and others cover everyone, even those with preexisting conditions, unless you expand the pool of people insured. Senator MCCONNELL wants to cut that off. Senator MCCONNELL's proposal would, in fact, eliminate this protection in our bill against discrimination because your child has asthma, your child has diabetes, your wife is a cancer survivor.

That was the reality of insurance before this bill. The Republicans believe that eliminating that protection is the way to pay for unemployment benefits. They would penalize 300 million Americans and their families in order to take care of 1.3 million unemployed on a temporary basis. That is a terrible tradeoff.

Then comes Senator PORTMAN from Ohio. He has a little different approach. He suggests that if you are disabled in America, adjudged disabled in America, you should never draw unemployment benefits. ''Double dipping'' is what they call it.

Wait a minute. You are getting a government check that says you are disabled, and you are getting another government check that says you are unemployed? What is wrong with this picture?

I invite him—and I am sure the Presiding Officer has done this—to the sheltered workshops of his State. If you have ever visited a sheltered workshop, here is what you will find, and I found it in Decatur, IL: Profoundly retarded people and people with serious mental challenges are given a chance to work a little bit. They can make only about $1,000 a month maximum. What kind of work do they get? Much of it is very simple manual labor. In my State they make license plates at this facility in Decatur.

They told me the story about a person who was brought in there who had suffered from serious mental illness his entire life and was nonfunctional. He just stood there. They brought him in and put him on the line with the license plates and showed him a simple task. He blossomed. His life opened. He became a different person. He started accepting more and more responsibilities. There came a point when there was a blizzard in Decatur, IL, and they closed the sheltered workshop. He was not going to miss a day of work. He walked in the snow and stood outside, ready to go to work.

The people working in that sheltered workshop are only paid a few dollars an hour, but for him it is the most important part of his life, and while he is being paid, his unemployment benefits are building up to protect him. The day may come when the sheltered workshop can't find a job for him or closes down. He would then be eligible for unemployment benefits. Senator PORTMAN of Ohio says no, we should cut off his unemployment benefits to pay for the temporary unemployment benefits of others. I invite Senator PORTMAN to go to a sheltered workshop in his State to meet these people, and I bet he changes his mind on that Republican pay-for.

Then comes Senator AYOTTE of New Hampshire. She says we have a terrible situation with the child tax credit. The child tax credit is available for wage earners who can claim a credit on the tax they owe and a refundable credit as well, in some circumstances, for their children. In other words, if you are low-income in America, we reduce your tax burden based on the number of children you have. The obvious reason is to give you $1,000 more a year for your child, $20 a week for your child. That, to me, is not unreasonable. It alleviates poverty for literally millions of Americans. Senator AYOTTE says for those who are filing a so-called I–10; that is, those who do not have a Social Security number but work in America and pay taxes as they are required to do, she would cut them off so they could not claim this child tax credit for their children even if their child is a U.S. citizen, and that is the requirement under the law. So she would cut off child benefits for citizen children to pay for temporary unemployment benefits.

We can clean up the child tax credit situation, and I think there are ways to do it in a reasonable fashion, but to cut off millions of children who are legally here in the United States, eligible for this child tax credit—is that what we have come to? Cut off a child tax credit? Eliminate the help for those who are working in sheltered workshops, disabled people cross America? Eliminate the protection under the Affordable Care Act for discrimination against people with preexisting conditions? Those are the three Republican alternatives? Does that define the difference between the parties?

I am afraid it does. It tells you from our point of view that helping folks who need a helping hand in this country is just part of who we are. There is a compassion gap here when you believe the only way you can help some is by hurting so many others who are struggling to get by in life, and that is all we heard from the other side of the aisle.

I commend those who want to work on a bipartisan basis to solve this, but let's get it done. Let's extend these unemployment benefits. Do it as we did 5 different times, without paying for it, under previous Republican Presidents. Let's do it in a fashion that speaks well of our country. Let's give those folks who are searching for jobs a helping hand so their families can stay together during these winter months, these challenging months, so they can get back to work and pay their taxes and be right where they want to be, a part of the workforce of the future.

I yield the floor to Senator SCHUMER.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, first, I thank my colleague and friend and roommate from Illinois—we are going to miss our landlord deeply—for his articulate enunciation of where we are here. We have always extended unemployment benefits, and we have done it, in most instances, in a bipartisan way and not paid for it. Under George Bush, 2007, unemployment was only 5.6 percent. Now it hovers around 7 percent. He moved it forward. It had bipartisan support.

Things have evolved. I guess we do not have that bipartisan support. As Senator DURBIN outlined, a lot of the amendments to try to pay for this sort of rob Peter to pay Paul. I have heard a lot of my Republican colleagues say let's talk about how we deal with poverty. These amendments that we have heard talked about are kind of punitive and do not really deal with the issue.

I would like to address another issue, and that is how we come to an agreement here and get this place working again. On both sides of the aisle, there is a great deal of consternation that we are not legislating. We have had this problem for a while. Thursday it came to a head. There were some harsh words that were issued by some. The question is how do we get things working again.

First, I remind my colleagues there are instances when this place, the Senate in particular, is still working. We had a farm bill, an immigration bill, the WRDA bill. They all had one thing in common and that is the chairman and ranking member agreed on a proposal. When the chairman and the ranking member agree on a proposal,

or a large group of Democrats and Republicans agree on a bipartisan proposal—in immigration we had great help from the chairman, but Senator MCCAIN and I—neither chairman nor ranking member of the Judiciary Committee—came to an agreement with the help of Senators MENENDEZ, DURBIN, BENNET, GRAHAM, FLAKE and RUBIO. But we can get something done, and we can shepherd even the most controversial and difficult legislation through the floor.

But there are many instances—these days more than ever because the parties are further apart than they used to be and there is less overlap—there are instances where the chair and ranking member can't or there does not seem to be a bipartisan agreement. What do we do in those instances?

I have discussed this with many on the other side of the aisle. There is a tradition here. I am here sort of a middle level amount of time, about 14 years. The general theory has been whichever party is in the majority, whichever is in the minority, that the majority gets to set the agenda and the minority gets to offer amendments. There is a lot of discussion as to why that is not happening anymore, and there are different explanations on each side of the aisle. There will be a discussion in our caucus, and I think in the Republican caucus, at this lunch, as to how to try to break that logjam. That is a good thing.

I will just make one point here that has been largely forgotten and that is this. There are two parts to this sort of agreement, deal, arrangement. The first part is the ability to offer amendments. Should it be unlimited amendments? Should it be all nongermane amendments? That has to be discussed and worked out. But certainly the minority should get to offer amendments. There is a general theoretical agreement among everybody about that.

But the other side is that the majority should be able, once the amendments are disposed of, to get an up-or-down vote on the final passage of the bill—that the bill not be filibustered—not just the motion to proceed, but once we go through the amendatory process, the bill itself.

If friends on the other side of the aisle say I want to offer my amendment but unless it passes I am going to vote to block the bill from coming up for an up-or-down vote, that does not seem right. My purpose for a brief few moments, coming to the floor, is to remind both sides of the aisle, but particularly my Republican colleagues, that to get this place moving again requires two things. One, an ability to offer amendments. But second, an ability to vote on final passage, have an up-or-down vote on final passage once those amendments are disposed of one way or the other.

We know that our colleagues will offer tough amendments sometimes. That is the nature of things. Many times the amendments are just offered with an idea to improve the bill or have a different idea. Sometimes they are amendments that just make it very difficult to vote against, but so be it. That is how this place has always been run. I think most of my colleagues on this side of the aisle are willing to accept that. But at the same time, we do not want to go through an amendatory process and then, because we are 55, not 60, never be able to get an up-or-down vote on final passage of the legislation.

There are two sides to this story. There are two sides to an agreement to get the floor of the Senate working again—particularly when the majority and minority cannot agree on an overall bill. One side is an ability to offer amendments; the other side an ability for an up-or-down vote once those amendments are disposed of. I don't think you can have one without the other.

Just as we could not ask our Republican colleagues for an up-or-down vote, if they were not able to offer amendments, I don't think it is fair for our Republican colleagues to ask us to go through the amendatory process, some of which will be difficult, and then not get an up-or-down vote on final passage.

That is the little piece I wanted to say here. I hope it will help bring us together because the greatest fun I have had in this place and the greatest effectiveness I have had in this place is when I worked in a bipartisan way on bill after bill. It happens less frequently now. Although, as I said, the immigration bill is an exception to that, and other bills are an exception to that. But maybe we can get back to working together if each side tries to understand the grievances and the gravamen of the position of the other.

I hope we can do that on this bill and on many other bills in the future.

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

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

HEALTH CARE

Mr. BARRASSO. Mr. President, it is no secret that every Republican in this Chamber, every Senator on this side of the aisle voted against the President's health care law. We said it would do great harm to the American people, and we are finding out that is true. It is also no secret that every Democrat in the Senate voted in favor of the health care law. It was partisan, it was a bad idea, and it has failed the country in many ways.

People know about the health care Web site. The Web site was a spectacular public failure, and that was just the tip of the iceberg. When we look under the iceberg, we see that people are being hit with higher premiums and canceled coverage. Five million people lost their coverage around the country. People were not able to keep the doctor they had and liked in spite of the President's promise that if you like your doctor, you can keep your doctor. There are concerns about higher copays and deductibles, and fraud and identity theft is also an issue that is plaguing all of America. I believe the health care Web site is a spot where we are going to see more problems in that area. Americans know that fraud and identity theft are big concerns. It has been clear from the start that the health care exchange was vulnerable to con artists and hackers. Information from the government actually went out telling people to be careful with their information because of the concerns about con artists and hackers. So that is a problem, and it is something Washington and this body need to take seriously.

Whenever President Obama talks about the health care law, he says that if Republicans have good ideas, please bring them forward, share them, and he will support them. Republicans have offered a lot of ideas on how to give the American people the health care reform they wanted all along. We passed bills in the House of Representatives. We tried to bring up bills here in the Senate. Democrats won't even allow us to vote on those bills in the Senate.

As a doctor, I can tell you what people are looking for with health care reform. They want access to quality, affordable health care—care they need from a doctor they choose at lower costs. They didn't get that with the health care law the President and the Democrats shoved down the throats of the American people. Every time the majority leader—at that desk—blocks reform, I believe he is making things worse for millions of Americans.

We are trying again to take the President at his word that he will support good Republican ideas. Senator JOHANNS of Nebraska and I have introduced a commonsense bill that will help protect Americans who use the government insurance exchange. Our bill, called the Health Exchange Security and Transparency Act, requires the Secretary of Health and Human Services to notify Americans within 2 business days if their personal information has been stolen due to security breaches on the exchanges. We are not saying it is going to happen, but it sure could happen, and if it does people need to be informed.

The House passed a version of this bill last Friday, and it was clearly a bipartisan bill. Sixty-seven Democrats joined Republicans to support this good idea. Now I believe it is our turn here in the Senate. There shouldn't be anything controversial about this at all. This should be the kind of bill we can pass by unanimous consent.

After forcing so many Americans to buy insurance through this program, I

believe it is the government's responsibility to safeguard Americans' private information. Even Senators who voted for the President's health care law should agree with this. That should be the minimum we require from Washington—keep Americans' private information private. If the government fails to keep that information safe, they should have to admit it and tell people what happened.

This bill is a single page. Americans are concerned about their safety online, about having their identity stolen, and this bill would give people at least the reassurance that they would be informed, that if there is identity theft, they would know about it.

Look at what just happened to the Target stores. It now looks as if 70 million people had their personal data compromised. Target ran a full-page ad in the Washington Post talking about what happened with their 70 million customers. They apologized for it. The same ad that ran here in the Washington Post also ran in the New York Times, the Wall Street Journal, and other papers around the country. Target has told people about the security breach so they can take appropriate steps and watch for signs of identity theft. Target also said they will do free credit checks for a year and addressed the concerns many American people have and said: This is how we will take care of it. All the bill we are offering today says is that if something happens—as happened with Target—on the government's health exchange Web site, Washington should do the same. They should tell people that someone has had access to their personal information so people can protect themselves.

The health care law was completely inadequate in how it dealt with personal security issues. The Web site has been a debacle, and we know that. It is a hacker's dream. Even before the Web site was launched last March, it was a mess.

CBS News reported that deadlines for the site's final security plans were delayed three times over the summer. So we saw that problem. Final end-to-end security tests were never finished before the Web site was launched.

In November, after the Web site was launched, four experts testified before the House about Web site problems. They were asked: Would any of you advise an American citizen to use this Web site as the security system now exists? Not one of the four experts said they would—none.

By December, one of those same industry experts said that the situation was even worse. The so-called fixes caused new security patterns and problems. Remember, that was after the White House was claiming it had fixed the Web site. What they had fixed was just the tip of the iceberg, and these problems under the tip continue today.

So the House passed a bill on Friday by an overwhelming bipartisan majority, and the President still says he opposes it. Why would the President oppose this bill? Why would he oppose being honest with the American people in helping them protect themselves from identity theft? President Obama has dug in his heels so deep on his health care law that he won't even consider good bipartisan ideas that will help the American people. Senator JOHANNS and I are going to continue to push for a vote and to call on the President to support this bill.

The President needs to keep his promise to support good Republican ideas and to protect the American people from identity theft. As I said, this is just the tip of the iceberg with the Web site. All one has to do is go to this morning's newspapers.

The Washington Post, above the fold, front page: ''Insurance sign-ups by young adults lag. Key measure for health-care law. Premiums could jump if more don't enroll.'' Higher premiums, that is what I am hearing from home in Wyoming.

Today's Wall Street Journal: ''Health Sign-ups Skew Older, Raising Fears of Higher Costs.'' That is not what the President promised. The President came to the floor of the House of Representatives in a joint session of Congress and said: If you like your coverage, you can keep your coverage. If you like your doctor, you can keep our doctor. He said insurance premiums would drop for people. He made statements over the past years that under his plan insurance policies would drop $2,500 per family. Why is the New York Times saying premiums could jump? The President says one thing; the rest of the world sees another.

The New York Times today, again, front page, above the fold: ''Older People Lead Sign-Ups For Insurance. Pattern Could Result in Higher Premiums.'' There are questions about the law's financial viability.

The President put together a program, and those of us who actually read the bill ahead of time had great concerns about its success, its viability, its ability to deliver what it promised. The President's promises, one of which has now been called the lie of the year, continue. It has been called that by a group that looks at statements and is somewhat of a referee as political statements are made. To get that kind of an accomplishment for the President just shows how misleading the efforts have been on the American people.

The American people see what they are getting in their mail—cancellation notices. They see what happens when they go to the Web site: higher premiums, sticker shock, and now this threat of ongoing security concerns, especially in light of what is occurring throughout the rest of the country.

It is time for the President to keep his word that he does want to work with Republicans for good ideas, and he could do so by adopting this measure passed by the House on Friday that Senator JOHANNS and I have presented to the Senate for approval today.

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

The PRESIDING OFFICER. The Senator from Arizona.

TPA RENEWAL

Mr. FLAKE. Mr. President, I rise today to congratulate my colleagues on the recent introduction of legislation to promote trade promotion authority.

Increasing free trade levels the playing field for U.S. companies. We all know that. It increases competition. We know that too. It also increases access to foreign markets, with all the attendant benefits. U.S. businesses stand the best chance to see gains in accessing foreign markets through bilateral and regional free-trade agreements. Given the complexity of these agreements, the consultation process and the expedited consideration provided by TPA is really the only way to go.

According to the Office of the U.S. Trade Representative, the United States is ''the world's largest economy and the largest exporter and importer of goods and services.'' We exported more than $2.2 trillion in goods and services last year.

For those of us who represent border States, the issue hits very close to home. In recent years Mexico has become America's third largest trading partner and our second largest export market. According to the Arizona-Mexico Commission, Arizona's ports of entry serve as gateways for $26 billion in U.S.-Mexican trade annually. Arizona benefits from more than $13 billion in bilateral trade with Mexico every year.

Given the benefits of vibrant export markets and access to low-cost imports, it is difficult to overstate the importance of getting trade agreements in place. A U.S. Chamber official recently noted in Roll Call that nearly half of U.S. exports go to our free-trade agreement partners and that these countries make up just one-tenth of the world economy. Let me repeat that. Half of our exports go to those countries with which we have free-trade agreements. Yet those countries represent just one-tenth of the world's economy. That tells us the importance of getting these free-trade agreements in place.

In a recent opinion piece in the Wall Street Journal, former U.S. Trade Representative Robert Zoellick noted that ''on average, in the past five years of a new free-trade agreement, U.S. exports grew nearly three to four times as rapidly as U.S. exports to others.''

This is great news given that negotiations on the Trans-Pacific Partnership, or TPP, are ongoing. Its successful approval would yield the largest free-trade agreement the United States has ever been a part of. Approval of the TPP agreement would provide increased access to critical Asia-Pacific markets for U.S. businesses at a critical time. It is difficult to see how this agreement will be concluded without TPA reauthorization.

Given that a 2010 study prepared by the Business Roundtable found that 38 million jobs—1 in 5 jobs in the United States—are supported by trade, the introduction of TPA renewal legislation couldn't be more timely.

Again, I congratulate my colleagues for the introduction of this legislation. I look forward to its consideration.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

OSHA POLICIES

Mr. JOHANNS. Mr. President, I come to the floor today to acknowledge my colleagues in the Senate for standing up for family farms. I am also here to issue a very straightforward warning to OSHA: The Senate makes crystal clear in the new appropriations bill that OSHA policies and inspectors better get in line with the law.

Since 1976 Congress has included specific language in appropriations bills very specifically prohibiting OSHA from enforcement action on farms with 10 or fewer employees. However, this did not stop the agency from distorting the definitions of farming practices in sending inspectors to small family-owned farming operations anyway.

In my home State of Nebraska, OSHA targeted a family farm that grows corn and soybeans and has just one nonfamily employee. It is clearly within the scope of the congressional exemption. As do most American farms, this farming operation includes grain bins for crop storage after harvest. But according to OSHA's absurd logic, grain storage, they say, is not part of farming operations, so it is not exempt from the regulations. I can't make this stuff up. While OSHA made no claim that anyone on the farm had been injured, the agency said the grain bins failed to comply with OSHA regulations, and—get this—they slapped the farm with fines totaling $132,000.

This is not an issue that is confined to one farm in Nebraska. A 2011 memo from OSHA's enforcement chief to regional administrators acknowledged that the law prevents the agency from regulating small farms. They got that right. However, the memo proceeds to recategorize farming operations that happen after harvest, and OSHA said those are not exempt. Under this recategorization, OSHA claimed that its inspectors had the authority to regulate small family-owned farms and their grain storage facilities. This is a blatant overreach and yet another example of this administration's backdoor rulemaking.

Whenever I meet with farmers and ranchers in Nebraska, they oftentimes raise concerns about Federal regulatory overreach. It is absolutely no wonder farmers and ranchers feel as though they have a target on their backs. OSHA's twisting of the law serves as evidence that farmers' concerns are legitimate.

In response to OSHA's regulatory overreach, I wrote a letter to Secretary Perez, joined by a bipartisan group of 42 of my Senate colleagues. We requested that OSHA immediately stop its unlawful regulation of family farms. We also directed OSHA to issue updated guidance correcting its obvious misinterpretation of the law.

I am pleased that the Omnibus appropriations bill further reinforces our position through report language specifically addressing OSHA's overreach while continuing the long-standing small-farm exemption. The report language calls on OSHA to work with USDA before moving forward with any attempts to redefine and regulate post-harvest activities such as storing grain. It also makes it clear that the exemption applies to those activities that occur on the farm. That includes the entire farming operation.

I thank my 42 colleagues who joined me in signing the letter, as well as my colleagues on the Appropriations Committee for sending a clear message that Federal agencies are not above the law. As I stated earlier, small family-owned farms have been exempt from OSHA regulations for the past 35 years. This is not a new concept. Simply put, this language reaffirms the commonsense ideas that Federal agencies cannot and should not bypass the law by redefining it to expand their jurisdiction.

Let me be clear that we all want farms and ranches to be safe. In fact, a safe working environment is especially important for small farmers and ranchers whose families are oftentimes the only ones who work the farm or the ranch. Small family farms and ranches in my home State and across this country should be able to continue their work to feed and fuel the world without fear of being targeted by this administration in direct violation of the law. If the administration believes the law should be changed, they should come to Congress and make their case. They should not ignore the law as if it does not exist.

Again, I thank my colleagues for affirming the law of the land and supporting our Nation's farmers and ranchers.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

MILITARY COLAS

Mr. WARNER. Mr. President, I rise to discuss my growing concern about the effects of our actions—or in this case inaction—in Washington on our military families and veterans in Virginia. As we all know, the Senate and House passed the Bipartisan Budget Act last month, which hopefully will be a first step toward getting us back on the right track toward a functioning Congress. But I was disappointed—and I know many of my colleagues were disappointed—that in that legislation was included a reduction in military pension cost-of-living adjustments for retired and medically retired servicemembers. Our service men and women deserve much better than seeing their pensions arbitrarily cut by lawmakers in Washington. What was particularly disappointing was that this action singled out our military families and veterans disproportionately.

Yesterday evening, the appropriations committees released their 2014 budget. I was pleased their omnibus budget proposal repeals the COLA cuts for a portion of those military families—for those disabled military retirees who are medically retired and for survivors of military retirees who elected to pay survivor benefit annuities to take care of their families after their deaths. This is progress. But I hope we can finish the job and pass an amendment I have been working on with Senators SHAHEEN and MCCAIN and a series of other proposals to make sure we fully roll back this unfair cut to our military families and veterans.

We know over the last two decades our military has fought two wars. Their families have made unprecedented sacrifices. Unfortunately, this sacrifice was again brought home last week when a Navy MH–53E helicopter crashed off the coast of Virginia Beach. Our thoughts and prayers are with the families of the missing and fallen: LT Sean Christopher Snyder, LT Wesley Van Dorn, and Navy Aircrewman Brian Andrew Collins.

Virginia is home to one of the Nation's largest concentrations of Active-Duty and retired military personnel. I consider it an honor and a privilege to represent them in Congress. So while we are shutting down government and signing short-term CRs, the pensions of our service men and women are being unfairly singled out. This isn't right, this isn't fair, and my hope is that today and over the next few days we will fully correct the mistake we made in the Budget Act last month.

In my time in the Senate, working for our military families and veterans has been one of my top priorities. I am proud I have relentlessly worked across the aisle on this issue. I would like to point out one particular action where we have made dramatic progress.

I have worked with the Puller Clinic at William & Mary Law School in Hampton Roads to develop a model for veterans legal clinics to help solve the Nation's backlog of veterans' benefits claims. To my mind it is an embarrassment that our veterans sometimes have to wait for over 1 year to get their claims processed to receive the benefits they have already earned.

Working with the William & Mary Puller Law Clinic, we got the VA to accept this model and to be certified by the VA to become the first law school in the country to be able to complete fully developed claims. Now 19 universities in Virginia are committed to serving veterans and more than 15 law

schools across the country have adopted the William & Mary model.

The incredible thing about this project—and we often use the term ''win-win-win''—is this truly is a win-win-win. It is a win for the taxpayers because there are no taxpayer funds involved, it is a win for our veterans who are able to get their claims processed in a more rapid and expeditious manner, and it is a win for the law students who gain valuable experience in both dealing with a large Federal agency—the VA—but, more importantly, being able to help one-on-one veterans who deserve to get their benefits.

I have also worked with my friends and former Virginia colleague Jim Webb to draft legislation for a complete comprehensive look at military compensation and retirement. We have worked with Chairman LEVIN as well, and this Commission will be reporting later this year. I look forward to the results because we do have to recognize our overall compensation and benefits packages need an overall review. I believe this Commission will make strong recommendations on how we can both modernize and achieve fiscal stability for our military.

I am proud of the work I have done on veterans' issues in terms of the Puller Clinic, in terms of the overall look at the military compensation package as part of an effort to make sure we honor our commitment to our military. But as we honor that commitment to our military, we have to recognize as well that threats to our Nation are not just those posed by outside forces but also the continuing threat of our increasing debt and deficit. I often like to cite former Chairman of the Joint Chiefs of Staff Admiral Mullen, who said the single largest threat to our Nation was not the threat of terrorists but the threat of that $17 trillion debt and deficit, which goes up by over $4 billion a night—a debt burden that may weigh down our ability to compete in the future.

I continue to come to the floor—not always successfully—to suggest to my colleagues on both sides of the aisle that we cannot continue to punt on this issue; that, ultimately, both political parties are going to have to give. We are going to have to find ways to generate additional revenues through a comprehensive reform of our Tax Code. We are going to have to find a way to make sure that not only the promise of military pensions and benefits but also the promise of Social Security and Medicare will be here for future generations. That means both political parties will have to be willing to give on their sacred cows.

We have to make sure as well, if we put together this comprehensive approach on debt and deficit, that it will provide the kind of financial stability to our military families, making sure those pensions, benefits, and other kinds of compensation packages will be there for themselves and for future people who serve. But that is for a future battle. Right now we have to finish the work the Appropriations Committee started on getting rid of this unfair attack on the military COLAs that was included in the Budget Act.

I hope my colleagues will join my friends, Senator KAINE and Senator SHAHEEN and others, to replace the cuts to the military COLAs. The approach we have taken would do this by closing a tax loophole that allows some corporations to actually avoid paying their fair share of taxes. There may be other alternatives as well. I will look at any that are fair and reasonable and make sure our military families don't get singled out.

Virginians have served with honor in our military for generations, and I want to assure our service men and women there is ample time to undo these changes before they take effect. I would remind those who are listening this decrease in the COLA doesn't actually take place until next year, so we still have time to rectify this.

I promise to continue using every tool I can to fight these unfair pension cuts and to make sure the promises we have made to our military families and these retirees gets honored.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. THUNE. 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.

OBAMACARE

Mr. THUNE. Madam President, I come to the floor today to talk about the damage ObamaCare is doing to our struggling economy.

After months of unrelenting coverage of ObamaCare's many problems and after Friday's release of December's dismal job report, I am sure Democrats in the Senate would prefer we talk about almost anything else. After all, when you have held most of the power here in Washington for the last 5 years, you don't want to mention the fact that your main legacy is a sluggish economy and a disastrous train wreck of a health care program.

This past Friday we found out December marked the weakest month of job growth since January 2011. The economy added just 74,000 jobs in December—less than half of the monthly job growth needed for a real recovery.

Some are saying perhaps this is an aberration, and perhaps it was for a 1-month period. But the one thing we can't get away from is that December's drop in the unemployment rate—the slight drop that we saw as a percentage—was driven by nearly 350,000 Americans dropping out of the workforce altogether, driving the labor participation rate to its lowest level in 36 years. We haven't seen the labor participation rate this low since the Carter administration.

Had millions of Americans not stopped looking for work since January of 2009, the unemployment rate would be a staggering 10.8 percent. What I mean is if the labor participation rate were today what it was in 2009—in other words, the number of Americans actually in the labor force looking for jobs—the unemployment rate would be almost 11 percent, a significantly higher number than what we use as the official unemployment rate today. Even without that, the Wall Street Journal points out that ''the unemployment rate remains near levels previously seen only during recessions.''

Let me repeat that: The Wall Street Journal states that ''the unemployment rate remains near levels previously seen only during recessions.'' That is a pretty damning statement.

The President and his advisers would like us to believe that President Obama's policies are growing our economy and putting Americans back to work. But in the 5 years of his Presidency, all Democrats have been able to accomplish is a recovery that looks a lot like other Presidents' recessions.

In his weekly address on Saturday, the President said he would do ''everything I can to create new jobs and new opportunities for American families.''

How does he propose to do that? By treating the symptoms, not the causes, of economic stagnation. Economic bandaids like the President proposes may temporarily help a few Americans, but they will do nothing to bring about the real long-term job growth our country needs. Unfortunately, the President's policies are actually hurting already struggling middle-class families and making it more difficult for businesses to grow and create jobs.

Chief among the President's failed policies is the massive boondoggle known as the Affordable Care Act. If there is one thing you don't want in an economy where businesses are already struggling, it is legislation that places everything from new taxes to burdensome new regulations on businesses, and yet that is exactly what ObamaCare does.

There is a tax on medical devices, like pacemakers and prosthetics, which is driving medical device jobs overseas and driving medical bills up for American patients. There is a pill tax, which is a tax on prescription drugs. There is a tax on businesses that do not provide a government-approved health care. There are multiple taxes on health insurance companies, and more.

Then there are the scores of new regulations which raise the cost of doing business—regulations like the requirement that any business with 50 or more workers provide ObamaCare-approved health insurance benefits to its full-time employees, which the health care law defines as 30 hours or more per week. That is all very well for some employers, but for many employers in industries with small profit margins, providing Obama-approved health care to full-time workers is the difference

between making a profit and making none at all. For employers in nonprofit fields like education, it can be the difference between staying in operation or closing.

Around the country, school systems, community colleges and universities, restaurants, and other small businesses are being forced to cut workers' hours to avoid the full burden of ObamaCare's mandate. It is no wonder the health care law is so unpopular with the owners of businesses, both large and small.

CBS News reported in December:

> Nearly half of U.S. companies said they are reluctant to hire full-time employees because of the law.

A survey from the National Association of Manufacturers found that more than 75 percent of manufacturers cite soaring health care costs as the biggest issue facing their businesses.

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

Mr. THUNE. I ask unanimous consent for an additional 5 minutes.

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

Mr. THUNE. In addition to being bad for business's bottom line, ObamaCare is placing a tremendous financial burden on American families.

The President claimed his health care law would reduce the cost of health care, but the average family has seen a $2,500 premium increase since the law's passage—and now that the law is being fully implemented, that number is set to soar even higher.

One of my constituents, Carrie, emailed me to tell me she may have to take a part-time job to afford the health care premium she was quoted for a family of 6. That is a part-time job on top of the two part-time jobs she already works and the full-time job her husband works.

Another constituent, Matt from Rapid City, SD, emailed to tell me his insurance has gone up 60 percent. Meanwhile, his wife's hours at work have been reduced below the ObamaCare full-time threshold of 30 hours. ''We have had to cut back on basic needs,'' he told me.

Terry contacted me to tell me his insurance policy was cancelled, and that he was offered a replacement policy for twice the cost of his original policy. ''Now ¼ of my salary will go to my insurance.'' That is a quarter of his salary.

Is this the affordable care Americans were promised?

Democrats claim they want to grow the economy, but what do they think happens to the economy when businesses aren't growing and people aren't spending? When Americans have to devote more of their income to paying their health care bills, they cut back on other spending, they go out to fewer restaurants, they keep their old car for a few more years, and they put a bucket under the leak instead of paying for a new roof. That is a lot of money not going to local businesses.

Similarly, when businesses are hit with burdensome taxes and regulations, they cut back on hiring and investment, they cut workers' hours, and they move jobs overseas. That means fewer jobs for the millions of Americans looking for work and lower wages for families already struggling to get by.

If Democrats were really serious about growing the economy and creating jobs, they would stop focusing on economic bandaids and start a long, hard look at the damage ObamaCare is doing to our economy.

As Members of Congress, we need to make it easier to create jobs, not harder. We should be repealing burdensome mandates, not creating them. We should be reducing the tax burden, not increasing it, and we should be creating incentives for businesses to expand, not eliminating them.

Millions of Americans spend too much time wondering how they are going to afford their health care premiums or buy a house or send their kids to college. We need to give them the economic opportunities they need.

Over the past few weeks Republicans in the House and in the Senate have introduced plan after plan to get our economy moving again and help struggling families find better jobs and increased wages.

I recently introduced a plan to exempt long-term unemployed workers from the ObamaCare mandate, an onerous and unpopular provision which will destroy jobs and reduce hours for hardworking Americans. In fact, this mandate is so unpopular and so unworkable that the administration unilaterally delayed it past the next election.

Since even the administration doesn't want to enforce it, I think we can all agree that exempting the long-term unemployed will help break the cycle of extended unemployment that plagues the Obama economy.

We hope Democrats will abandon their short-term cosmetic fixes and join us in talking about the kind of long-term reform which will truly grow the economy and offer economic opportunity to every American. We have lived in the Obama economy long enough.

I yield the floor.

Ms. HIRONO. Madam President, I am here to speak in opposition to the offset in Ayotte amendment No. 2603. The bipartisan budget that passed in December included a Republican provision that changed the annual cost-of-living adjustments, or COLAs, for military retirees. I opposed that provision, and I believe there is bipartisan support for repealing it. The main question that needs to be debated is how to pay for that repeal. Amendment No. 2603 would pay for fixing the military retirement COLA problem by denying the refundable child tax credit to millions of eligible U.S. citizen children. That amendment asks, in effect, whether military retirees are more deserving of help than U.S. citizen children who are on the edge of poverty. That is a false choice. That is not the right approach.

The child tax credit is one of our most important programs to reduce child poverty. Tens of millions of families claim the child tax credit each year—more than 35 million families in 2009—both using Social Security numbers and individual taxpayer identification numbers. According to the Congressional Research Service, the child tax credit reduces child poverty by approximately one-fifth. For such an important and widely used program as this, we should be careful that any changes we make to the program do not harm low-income children and working families. Many of these low-income families are headed by women.

Any large program is susceptible to fraud and misuse. When fraud is alleged, the cases should be investigated and the people who commit fraud should be punished. This means targeted, aggressive auditing and enforcement, not wholesale changes to the program that will deny help to kids who are legally receiving it today.

The proponents of the amendment tell us that individuals are fraudulently claiming the child tax credit for kids who live in Mexico or for kids who do not exist. That is already a violation of the law. This is fraud. I agree with the sponsor that we should take steps to prevent this fraud.

The IRS says this amendment would not solve the fraud problem. In 2012, five Senators wrote to the IRS regarding this matter, and their letter asked:

> Does the fact that the person filing the return has a Social Security number indicate whether the child claimed for the credit met the residency requirements required under the law?

The response from the IRS, in a letter dated July 20, 2012, was:

> The possession of a SSN [Social Security number] by the filer is not relevant in determining whether the child met the residency requirements.

In other words, imposing a Social Security number requirement does not prevent the fraud that the sponsor seeks to prevent. That makes intuitive sense. If a person is going to lie about the existence of a kid, they will lie about the SSN too. This amendment does not solve the problem.

If this amendment does not solve the problem, then what would be the real impact of this amendment? Here is what the amendment would do.

First, it would deny help to roughly 4 million U.S. citizen children from low-income households by making their families ineligible for the child tax credit. The average family claiming the refundable child tax credit earns only about $21,000 a year, and, as I mentioned earlier, many of these families are led by women. Every dollar matters to these families. The child tax credit lifts roughly 1.5 million children out of poverty each year. This amendment would plunge many of these children back into poverty.

I wish to emphasize that because of the way the child tax credit is structured in the Tax Code, only working families are eligible for the refundable portion. These families are working and paying taxes, but in lean years they would be denied help from the child tax credit if this amendment were to become law. They are paying taxes but would be denied help. That is not fair.

Second, this amendment would render these 4 million U.S. children second-class citizens because of who their parents are. That is contrary to the principle of equality on which this country was founded. All citizens should be treated fairly and equally. This amendment says some citizen children will receive help and others will not, depending on who their parents are. That is simply not right.

In closing, there is a better way to pay for repealing the military COLA provision that was included in the budget, and that is to close corporate tax loopholes. The proponents cite a news report from Indiana in which an undocumented worker admitted he had allowed four other undocumented workers to use his address to file tax returns. The four workers did not live there, but he allowed them to use his address anyway. I agree that this is fraud and should be stopped.

This story reminds me of the story of the Ugland House in the Cayman Islands. The Ugland House is a 5-story building that has been identified as the official address for 18,857 companies, all at the same time. Some of the inhabitants of this address are some of the largest publicly traded companies in the United States. As I understand it, this is not a violation of U.S. laws. Tens of thousands of corporations can legally use the same building for their official address. It is not fraud but merely tax planning, I am told.

Offshore mailing addresses and accounting tricks are allowing corporations to shelter enormous profits from U.S. taxes. According to Bloomberg News, 83 of the largest companies in the United States held $1.46 trillion in profits offshore in 2012. Another report, by JPMorgan Chase, estimates that the amount of offshore profits is even higher—nearly $1.7 trillion. How does this work? They funnel their revenues through shell companies to escape taxation. Countries such as Bermuda, Ireland, Luxembourg, the Netherlands, and Switzerland—which combined account for less than one-half of 1 percent of the world's population—generated 43 percent of the profits reported by American companies in 2008. Clearly, there is a major tax problem here.

While our colleagues rail against five workers using one address to file taxes, we hear nothing about more than 18,000 companies that have used one address to file their taxes. Talk about egregious. These corporate tax loopholes resulting in the huge amount of taxes companies don't pay are what this Congress should focus on, not on denying a few hundred dollars of help to a U.S. citizen child who is on the edge of poverty.

Senator SHAHEEN has filed an amendment that begins to address these corporate tax problems. Her amendment, No. 2618, of which I am a cosponsor, will prevent more than 18,000 corporations from pretending they are headquartered in a single building in the Cayman Islands. Like the amendment of Senator AYOTTE, the Shaheen amendment will repeal the military retiree COLA provision that was in the budget deal. The difference is that the amendment of Senator SHAHEEN will pay for the repeal by holding corporations accountable for the taxes they owe instead of denying help to U.S. citizen children of working parents, many of whom are women, who are in poverty.

We all recognize that we have a responsibility to our veterans, taxpayers, and to future generations. The amendment of Senator SHAHEEN will allow us to meet all of these commitments at the same time. I urge my colleagues to join me in supporting this commonsense approach and vote in favor of the Shaheen amendment and not the Ayotte amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Madam President, I join my colleague from Hawaii in her remarks and her opposition to the Ayotte amendment. I wish to start off by simply saying that when we are talking about extending unemployment insurance benefits to Americans who have played by the rules, done everything right, and through no fault of their own find themselves unemployed, many long-term unemployed, and who are trying to get a job but still, despite an economy that is improving, have not seen the job market increase significantly so that they can attain that job—what they need at this time is not a kick in the pants, they need a helping hand so that they can sustain their families during this period of time and continue to be in a position to do that which the law requires of them: continue to look for a job and eventually find that job.

The reality is that this is not an ideological battle, I hope, in a greater political war. It is about real people and the lives of real people. I don't think we can lose sight of that simple fact. Political ideology doesn't trump faith and family values. It does not trump reason or compassion or the acceptance that we are all in this together.

Having said that, I am encouraged that there is bipartisan support for repealing the military pension cuts. I opposed those. I am committed to ensuring that our brave men and women and their families receive all the care and resources they deserve, both during their service and throughout their lives. They have fought for our freedom and security in the most difficult situations, and our Nation owes them the same level of commitment, and we remain indebted to them for their service.

But I have heard the Senator from New Hampshire declare her support for offsetting the cost to fix that by fixing ''an egregious problem in the Tax Code.'' As someone who sits on the Senate Finance Committee, I can tell you that after years of being stymied by Republican opposition to closing any tax loopholes, to shutting down any abusive tax practices, I would like to have them join us in looking for savings in the Tax Code to achieve a bipartisan goal. But, unfortunately, instead of shutting down the abuses in the code, like the huge amounts of money stripped out of the United States and piling up in tax havens abroad, or instead of ending the wasteful subsidies for very profitable companies, such as the oil industry, or perhaps the myriad tax shelters used by millionaires to avoid paying their fair share, my colleague decided instead to propose legislation that would have a devastating impact on 4 million children who are U.S. citizens and who deserve every right and every protection as any other child under the Constitution, all of whom are deserving of our support.

Instead of working with Democrats, many of whom have spent a great deal of time studying and pointing out waste, fraud, and abuse in the Tax Code to find a bipartisan solution, we are presented with a proposal that would go much further than she claims and hammer over 2 million working and tax-paying families.

What does the child tax credit do, which is the subject of her amendment? The child tax credit is for people who have a qualifying child. That is the fundamental essence of the child tax credit. You are not eligible for it if you do not have a qualifying child. What is a qualifying child under the law? It must be the son, daughter, stepchild, foster child, brother, sister, stepbrother, stepsister, or a descendent of the filer. They must live with the filer for more than half of the year. No. 3, the child must be a U.S. citizen, a U.S. national, or a U.S. resident alien. It is the child who is the determinative factor. It is the child for which these resources ultimately we have decided as a Congress and as a society to support.

We talk about being family-friendly. We talk about the poverty situation in this country. We talk about the consistently growing gap in terms of the haves and the have-nots. This amendment is only going to exacerbate that problem for U.S. children.

To eliminate the ability of a taxpayer to use a taxpayer ID number in order to claim the refundable portion of the child tax credit ignores the fact that the vast majority of these children are U.S. citizens and the child tax credit was enacted to help families financially care for their children. The refundable portion was introduced because children in working families deserve the same support provided by

benefits in the Tax Code as anyone else. That is why we made it refundable—because we wanted to reward work and we wanted to help with the growth of that child and to deal with their challenges.

I agree with the Senator from New Hampshire that the anecdotal stories she included in her remarks amount to fraud, and they should be stopped. Let's be clear: The stories she told of claiming credits for children not in the United States or of 1,000 tax returns linked to 8 addresses, those actions are already illegal by whomever would make such a false filing and commit those actions.

In fact, what the Senator does is cite reports of IRS investigators who did their job shutting down illegal activity. It seems to me the IRS doesn't need her amendment to go after this fraud. They need the resources and the investigators to ultimately make sure all elements of the code that have fraudulent activity being taken need to be dealt with. They need Republicans to stop cutting their funds so they can do their job better. But to use these instances of fraud that were successfully pursued to go after American children is not confronting fraud. It is disadvantaging children—4 million children to be exact.

If we had one computer science company prosecuted for tax evasion, we don't bar all computer science companies from ever taking the research and development tax credit again. If we find one entity, one person or one industry committing fraud, we don't eliminate all of the benefits of the provision in the Tax Code for which they committed fraud because we have decided that provision is of a societal benefit. What we do is make sure we go after the individuals who commit the fraud. It doesn't make any sense, just like hammering 4 million U.S. children because of fraud perpetrated by some other unscrupulous actor doesn't make a whole lot of sense to me.

I believe this amendment creates a clear-cut case of priorities. Surely nobody here would argue that outside of this instance, there is no other part of the Tax Code that allows waste, fraud or abuse. We could sit down and find dozens of wasteful loopholes, fraudulent tax practices, and abusive tax shelters that could be shut down in order to pay for restoring the cuts to military pensions. If my Republican colleagues chose to support these efforts, I think this bill would sail through the Senate.

I say to my friends who are putting up obstacles—because I believe a lot of these false choices that are being put out there are not for the purposes of a legitimate policy goal but to undermine the efforts of achieving the extension of unemployment insurance—I say to them I think you need to stop and think. Think about the people who are hurting. Think about their lives, their hopes, and their struggles. Think about what their conversations are around the kitchen table at night. Every night in New Jersey and all over the country thousands of families who have played by the rules and are looking for work are sitting around the table asking heartwrenching questions: How will we afford the mortgage and keep our home if we cannot get the assistance during this period of time? Do I have to decide between putting food on the table and keeping a place for my family? What if I have a health emergency? These are real-life conversations that are being had by Americans across this country.

How are we not putting aside ideology and looking into our conscience for the obvious answer? This is a simple extension of unemployment benefits for those who need our help. It is a no-brainer at a time when so many need help now and don't care about politics, don't want or deserve to be pawns in a political battle over the role or size of government. They just want help from the very people who represent them.

It isn't a time for political games. It is a time for action. We can always argue deficits. We can argue about debt management, we can argue about politics, but for now it is about the American people, their lives, their hopes, and their dreams for a better life for themselves and their families. It is about the kind of Nation we are and the values we hold dear.

Extending unemployment benefits isn't just the right thing to do morally, it also makes good economic sense. Study after study has shown that unemployment benefits are one of the most effective ways to help our economy grow, so much so that every $1 spent produces a benefit of at least $1.50 in gross domestic product. That is because people receiving benefits spend the money and immediately stimulate the economy in the form of consumer spending, which accounts for 70 percent of our GDP. Leaving 1.3 million Americans in the cold without any assistance would end up costing our economy 240,000 jobs.

Some on the other side say helping people who have been out of work is a crutch. I have to be honest with you. I have never met a person in my State who said they wanted to be on unemployment, who found dignity in being on unemployment or realized their dreams by being on unemployment. They found their dignity by achieving a job that helped them realize their hopes and dreams and aspirations.

The American worker is not lazy, and they don't want handouts. With the job market still recovering, there simply are not enough jobs available for them. As we work to make sure there is an economy that has enough jobs for Americans to be able to realize their hopes and dreams and aspirations, it is incumbent on us to make sure we continue to assist them so those stark choices around the kitchen table aren't as horrible as they are today.

I hope my colleagues will oppose hurting 4 million American children, exacerbating the poverty in our country, and sending a message that goes counter to what the child tax credit is all about. We want to help an American child be able to fulfill their hopes and dreams and aspirations and their God-given potential. The adoption of the Ayotte amendment would go entirely counter to that belief.

With that, I yield the floor.

RECESS

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

Thereupon, the Senate, at 12:36 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Ms. BALDWIN).

EMERGENCY UNEMPLOYMENT COMPENSATION EXTENSION ACT—Continued

The PRESIDING OFFICER. Under the previous order, the time until 2:30 p.m. will be equally divided and controlled between the two leaders.

The Senator from Alabama.

Mr. SESSIONS. Madam President, I wish to share briefly a few thoughts about where we are. We have before us an unemployment bill and the pending business is the Reid amendment that would extend unemployment benefits for a full year, and none of it is paid for effectively. All of it violates the Budget Act. It is unthinkable that we would pass another $17 billion that would add to the debt of the United States—every billion of it, every single dollar of it borrowed, much of it from people around the world who are not friendly to us. So this is not a good way for us to start.

It is subject to a budget point of order because it violates our spending limits and that has been confirmed. I know the Presiding Officer is a member of the Budget Committee. It has been confirmed by Senator MURRAY and her staff, the Democratic leadership on the Budget Committee, that it violates the budget. So that means if it is not fixed—and I understand there is some attempt going on at this time to maybe rewrite it in a way that actually has a legitimate pay-for, to provide assistance to those who are long-term unemployed but paid for without adding to the debt of the United States.

I will remind my colleagues that in December we passed the Murray-Ryan legislation which set limits on spending, and the President signed it into law just 2 weeks ago. As soon as we waltz into the U.S. Senate in January of this year, we have a piece of legislation that bursts the budget entirely. It is an utter violation of the spending agreements we agreed to. So I hope our colleagues can present something to us that would lay out an effective way to handle those who are unemployed and would also pay for the legislation. That is what we have to do.

This is how we go broke. This is what has happened. We made a promise when the legislation passed in December to cap spending and stay within that limit. That is the law that is being violated 1 month later, if this were to pass. Hopefully, it will not pass. I don't believe the House will pass legislation that adds another $17 trillion to the debt and not add—I just don't think that is possible.

This is a process that is not healthy. I urge our colleagues to understand that if this legislation is not fixed—if the Reid amendment is not fixed and paid for—I intend to move to object to it, to raise a budget point of order. It will take 60 votes to override the budget we just agreed to. I don't believe 60 Members of this Senate will so vote.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. REID. Mr. President, what is the issue before the Senate?

The PRESIDING OFFICER. The motion to commit is the pending question.

Mr. REID. Mr. President, I am going to offer a consent agreement based on the conversations I have had with a number of Republicans, and a long conversation with my caucus just a few minutes ago. I am going to speak for a few minutes because I know everybody has a lot to do, but we have all been working hard to find a way to extend unemployment insurance benefits for 1.4 million Americans who are struggling to get by.

We have a filibuster before us again—another one. First, Republicans complained they were filibustering these essential benefits because the extension was not paid for. So Senator REED of Rhode Island came forward with a pay-for amendment. Then Republicans complained, they were filibustering because they had not been able to offer amendments. So a proposal was made—and I am going to do that in a short time with a unanimous consent request—that would give each side a reasonable number of amendments—five, to be specific. Now Republicans say they want to have their amendments and have a cloture vote to pass the bill too.

Sounds as though Republicans want to, for lack of a better way to describe this, have their cake and eat it too. The question is, are Republicans filibustering unemployment insurance benefits or are they not?

If we have an amendment process, then what we should get in exchange is an up-or-down vote on the bill, and that is what my consent agreement will call for. Republicans who don't like extending unemployment insurance benefits can still vote no on the bill, but we should at least be able to have a vote on the bill. But we can't set up a system where the minority of the Senate, which opposes unemployment insurance benefits, gets both an amendment process where they can offer these poison-pill amendments and then the minority of the Senate, again, that opposes the bill, can still kill the bill. This doesn't make a lot of sense.

I know everybody has worked hard to try to work through this process—to kind of thread the needle. I told a number of Republican Senators I met with a little while ago, as my Democratic Senators know, that we think there should be a new day in the Senate. We think we should start by whatever comes up next—whether it is flood insurance, unemployment compensation, whatever is next—by having a reasonable number of relevant amendments, and see if we, as Senators, can work our way through a bill doing that. If we can do that a few times, maybe we will get better and start having some nonrelevant amendments, but at least let us start someplace so Senators here can have the experience of offering amendments—both us and the Republicans—and try to get some legislation passed.

Mr. President, I ask unanimous consent that the cloture motions with respect to the Reed of Rhode Island amendment No. 2631 and S. 1845 be vitiated; that the motion to commit and amendment No. 2631 be withdrawn; that a substitute amendment, which is at the desk, be made pending; that there be up to five amendments related to the bill from each side in order to the substitute amendment; further, that each of these amendments be subject to a side-by-side amendment if the opposing side chooses to offer one; amendments under this agreement must be offered no later than 4 p.m. Wednesday, January 15; that no other amendments or motions to commit be in order; that no points of order be in order to the substitute or the underlying bill; that each amendment have up to 1 hour of debate equally divided; that upon the use or yielding back of time on each of the amendments offered, the Senate proceed to vote in relation to the amendments to the substitute in the order offered with any side-by-side amendment vote occurring prior to the amendment to which it was offered; that all of the amendments to the substitute be subject to a 60-affirmative-vote threshold; that upon disposition of the amendments, the bill be read a third time, as amended, if amended, and the Senate proceed to vote on passage of the bill; that if the bill is passed, the Senate immediately proceed to the consideration of Calendar No. 192, H.R. 2009; that all after the enacting clause be stricken and the text of S. 1845, as passed by the Senate, be inserted in lieu thereof; that the bill, as amended, be read a third time and passed; that an amendment to the title be considered and agreed to; and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The minority leader.

Mr. MCCONNELL. Mr. President, reserving the right to object, we have now been on this bill a week—a week. No amendments have been allowed. It is pretty clear the majority leader is not interested in having an open amendment process. And, of course, the consent request that has just been offered requires that all of the Republican amendments be at a 60-vote threshold and that final passage be at 51—in other words, guaranteed to fix the result in such a way that doesn't give the minority a fair chance.

I mean, who is to say, a number of our amendments might be appealing to Members on the Democratic side. That is probably why the majority leader wants it to be at 60, because he is afraid they may pass.

So this has obviously been fixed to guarantee that you get no outcome. Of course, our Members who voted to get on the bill, who are anxious to try to improve the bill and find a way to get us to final passage, have also found this agreement to be unacceptable. So I am not speaking just for myself but for the Members on my side who have spent a lot of time over the last week trying to figure a way to get this bill across the floor in a bipartisan fashion which would actually achieve the result and try to get us to some reforms as well.

So I ask unanimous consent that once the Senate resumes consideration of S. 1845, the unemployment extension bill, the first amendment in order be a Heller-Collins amendment related to the bill. I further ask unanimous consent that following the disposition of that amendment, it be in order for the majority leader, or his designee, to offer an amendment, and it be in order for the leaders or their designees to continue to offer amendments in an alternating fashion.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Reserving the right to object.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, we have seen in the last little bit a significant number of statements on the floor and op-ed pieces written about process—process.

On this side we have been talking about 1.4 million Americans needing help getting past the real financial crisis they find.

It seems interesting to me the only fix to get no outcome is the Republican strategy to find something to object to no matter what Democrats try. Process—compared to helping in a substantive way people who are in trouble,

process never wins. We need to move forward.

My friend talks about amendments. Democrats have amendments. We have 5 too. Ours would have a 60-vote threshold just like theirs. This is the new target that my Republican colleague the Republican leader has set. We have a new reality around here of 60 votes. This isn't anything I invented. In fact, I wish we would get rid of it and go back to the way we used to do it.

So I repeat. I think this has been constructive. I especially appreciate the junior Senator from Nevada and the senior Senator from Maine working to come up with something. I am disappointed we couldn't work something out. It appears, and I have been told, they are going to object to this consent agreement just as I object to modifying my consent agreement.

The PRESIDING OFFICER. Objection is heard.

Mr. SCHUMER. Mr. President, I would like to ask the leader a question.

The PRESIDING OFFICER. Is there objection?

Mr. SCHUMER. Objection.

The PRESIDING OFFICER. Objection is heard to the Republican leader's request.

Is there objection to the majority leader's request?

Mr. MCCONNELL. I object.

The PRESIDING OFFICER. Objection is heard.

The majority leader.

Mr. REID. Mr. President, my friend from New York was standing to reserve the right to object.

Mr. SCHUMER. Reserving the right to object.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Let me just say, I think on both sides of the aisle there is a real desire to try to work things out so we can have more debate, more discussion. It seems to me, from the years I have been here—not as long as either leader—there has always been sort of a way the place worked, particularly in the old days when it worked better: The majority sets the agenda. That is their right as majority. The minority has the right to offer amendments—both—amendments that might change that agenda and amendments that, frankly, might be tough to vote for so the minority can capture the majority again. That has been fair.

But it seems to me that what my friend the Republican leader is saying is: We want all the amendments we want, but we are still going to filibuster any bill you bring up. Maybe a few have said: If our amendments pass on the other side, maybe we won't filibuster. But that is not much of a fair deal.

So I would suggest that what the Democratic leader has suggested is eminently fair. It gives the minority—no matter who it is—their time-honored right to offer amendments, difficult amendments. That is part of the deal. But it gives the majority the right to set the agenda and not have the things they bring forward filibustered ipso facto and not be allowed to come to a vote.

It is in fact true, as I understand it, that a couple of those who are offering amendments on the other side of the aisle have stated that if their amendment doesn't pass, they won't allow us to come to a vote.

So I hope we could proceed along the way the majority leader suggests and not to simply offer amendments—relevant, not relevant; germane, not germane—and then make it almost certain the bill will be filibustered and that we won't be able to get an up-or-down vote. All we are asking is an up-or-down vote on employment insurance.

Mr. CORNYN. Mr. President, regular order.

Mr. SCHUMER. So I object.

The PRESIDING OFFICER. The Republican leader.

Mr. MCCONNELL. I believe I objected to the majority leader's request.

The PRESIDING OFFICER. The Senator did so.

Mr. MCCONNELL. Mr. President, I ask unanimous consent to call up the Heller amendment No. 2651.

The PRESIDING OFFICER. Is there objection?

Mr. REID. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. MCCONNELL. I ask unanimous consent to call up the Coburn amendment No. 2606.

The PRESIDING OFFICER. Is there objection?

Mr. REID. I object.

Mr. MCCONNELL. Parliamentary inquiry: Is it correct that no Senator is permitted to offer an amendment to the unemployment insurance bill while the majority leader's motion to commit with instructions with further amendments is pending?

The PRESIDING OFFICER. The Senator is correct.

Mr. MCCONNELL. Further parliamentary inquiry: If a motion to table the Reid motion to commit with a further amendment is successful, would there still be Reed amendments pending that would prevent anyone from offering an amendment?

The PRESIDING OFFICER. The Senator is correct.

Mr. MCCONNELL. Mr. President, I have an important amendment that I would like the Senate to debate and vote on. The Reid motion to commit is currently blocking the consideration of those amendments.

In order for the Senate to start considering amendments, including the Coburn amendment No. 2606, I move to table the pending Reid motion to commit with instructions and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

Mr. REID. Mr. President, I do have a right to object to this; do I not?

The PRESIDING OFFICER. The Senator is correct, but the question is on the cloture motion. It takes consent for the motion to be tabled.

Mr. REID. I am not objecting.

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

The question is on the motion to table.

The yeas and nays are ordered.

The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 45, nays 55, as follows:

[Rollcall Vote No. 8 Leg.]

YEAS—45

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

NAYS—55

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

The motion was rejected.

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

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

CLOTURE MOTION

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

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on amendment No. 2631 to S. 1845, a bill to provide for the extension of certain unemployment benefits, and for other purposes.

Harry Reid, Jack Reed, Martin Heinrich, Richard Blumenthal, Michael F. Bennet, Richard J. Durbin, Patty Murray, Max Baucus, Debbie Stabenow, Bill Nelson, Amy Klobuchar, Thomas R. Carper, Edward J. Markey, Benjamin L. Cardin, Sheldon Whitehouse, Charles E. Schumer, Patrick J. Leahy.

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

The question is, Is it the sense of the Senate that debate on amendment No. 2631 to S. 1845, a bill to provide for the extension of certain unemployment

benefits, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

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

The yeas and nays resulted—yeas 52, nays 48, as follows:

[Rollcall Vote No. 9 Leg.]

YEAS—52

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

NAYS—48

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

The PRESIDING OFFICER. On this vote, the yeas are 52, the nays are 48. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

CLOTURE MOTION

Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on S. 1845, a bill to provide for the extension of certain unemployment benefits, and for other purposes.

Harry Reid, Jack Reed, Amy Klobuchar, Elizabeth Warren, Richard J. Durbin, Sheldon Whitehouse, Edward J. Markey, Tammy Baldwin, Patrick J. Leahy, Christopher A. Coons, Barbara A. Mikulski, Patty Murray, Mark Warner, Mazie K. Hirono, Christopher Murphy, Tom Harkin, Sherrod Brown.

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

The question is, Is it the sense of the Senate that debate on S. 1845, a bill to provide for the extension of certain unemployment benefits, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

The yeas and nays resulted—yeas 55, nays 45, as follows:

[Rollcall Vote No. 10 Leg.]

YEAS—55

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

NAYS—45

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

The PRESIDING OFFICER. On this vote, the yeas are 55, the nays are 45. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

Mr. REID. Mr. President, I enter a motion to reconsider the vote by which cloture was not invoked on S. 1845.

The PRESIDING OFFICER. The motion is entered.

The majority leader.

Mr. REID. Mr. President, I appreciate very much my colleague, the junior Senator from Nevada, voting with us—voting with himself. He is a cosponsor of this legislation. He and JACK REED have done admirably good work for the Senate and for the country.

Everyone should notice on the first matter we tried to invoke cloture on, I did not enter a motion to reconsider. I did on this one. This is a 3-month unpaid-for. I would hope we could get that passed sometime. If we cannot, there is still an effort, I am sure, out there someplace where we could find a way to work together to get these people the desperate help they need. So that is why I did this, leaving the door open for us to work together to try to come up with something.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. I rise to express my extreme disappointment that the Senate has been blocked from moving forward on this critical legislation. There are about 1.5 million Americans who have lost their unemployment insurance since December 28. Every week 70,000 more lose that protection, so my disappointment is severe.

But their situation is much more desperate. We had within our power today the ability to move this Senate forward to help our people, to help people who only qualified for the program because they worked and because they are still looking for work in one of the most difficult job markets we have seen in many decades.

It is extremely urgent that we act and today we failed to act. We have to continue to move forward. The majority leader has procedurally put us in a position so we can call up this measure again very quickly. We have to continue to work toward a solution. We have to keep the economy moving forward and creating jobs. That was what this was about, giving people some modest support each week. But also, as the CBO estimated, this measure, if extended for the full year, would generate 200,000 additional jobs. That is, on average, about what we have been creating each month. In fact, I will remind my colleagues, last year's unemployment insurance benefits were unpaid for and they generated additional jobs, not only providing benefits to people who needed it and were searching for work but increased economic activity in the country, which put people to work.

I hope my colleagues recognize this legislation they filibustered today was the result of significant concessions to many of my Republican colleagues. I worked closely with my Republican colleagues. We worked to find a way through this thicket so we could help Americans who have earned this help.

I think it is important to make clear how much we moved to try to accommodate the major objections and considerations of my colleagues on the other side.

We first proposed—and I proposed—this as emergency spending, unpaid for. We received from the other side: No, we can't accept that. It has to be paid for.

We went ahead, and the in the first proposal we voted on today, we paid for it. We also responded to another significant concern that we not use tax revenues to pay for it, so we avoided tax revenue.

Next, we went ahead and we adopted a provision to pay for it, to provide for many months, 11½ months of benefits, paid for without using revenues.

Let me also note that this is the exception to the rule. The White House, in some of their materials, has noted that ''fourteen of the last 17 times in 20 years that it's been extended,'' UI, ''there's been no strings attached,'' no pay-fors—emergency spending. But yet we listened to the thoughtful comments of our colleagues, we worked together closely with them, and we came up with a way to pay for this extension for 11½ months and not to use tax revenues, even though many on our side—in fact I would be among them—who would say there are egregious loopholes that should be closed regardless of what the revenue is used for but could be used to fund these benefits.

Then we have had this procedural back-and-forth. But today Leader REID offered a series of amendments to the

other side, and they objected to that offer.

Let me reiterate. We have tried, not only in very good faith but very diligently over the last several days particularly, to try to bring something to this floor that could get the 60 votes necessary to help these struggling Americans.

We have incorporated, in fact, in our pay-for, one of the provisions Senator PORTMAN suggested with respect to disability payments—which was controversial in some respects—but it was, again, another attempt to try to look at what my colleagues, on the Republican side as well as the Democratic side, were talking about in terms of how we would responsibly pay for this measure.

We have been debating this extension since December. It is time to act, and regrettably we did not act today. We have made concessions to try to move forward. This was not a take-it-or-leave-it. It has been unpaid for 14 times before—and it would have been 15 times now. We have to do this. And still we are telling people who are in very extreme economic situations, who are depending on this modest $300 a week to help them pay their rent, pay their mortgage, put fuel in their car, have a cell phone so they can look for work, get to a job interview—telling them, no, you are still out in the cold, literally, and it is very cold in parts of the country.

We can't give up. We are not going to give up. I am very encouraged. After talking to some of my colleagues on the Republican side, they still want to work through this with us. We will accept that opportunity to work together.

Let us remember though what is a disappointing moment today for many of us is a dispiriting moment for millions of Americans who do not have the modest support unemployment insurance would provide. We have to work for them, we have to work for our economy, and we can do both. In the weeks ahead and the days ahead we will continue to do that.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MORAN. As we just heard, the Senate continues to discuss and consider an extension of unemployment benefits. Many Americans certainly do continue to struggle to find work in today's economy. While assistance to those without work serves an important purpose in helping Americans in transition, I am fearful we are failing—in fact, I know we are failing—to address the underlying and important root cause of that unemployment; that is, how do we as Americans grow our economy and create jobs for the citizens of our country?

A growing economy creates new opportunities for Americans to find meaningful work. With meaningful work comes the opportunity for Americans to improve their economic security and advance up the economic ladder.

In 2012 Senator WYDEN and I started the Economic Mobility Caucus that met today for the fifth time, exploring ways we could work together to create the opportunity for every American to work their way up, have a better life, a greater future, more success, and better financial stability.

Unfortunately—again, at the moment, in my view—a lack of leadership and partisan politics have prevented action on measures that could provide an immediate boost to the economy at little or no cost to the American taxpayer.

Data from the Kauffman Foundation in Kansas City makes clear that most new jobs come from the young companies created by entrepreneurs. In fact, since 1980, nearly all of the net new jobs that have been created by companies are less than 5 years old. These new businesses create an average of 3 million jobs each year.

As of December, approximately 20.6 million Americans were unemployed, wanted to work but have stopped searching for a job or are working part time because they can't find full-time unemployment. When we talk about the unemployment rate, it masks the true story of people who have given up looking for a job as well as those who have a part-time job and need and desire a full-time job.

The labor force participation rate has reached its lowest level in 35 years. At a time when only 62 percent of working-age Americans are employed, it is clear we need an economic boost powered by entrepreneurship. To jumpstart the economy and create jobs for Americans, we have put together and I authored bipartisan legislation called Startup Act 3.0.

The Senate majority leader is often talking about the need for allowing votes on legislation that has bipartisan support, and this is a perfect example of such a bill that ought to be considered by the Senate.

Working with Senator WARNER—my primary cosponsor of this bill—and Senators COONS, KAINE, KLOBUCHAR, as well as Republican Senators BLUNT and RUBIO, we introduced commonsense legislation that addresses four key factors that influence an entrepreneur's chance for success: taxes, regulations, innovation, and access to talent.

It has become all too common in the Senate that we are denied the opportunity to have a vote on things that many of us find common agreement on, and Startup Act 3.0 is one of those. In fact, I offered, along with Senator WARNER, Startup Act 3.0 as an amendment to the unemployment insurance extension bill. Startup Act 3.0 makes commonsense changes to the Tax Code to encourage investment in startups and reward patient capital. To address the burdensome government regulations, the legislation requires Federal agencies to determine whether the cost of new regulations outweigh the benefits—and encourages Federal agencies to give special consideration to the impact proposed regulations would have upon those startup businesses.

As any entrepreneur knows, a good idea is essential to starting a successful business. To get more ideas out of the laboratory and into the market, this legislation improves the process for commercializing federally funded research so taxpayer-funded innovations can be turned into companies and spur economic growth and job creation.

Finally, Startup Act 3.0 provides new opportunities for highly educated and entrepreneurial immigrants to stay in the United States. They are here legally now but are often told they need to go home to pursue their careers, when we know their talent and their new ideas could fuel economic growth and create American jobs.

While there is meaningful disagreement—we have plenty of disagreement about the immigration issue—there are aspects of immigration in which there is broad agreement. One of the areas of agreement is highly skilled immigration. Highly skilled immigrants not only provide the talent for growing companies needed to fuel further growth and job creation, but those individuals tend to be very entrepreneurial.

Immigrants are now more than twice as likely as native-born Americans to start a business. In 2011 immigrants were responsible for more than one in every four U.S. business founded.

In addition, immigrants are responsible for significant contributions to innovation. According to a recent study by the Partnership for a New American Economy, 76 percent of patents at the top 10 patent-producing U.S. universities had at least one foreign-born inventor.

One of the best things we can do for the American economy is to welcome highly skilled and entrepreneurial immigrants. No matter what Congress does, these individuals will continue to innovate and create jobs. The question is where will they innovate and where will the jobs be created. If Congress makes the right choice, those jobs and that innovation will occur in the United States of America and build the U.S. economy and employ U.S. citizens.

Unfortunately, there are too many people in the Senate and in the Congress in Washington, DC, who say we can't do anything unless we do everything. That has prevented the passage of targeted immigration legislation that would boost the economic growth and create American jobs. That same attitude prevents us from doing many things on the Senate floor, and it is well past time we found ways to do the things we can agree upon and not wait for the opportunity to do everything. Let's do the things we can while we wait and work on the chance to do bigger and broader things.

The STEM visas we talk about seem so important to our economy. American businesses are projected to need

an estimated 800,000 workers with advanced STEM degrees by 2018 but will only find 550,000 American graduates with an advanced STEM education.

We must do more as a nation. We absolutely must do more to prepare Americans for careers in STEM fields so that our country no longer has to rely upon talented foreign labor. But in the short term, as we work to equip Americans with skills for the 21st-century economy, we need to create a pathway for highly educated foreign-born students who are here in the United States legally, going to school, to stay in America where their ideas and talents can fuel great American economic growth.

Startup 3.0 creates visas for foreign students who graduate from an American university with a master's or Ph.D. in science, technology, engineering, or mathematics. These skilled workers would be granted conditional status contingent upon them filling a needed gap in the U.S. workforce.

It may seem counterintuitive that by allowing highly skilled workers to work in the United States, more Americans will find work, but that is exactly what will happen. A study by the Partnership for a New American Economy and the American Enterprise Institute found that every immigrant with a graduate degree in the United States from a U.S. university working in a STEM field creates 2.62 subsequent American jobs.

If American companies are unable to find and hire the qualified, talented workers they need, those businesses will open locations overseas. I have seen examples of that too many times. When this happens, not only are those specific jobs gone—they are lost—but also the many supporting jobs and economic activities associated with them are no longer here.

Even more frustrating to me is that when these highly skilled workers who are now employed in some other country and who are entrepreneurs too have an idea and they found and start a business that may grow and create more jobs because they couldn't find employment here due to lacking the necessary visa and have moved to another country, they use their entrepreneurial skills and talent, and they create the jobs—the company—elsewhere. So the jobs we need in this country are then outside the United States.

This legislation also allows for an entrepreneur's visa. Immigrants to the United States have a long history of creating businesses in America. Today, 1 in every 10 Americans employed at a privately owned U.S. company works at an immigrant-owned firm. Of the current Fortune 500 companies, more than 40 percent were founded by a first- or second-generation American.

So my question to my colleagues is, Why would we want to leave an immigration system in place that discourages entrepreneurs from coming to our country, investing their own money, and creating jobs here and strengthening our economy? I think we should do exactly the opposite and welcome those people who want to create jobs for Americans in America.

Startup 3.0 creates an entrepreneur's visa for foreign-born entrepreneurs currently in the United States legally. Those individuals with a good idea, with capital, and a willingness to hire American workers would be able to stay in the United States and grow their businesses here. Each immigrant entrepreneur would be required to create jobs for Americans. If the business is not successful and jobs are not created, the immigrant would have to go back to his or her home country.

Using conservative estimates, the Kauffman Foundation predicts that the entrepreneur's visa would generate 500,000 to 1.6 million jobs over the next 10 years. These are real jobs with real economic impact that could boost GDP, it is estimated, by more than 1.5 percent. These are jobs for Americans desperately seeking to work here to support their families and follow their dreams.

As the Senate considers extending unemployment insurance in the short term, we must not lose sight of the long-term goal—that ought to be the short-term, intermediate, and long-term goal—of creating an environment for jobs in America. There is no better way to create jobs than to support entrepreneurs and to foster the development of new businesses, which are responsible for all those net new jobs in the economy.

Numerous studies demonstrate that a smarter more strategic immigration policy that supports entrepreneurs and skilled immigrants can grow the economy and help put Americans back to work. Jobless Americans and U.S. businesses searching for the talent they need to expand and create jobs can no longer afford to let the all-or-nothing approach to immigration legislation hold economic growth and opportunity hostage. It has prevented progress on important challenges facing our country for far too long. A far better approach would be to pass the things we can agree upon now and keep working to find agreement on the issues that divide us. First on this list should be the measures outlined in Startup Act 3.0.

Other countries are realizing the value of highly educated and entrepreneurial individuals in starting businesses, and they are changing their laws to welcome then. The United States cannot afford to turn a blind eye to global competition. If we fail to act, we risk losing the next generation of great entrepreneurs, and the jobs they will create will be in foreign countries, not in the United States, and we risk continuing another month in which 20.6 million Americans remain without meaningful work.

Work is an ennobling feature of life. Jobs matter, and this Congress and this President have failed miserably, in my view, to carry out one of our primary responsibilities—to create an environment in which Americans can find work and can pursue that American dream of putting food on their family's table, saving for their kids' education, making sure they have a secure retirement in the future, and knowing every day when they get up and go to work they are doing something good for themselves and for their families and their country.

Mr. President, we desperately need to work together to create an environment in which American jobs are created. No one I know really wants to be the recipient of an unemployment check. It may be necessary, but it is not their goal. The goal is to find an ennobling, meaningful job that supports them and their family.

I thank the Chair for his indulgence.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. I think it is wonderful to hear the Republican Senator Mr. MORAN talk about job creation. It is really music to my ears, especially when he talks about addressing the importance of immigration, which clearly needs to be addressed and is clearly a job-creation issue. That is why I have been hoping Speaker BOEHNER would take up the Senate's immigration bill, which is comprehensive; and, as President Obama said, if you can't do that, bring up a series of bills and let's get moving.

Believe me, I have seen every report there is, and Senator MORAN is right—immigration reform is necessary for us. It is an economic issue. It would be an economic boon to our country in terms of jobs and GDP.

I also think it very important that we not turn our backs on an American value we have had in this country since the 1950s in which Republicans and Democrats in the Congress and Republicans and Democrats in the White House have agreed that when there is a great recession and people are out of work, they need to have unemployment compensation, which is an insurance program to keep them from falling apart. This is an American value.

We talk about bipartisanship, but sometimes we just can't seem to get there. I have looked back, and since the 1950s, two-thirds of the time we passed an extension of unemployment compensation—many times to help people the Chair has worked so hard to represent, the mine workers and others who were hit with hard times, we did so in a bipartisan way—and two-thirds of the time with no pay-for. Since 1958, two-thirds of the time we extended it with no pay-for.

Under George W. Bush we extended unemployment compensation—the extended unemployment compensation paid for by the Federal Government—three times with no pay-for because it was an emergency. And we did it even though in those days deficits were raging.

Here we have cut the deficit in half, and we don't like that. We want to cut it more. I want to see it balanced. But

we surely should do what we just tried to do, which is to extend unemployment compensation for a long period of time with a pay-for—that is what we tried to do—or for a short period of time without a pay-for and help people keep their lives together.

We have had this American value since the 1950s. Yet, for the first time I can tell, we had one party—with the exception of one person—vote lockstep against extending unemployment compensation to hard-working Americans who are looking for work every week, every day. And I have their stories, which I am going to put in the RECORD. They have turned their backs on 1.5 million Americans—in my State, 250,000 people.

Now, here is the thing—and I don't like to come and make these speeches, but the facts speak for themselves. Leader REID, the majority leader, just offered a very important deal in broad daylight to the Republicans. And I am going to make a parliamentary inquiry, if I might, Mr. President.

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

Mrs. BOXER. Here it is. Is it true that Majority Leader REID offered the Republicans five related amendments to the unemployment compensation bill, those amendments to be of their own choosing? Is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mrs. BOXER. Is it further true that he offered Democrats five related amendments of their own choosing?

The PRESIDING OFFICER. That is correct.

Mrs. BOXER. Is it further correct that he also said each side could offer an additional five amendments as side-by-sides, if they wanted to, of their own choosing? Is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mrs. BOXER. Is it also true that he offered time agreements of 1 hour per amendment and then to be followed by passage of the bill?

The PRESIDING OFFICER. The Senator is correct.

Mrs. BOXER. OK. The reason I wanted to put this in the record in a simple way is because sometimes when we have the back-and-forth and the ''I object'' and ''reserving the right to object,'' people lose track of exactly what happened.

We offered the Republicans everything they said they wanted. They wanted amendments. They were offered amendments of their own choosing. Up to 20 amendments could have been voted on under the agreement. They said they wanted pay-fors. We gave them a pay-for that actually came out of PAUL RYAN's budget, a structural change that would have paid for 10½ months of unemployment benefits. The Republicans just can't say yes. They demanded amendments. We gave them amendments. They demanded pay-fors. We gave them pay-fors.

I believe something else is going on, and I have to say what I think is going on. They do not want to extend unemployment compensation to the long-term unemployed. That is a dramatic change that is occurring in the culture of this country, in the compassion of this country, in the consensus in this country, in the values of this country. We are talking about 1.5 million Americans—250,000 Californians. I am frankly stunned.

I know Senator MIKULSKI is here, and I so much want to hear from her, so I will skip some of the other history about how it has been over the years and how we have done this where we have come together, Republicans and Democrats. We have extended unemployment compensation benefits more times under Republican Presidents than under Democratic Presidents, and Democrats didn't stand there and say: Gee, there is a Republican in the White House. Maybe this will help him look good or maybe this will add two-tenths of 1 percent to the GDP. Maybe we better say no.

No. We said yes because we are a party that believes people need to keep hearth and home together.

The long-term unemployment rate is twice as high as it was at any other time when these extended benefits were allowed to expire. There are almost three unemployed people for every job opening nationwide.

I am going to close with a few little stories from my constituents because one has to hear the voices of people. In this Senate, we should be representing the middle class and the working poor of this country. We should be fighting for them because, guess what, everyone else benefits. The billionaires and millionaires are doing fine. They do better when we have a strong middle class.

The Presiding Officer is a fighter for economic justice, and I know this statistic is something the Senator has probably used many times. But the fact is that 450 families are worth more than 150 million Americans. I can guarantee you, those 450 families are just fine and their children and their grandchildren and their children's children's children. And good for them. Fine. But what about the people who are now cut off at the knees because they are not getting $300 a week to live? Here is one of them. One woman wrote to me:

I am 58 years old and am receiving unemployment benefits for the first time in my life. I am currently receiving my first federal extension.

Which, by the way, she has now been cut off from.

I was laid off because the non-profit I was working for lost a major portion of its state funding.

Getting unemployment benefits is not preventing me from looking for work. In fact, people getting extended unemployment benefits are required to prove that they're looking for work. I spend hours every week filling out applications and posting my resume without results.

And then she says to me:

Tell me, how am I, and thousands like me supposed to pay rent and eat? I agree that Washington should ''focus on job creation'' but that should be in addition to, not instead of, extending benefits. I beg you, please extend unemployment benefits.

Then there is Kaitlyn Smith of Twentynine Palms. She lost her benefit when the Federal extension expired. A Marine Corps veteran and the mother of two, Smith says: Work is hard to come by. They can't move because her husband, a vet of the Afghanistan-Iraq wars, must remain near the combat center until he is discharged in July.

Listen to this:

I have to keep the house at 55 degrees even though I have two little girls, ages 2½ and 1½.

That is what she told the L.A. Times in December.

How do my Republican friends—except for the one who voted with us at the end of the day—look themselves in the mirror and think about this courageous woman whose family put their life on the line for the country and who is freezing in their home, because they are playing parliamentary games on process?

Last, Cindy Snow of Beaumont:

Why are they using us as pawns? They're playing games with people's lives.

Referring to politicians in Washington. That appeared in Bloomberg News.

Laura Walker, a 63-year-old paralegal, has been looking for work since January, when she was laid off from a California law firm. She counted on $450 a week in federal unemployment benefits for help that have now run out.

''Not all of us have savings and a lot of us have to take care of family because of what happened in the economy,'' said Walker, of Santa Clarita, who said she has applied for a least three jobs a week and shares an apartment with her unemployed son, his wife and two children. ''It's going to put my family and me out on the streets.''

That is from the Bloomberg News of December 30, 2013

Cindy Snow, of Beaumont, CA, lost her job as a social worker in April when the San Bernardino school system terminated the child-care program where she worked. Her husband, employed in the construction industry, has been without a job since 2009. They have been relying on assistance from the California Housing Finance Agency to cover a $1,424-a-month payment on their home.

When she loses her unemployment benefits, she said, the family will no longer qualify for the housing assistance. ''Why are they using us as pawns? They're playing games with people's lives,'' Snow said, referring to politicians in Washington.

This is also from Bloomberg News of December 30, 2013

Ethelyn Holmes, a software engineer who lives in Mission Hills, is one of 18,720 San Diego County residents about to lose the weekly payments. Holmes said her $450 weekly unemployment payment goes to food, dental insurance and other living necessities.

Holmes, in her 40s, said she's tried zealously to find work. She's joined the Project Management Institute of San Diego, volunteered, attended meetings, cold called and written letters. Now, she said she'd like to find a retraining program to help her become more marketable. ''. . . I have not been sitting here watching soap operas,'' she said. ''I would go to work tomorrow, or today. I really am tired of this.''

That is from the San Diego Union-Tribune dated December 28, 2013.

Steven Swanson of Madera Ranchos, CA, worked for 33 years in wholesale, mostly in beverage sales, before losing his job in 2011. Since then, he estimates that he's submitted resumes for more than 500 positions and in the last six months filled out more than 200 job applications—all to no avail.

''I want a job, I want to work,'' said Swanson whose daughter and son-in-law live with him and pay rent to help him keep up the mortgage on the house he owns. ''As a taxpayer, I paid into the system for a lot of years. For them to just shut it off and say, 'These people need to get weaned off and get a job'—well, yeah, I need to get a job. But for them to suggest that I just go get welfare or go get food stamps—that's why I'm frustrated with the Republican Party. They just don't get it.''

That is from the Fresno Bee of January 2, 2014.

In addition to helping people get by while they look for jobs, extending unemployment insurance will help the economy.

A new study by the Council of Economic Advisers and the U.S. Department of Labor estimates that extending unemployment insurance will prevent the loss of 240,000 jobs in 2014, including 46,441 in California.

CBO has said that another year-long extension would add two-tenths of a percent to our GDP.

CBO has found that when unemployment is high, extending unemployment insurance is one of the most cost-effective ways to grow the economy and create jobs.

This will help us reduce our deficit in the long term. Already, our annual deficit has been cut in half. For 2009, when President Obama took office, it was $1.4 trillion. For 2013 it was $680 billion, and for 2014 the forecast is only $560 billion.

We are making progress, and extending unemployment benefits will help us grow our GDP and reduce our deficit even more.

So I say to my colleagues, the answer is obvious. Stop blocking this bill. It will save jobs, grow the economy, and provide help to our families while they get on their feet.

There are a lot of games played around here, and sometimes it is time to call the bluff of the people who are playing cruel games. Leader REID called the bluff of my friends on the other side. He said: You want amendments? You got them. You want to pay for this extension? We have done it. What did they do? They walked away. And who is suffering? People like the people I just told you about, ordinary folks who want nothing more than to get a decent job, who are caught in a situation where we are recovering from the worst recession since the Great Depression. And this is what we give them, a bunch of gobbledygook about: I wanted more of my amendments so I can be proud and offer amendments.

There is a time and a place for filibusters, even though they do far too many. There is a time and a place to argue about process. This is not the time. This is not the place. This is wrong. I applaud Leader REID for his leadership. I applaud JACK REED for his leadership.

Before Senator MIKULSKI takes the microphone, I wish to thank her publicly. What a hard job she had to sit down and negotiate an appropriations bill, an omnibus bill which covers everything we do. It was so hard. But she did it in the right spirit of bipartisanship. So did her colleague, whom she dealt with and had to deal with, Congressman ROGERS. As a result, we are going to do something good here and give stability to the American people.

Why can't that same spirit of cooperation take over when we have offered the Republicans everything they wanted in order to get them to vote for unemployment compensation? I am distressed about it, and we will keep fighting on this issue.

I yield the floor.

The PRESIDING OFFICER (Ms. WARREN). The Senator from Maryland.

CONSOLIDATED APPROPRIATIONS ACT OF 2014

Ms. MIKULSKI. Madam President, I rise today to speak on the Consolidated Appropriations Act of 2014. But before I make those comments, I wish to associate myself with the remarks of the Senator from California Mrs. BOXER and also the Senator from Rhode Island Mr. JACK REED and also all of those who voted to move forward where we continue to provide an economic safety net for those people who have lost their job and are actively looking for work, and to continue this economic and social contract which has been part of the way Americans respond to help other Americans at a time when they are down but they shouldn't feel as though they are out. I hope we could put party rancor aside and look at commonsense ways to move this bill forward.

In terms of the so-called pay-fors, I have been here a long time. I have never seen this pay-for before on unemployment compensation, particularly for a 90-day bill. We are talking about 90 days, and we are already in the middle of January. I hope the two leaders can come together and we can resolve this.

On another topic, I wish to report to the Senate some very good news. I rise today as the chair of the Appropriations Committee, and I wish to announce that the Consolidated Appropriations Act of 2014 has completed all its work in the committee process. We have completed our conference and it has been filed in the House and should be considered in the House and Senate this week. What does that mean?

First of all, our Appropriations Committee has met the test of the Constitution. Article 1, section 9 of the Constitution directs that there be an Appropriations Committee, although it is not referred to by name, and that every year we review the annual spending of the Federal Government and vote upon it.

We also followed the law. By following the law, the law is the bipartisan Budget Act forged by Chairpersons RYAN and MURRAY. We meet the requirements of the Budget Control Act.

The Budget Control Act looks at total spending for the Federal Government—mandatory spending and then discretionary spending. We who are appropriators handle all of the accounts for discretionary spending. Guess what. The Budget Committee puts a cap on us, and that is great. It is a way that we actually have a cap on spending that everybody knows and everybody voted for.

So we have a cap by law on discretionary spending of $1.012 trillion for fiscal year 2014. The work of our 12 committees stayed within that cap, and yet we spent the money to meet certain areas. We met compelling needs. We certainly preserved national security. We looked out for our human capital, particularly our children in terms of education, and also invested in physical capital—improving infrastructure—and also the long-range needs of our country by putting public investments into important research and development by $1 billion more in NIH.

We also met the mandate of the American people who told us: Work together. Be bipartisan. Work across the aisle and work across the dome. And we did it. They also said: When the bill comes up, don't do it with brinkmanship and don't do it with showmanship. Get the job done in a commonsense way which promotes growth in our country but yet at the same time looks at reducing debt.

They said: Don't do showdown politics. And we won't. We will pass it because we have met our deadline.

They said: Don't put government on autopilot with something called those continuing funding resolutions. We don't do that either. Every one of our 12 subcommittees is in this comprehensive bill.

We dealt with difficult and divisive policy issues, but we did it with diligence and determination. And, I must add, we tried to promote an atmosphere of civility as we did it. It was tense and it was intense. But at the end of the day, we did work pinpointing how to do the job rather than finger-pointing at each other. As I said, negotiations were conducted that way.

Our House Appropriations Committee chairman—Mr. HAL ROGERS, the gentleman from Kentucky—and I forged this agreement, along with ranking members, my vice chairman Senator SHELBY of Alabama and in the House Congresswoman LOWEY of New York. We didn't do it alone. There was bipartisan agreement of all the subcommittee chairs and over 50 Members of the House and the Senate.

We met a very stringent deadline. When we left here on December 20, we had to produce a bill by January 15. That is tomorrow. That is when the

continuing resolution expires. We are asking for a 72-hour extension, not to finish the job, but so we can do our deliberations on the floor in both the House and the Senate.

We worked day and night. I jokingly said during the deliberations: I wish I were as thin as I am stretched, because we really worked at it. Over the holidays our staffs and our subcommittee chairmen worked. The only time they took off was Christmas Eve and Christmas Day. So we thank each and every one of them for their dedication.

As I said, this bill required very difficult choices. It meant give and take. It meant more giving on both sides, because there were no big takes.

We worked under a very tight budget, $1 trillion. It sounds like a lot of money, and it is. But of the $1 trillion, $600 billion was in the Department of Defense. The other $300 billion was in discretionary spending for all of the domestic agencies. It comes out to like 620 and 380, but those are the rough numbers.

So we did meet our national security needs, but we also were very mindful. I was particularly mindful of the social contract with the American people. I wanted to have a bill to help create jobs in this country, not make-work but real work, in rebuilding our physical infrastructure on roads and bridges and clean water. I also wanted to look ahead to the long-range needs of our country, in research and discoveries, and not only win the Nobel prizes but win the markets. We expanded our commercial service office to help us promote exports overseas, accelerating manufacturing institutes where government could work with this new emerging dynamic, small-scale manufacturing. I have lost over 12 percent of manufacturing in my State, so manufacturing is important.

We wanted to make sure that families felt they had a government that is on their side—first of all, helping with school safety—and we have a bipartisan program in here to promote school safety—but at the same time to promote quality childcare and early childhood education. We then made those kinds of investments, all with an eye to getting value for taxpayers.

Our colleagues were very clear, and so were the American people: We have to have a more frugal eye. I instructed my colleagues on the Senate side: Let's look at those programs which are dated, duplicative, or dysfunctional. They get a D: dated, duplicative, and dysfunctional. We were able to eliminate many of them, and we will be back at it next year doing a scrub. If you notice, there is no atmosphere of crisis.

The other thing that I am proud of in this bill is that we avoided contentious policy riders. I think we have been able to deal with those in a way where they would not be a problem for the other side of the aisle.

However, there was one item wrong or one technical mistake in the Budget Committee that I am proud that we were able to fix. This was really at the very top of our agenda, when Mr. ROGERS and I met. We were deeply concerned about the cost-of-living issue related to military retirees of working age who were disabled or survivors. Their COLAs were mistakenly reduced by 1 percent in the recent budget agreement. This bill, the Consolidated Appropriations Act of 2014, fixes that problem.

It is limited in scope. It is limited to disabled military retirees and survivors of departed servicemembers—the neediest of the needy. We hope, as time moves on, there is a Presidential and DOD commission on pension reform at DOD, and we will have a comprehensive approach and do it. But I want our colleagues to know we were very mindful of these veterans. So we did this fix for military retirees of working age who were disabled or survivors of departed servicemembers, but we also did something else.

If you go to the Web site in the House, which has the most detail because it is pending there—it will come up in the Senate when it moves here tomorrow—we really put money into veterans health care. We put money into fixing the veterans disability backlog. I know the Senator from Massachusetts believes that when you are on the front lines you should not have to wait at the back of the line if you are a wounded warrior to get your disability benefits determined. So we pushed for those reforms, and we put the taxpayers' dollars behind them because we knew that is the way they would want us to spend their money.

We also maintained the veterans education budget because many of our young men and women coming back home who served so well over there need to brush up on education here to move them to jobs here.

I hope in voting for this bill people realize it is a vote to support our most vulnerable patriots, to make sure we keep our promises to our veterans, and that we also look at the comprehensive bill that we have moved ahead without rancor, without roar, and we stayed within the budget parameters given to us on a bipartisan agreement.

The House will consider this agreement this week. They have sent us over a 3-day extension so we could complete our work. I hope we pass it. I would like it to pass tonight or certainly tomorrow. We will be on the floor for ample debate on this bill, and I look forward to answering some questions.

But at the end of the day, when all is said and done—in this institution often more is said rather than done—you will know we did get it done. I will have more to say about it when the bill comes to the floor.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Madam President, I thank my colleagues from Minnesota and North Dakota who are on the floor. I know they want to enter into a colloquy, but they have been gracious to allow me 1 minute on a separate subject, which is flood insurance. I thank them so much.

Before I start, I congratulate the Chair of the Appropriations Committee, who not only understands the issues in a major piece of legislation, from science to space to technology to defense to homeland security to education, and really keeps so much of that in her mind and her heart, but she also can explain this important bill to us in a way that everyone can understand.

The Senator from Maryland is truly a champion and a treasure in the Senate. Before she leaves the floor I want to acknowledge her extraordinary leadership. It is a very tough time to find common ground, but she has found it with her Republican colleagues. I hope we can get this bill through the floor of the Senate in the next 2 or 3 days.

Let me say for one moment how important it is to pass this extraordinary appropriations bill, which many of us have been working on for over a year, literally, in public hearings and meetings, negotiating with our Republican colleagues. Of course, in the last month these high-level negotiations have been going on. We hope to be on that bill sometime tomorrow. Leader REID has expressed that we will not be leaving for the break next week without getting that work done.

I am prepared—all of us are here—to handle that business. But there is another piece of legislation of which, Madam President, you have been a cosponsor, and Senator HOEVEN, who is on the floor, has been an extraordinary leader on, and that is to fix our well-intended but disastrous flood insurance program referred to as Biggert-Waters, which was passed a year ago with very good intentions, but it has had disastrous consequences in Massachusetts, South Dakota, Louisiana, Texas, Montana, and in Pennsylvania.

This is not a coastal issue. This is an issue that affects millions of Americans owning their own homes, their primary homes, and business owners—solidly middle-class people who do not live anywhere near a beach and people whose homes have never flooded.

They found themselves, because of the unintended consequences of this well-intentioned law, in a terrible circumstance in which they may actually lose their home and lose their business. We can fix that. The great news is we have a bill that is being led by Senator MENENDEZ from New Jersey and Senator ISAKSON from Georgia. It is truly bipartisan. We have almost 30 cosponsors in the Senate. While it has been difficult to find common ground, we have worked very hard to find it. I am here on the floor to say to our knowledge we have pretty much worked out most of the objections on all sides.

We think there might be amendments that are wanted to be offered by Senator TOOMEY, Senator COBURN, Senator CRAPO, and on our side Senator

HAGAN and Senator MERKLEY. We are working through that now.

The amendment of Senator BLUNT we believe can be incorporated into the bill. The amendment of Senator TESTER can be incorporated into the base of the bill with no harm to the underlying balance of the bill.

I come to the floor to say to everyone, we are really making progress. We could work on these few amendments in the next hour, and the leaders might be able to ask unanimous consent for us to get on this bill in the morning and actually finish it before we go on appropriations. If everyone will cooperate just a little bit more on this, we could have several amendments and limit the time to 30 minutes of debate on each amendment. We would end up with about 6 or so amendments, and we could fit this into tomorrow morning's work.

That is my hope. If we do not, then we are going to have to stay here, I think, even after the appropriations bill to get this. I don't know about you, Madam Chair, but I just cannot go home again without getting this fixed. We have been working on this patiently. We have had hearings. We have had meetings. We have had press conferences. We have a coalition of over 200 organizations.

We have worked with the House in strong partnership. They will be ready to act when they get back on our bill. If we can get a strong vote of 70 Senators—which we are hoping for, maybe more—that will send a very strong signal to the House of Representatives. This bill has no score—a zero cost to this bill, zero. It doesn't repeal Biggert-Waters, it postpones it until we can fix it, and it gives us the impetus to fix it.

Let's work hard in the next hour or so. I really thank Senator ISAKSON for working so hard—the Senator from Georgia—for trying to clear the objections that are on his side, and Senator MENENDEZ and his staff for working on our side.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. Madam President, I thank the Senator from Louisiana for her work on the flood insurance bill. I am pleased to join her in that effort. It is very important. I hope we do have an opportunity to address that this week. We will continue to do all we can to help in that endeavor. Again, I thank her for all her work on that very important legislation.

(The remarks of Mr. HOEVEN and Ms. KLOBUCHAR pertaining to the introduction of S. 1925 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Utah.

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

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

OMNIBUS SPENDING PACKAGE

Mr. LEE. Madam President, I stand before this body today to talk about the omnibus spending package the Senate will be considering over the next few days. I have some concerns related to this omnibus spending package that relate to a program called PILT. It is an acronym with which most Americans and probably even most Members of Congress are not familiar. It stands for payment in lieu of taxes.

The program was developed to help those States, including my home State of Utah, in which the vast majority of the land is owned by the Federal Government. Beside me is a map of the United States. In red we can see all of the land that is owned by the Federal Government. As we can see by looking at the map, most of the land west of the Rocky Mountains—more than 50 percent, in fact—is owned by the Federal Government. Very little of the land east of the Rocky Mountains is, by contrast, owned by the Federal Government.

Being from a public land State presents some interesting, very significant, very substantial challenges. Among those challenges is the fact that the Federal Government has deemed this land, has legislated this land as being beyond the ability, beyond the authority of States and their political subdivisions—including counties and local taxing jurisdictions—beyond the ability of the States and their subdivisions to tax. So we can't collect property tax revenue from any of that land. As a result, a lot of our communities in public land States are impoverished—at least impoverished relative to what they might otherwise face. They are impoverished relative to what their ability would be to collect revenue through property taxes in public land States.

For that reason, this PILT Program was created to try to offset—at least to some degree—the heavy cost, the disproportionate burden that is placed on the shoulders of public land States and communities.

So each year Congress funds this program, and that program then partially offsets the lack of property tax revenue flowing through these public land States and communities.

Here is the problem I wish to focus on today: The omnibus spending package we are considering this week contains no funding for PILT—no funding whatsoever. This is potentially devastating to public land States, including Utah, Wyoming, Alaska, Montana, and many other States, especially those throughout the West. The problem is that America's public land States and counties can't wait any longer. This program must be funded, and it must be funded in this bill.

Here is a letter from a commissioner in Piute County, UT. This commissioner states:

> PILT not being funded in 2014 will have a devastating impact on all counties in the West, but it is particularly devastating to a county the size of Piute. With 74 percent of Piute County under Federal control, $225,000 of our $1 million budget—almost one-fourth—comes in the form of PILT payments from the Federal Government. Without this funding, we will be in the midst of one of the biggest disasters to hit Piute County in years.
>
> We have been scraping and scraping to try to figure out how to fund a fourth deputy sheriff in our county and thought we had it figured out until this $225,000 evaporated from our county's revenue.
>
> At the present time it is virtually impossible to staff all of the police, search and rescue, and emergency services we need. With this cut, it will be impossible.

The Piute County commissioner continues:

> We will be forced to abandon services, including all services on public lands. It will be sad to have our public lands left without police, search and rescue, and emergency services. I think it is critical to understand that the loss of PILT funding cuts clear to the bone and will be devastating to counties such as Piute.

Now, some argue—some insist when faced with arguments such as these—that this is all OK and we can just wait to make PILT funding available, that we will make it available through another legislative vehicle we will supposedly pass later this year. In fact, some of these same people maintain that we will make it better, we will make it automatic, we will make it mandatory spending when we actually do this later this year.

It is true that between 2008 and 2013 PILT was funded through a mandatory spending mechanism. That has now expired. But it is important to remember that there is nothing mutually exclusive about these ideas; no reason why we can't go ahead and fund PILT now with discretionary spending and then adopt something later to restore the mandatory nature of funding for PILT. We can fund PILT now in this bill, and then we can make it mandatory later. We can and we should. This would give States and counties the certainty they need, the certainty they have been waiting for, the certainty that will allow them, finally, to plan their budgets.

Remember, for many of these counties, such as Piute County, UT, PILT is a substantial portion of their annual revenue stream. It is about one-fourth of the money that Piute County, UT, has to spend every single year.

Importantly, I offered an amendment to last year's budget that would build a deficit-neutral reserve fund to make sure PILT continued to be fully funded. That amendment passed. Unfortunately, the fact that it passed has apparently not been enough to make sure it continued to be funded.

Now we have a major funding bill before us. This spending bill occupies no fewer than 1,582 pages. It spends in excess of $1.1 trillion. Yet PILT still isn't funded.

It is important to point out that even if we do the right thing and even if we fully fund PILT in this program this year, the PILT Program is itself still not adequate. It is still in need of reform. PILT payments are quite insufficient.

PILT was intended to soften the economic impact associated with the Federal Government owning so much of the land in the United States. In the case of Piute County, it is about three-fourths of the land. It is about two-thirds of the land throughout the State of Utah. In some counties in Utah, it is well in excess of 90, sometimes 95 percent of the land in a county. PILT was designed to soften that economic impact. But, regrettably, the Federal Government gives States, through the PILT Program, what amounts to in many instances only pennies on the dollar of what the taxing jurisdictions would receive if they were to tax that land, if they were to collect taxes—even if they were to collect those taxes at the lowest property tax rate, let's say the Greenbelt rate in many counties. We must correct that imbalance.

In the coming days I plan to introduce legislation to begin the process of doing precisely that. After all, it makes no sense to have a program that some would argue is deceptively entitled ''Payment In Lieu of Taxes'' if, in fact, the payment in lieu of taxes doesn't even closely approximate the value that counties would receive if they were actually allowed to tax that land and collect that revenue as taxes.

If an American citizen, a U.S. taxpayer, for example, decided to adopt his or her own PILT Program and on April 15 of each year just sent a check to the IRS saying: These are not my taxes, but this is my payment in lieu of taxes; I am just paying what I feel like paying, that would cause problems. The taxpayer in question would probably end up in prison. In any event, it wouldn't end well for the taxpayer. Yet we have allowed the Federal Government to get away with this over and over, often to the detriment of vulnerable communities, of poor communities, of communities that rely on the Federal Government's unsteady stream of revenue—a stream of revenue that, insufficient as it is already, is now being threatened altogether.

In a sense the problem we face with the Federal Government owning all this land is not new. It is a problem that has been around for a long time. In many respects it was a problem envisioned by some of the Founding Fathers. In fact, we can go all the way back to the Constitutional Convention of 1787 and see that it was on the minds of some of the Founding Fathers.

On September 5, 1787, at the Constitutional Convention they were discussing the public land-related authorities in the Constitution, including the authority that has now been included in what is often referred to as the enclave clause—article I, section 8, clause 17.

One of the delegates to the Federal Convention of 1787, Elbridge Gerry, the delegate from Massachusetts, stood before the Convention and made an astute observation. Mr. Gerry said as follows. He expressed concerns that ''this power''—that is, the power of Congress over Federal public lands—''might be made use of to enslave any particular State by buying up its territory, and that the strongholds proposed would be a means of awing the State into an undue obedience to the General Government.''

Then, as now, wise observations often came from the State of Massachusetts. Then, as now, we have a grave risk associated with the fact that when the Federal Government owns this much land, the Federal Government has this much power. It was on the minds of the delegates to the Convention of 1787 that one of the things they needed to protect against was the concentration of too much power in the hands of a few, especially the concentration of too much power within the Federal Government. Each of them had a mission to protect the sovereignty of their respective States. And they understood that if Congress had too much power to simply buy up too much land in any one State—disproportionately in some States—the Federal Government would have too much influence within that State.

I would ask you, when you look at this map I have in the Chamber, does that look equitable? Does that look like an equitable distribution of Federal land ownership? We have to keep in mind that, just as there are benefits associated with some of our public lands, there are also burdens attached to those benefits. When you look at those burdens, it is difficult to say anything other than that they are disproportionately allocated into a certain region of the United States. They are overwhelmingly located within the Rocky Mountains and areas west of the Rocky Mountains.

So to the extent these benefits benefit everyone in the United States, then the burdens ought to be shared by everyone in the United States as well. Yet they are not. PILT, again, is woefully inadequate as it is. But now Congress is trying to withdraw funding for PILT. Even though some may say: Well, we will fund it later this year, we have no guarantee of that, and we should be funding it right now.

As an interesting side note, in response to Elbridge Gerry's concern on September 5, 1787, the Founding Fathers put a qualifying clause into article I, section 8, clause 17. They said that Congress's plenary legislative jurisdiction over Federal public land lying within a sovereign State's boundaries would exist and could be exercised only if that land—the land in question—was acquired by the consent of the host State's legislature.

Some have suggested that this may well mean that when the Federal Government owns land, when it acquires land within a sovereign State's territorial boundaries, that it owns that land just as any other proprietor would own it; that is, subject to the authority of the State and its political subdivisions to tax and regulate that land, unless or until such time as the host State's legislative body parts with that bundle of sovereign rights relative to that land. In other words, the State retains its taxing power over that land unless or until it voluntarily relinquishes it, gives it up, hands it over to the Federal Government. Yet, in nearly all instances where you see red on this map, that has not occurred.

Many of these States have been content with the fact that they have been receiving PILT funds, however inadequate those PILT funds may be. But now even those are going away. Even if there is a promise that they might be restored later—later this year—they are still inadequate, and we still do not have the promise that is going to occur now. There is still a lot of uncertainty in a lot of parts of the country—in places such as Piute County, UT, and elsewhere within my State and elsewhere within the western United States.

In order to protect against this kind of concern, the kind of concern that the delegate from Massachusetts described on September 5, 1787, Congress adopted a practice, when admitting new States into the Union, of incorporating language into the enabling act for each new State, describing what would happen to public land within the new State's boundaries after statehood. They adopted this practice and this language that would be used each time a new State was admitted into the Union.

That language was included in Utah's statehood enabling legislation—legislation that was adopted about 18 months before Utah finally came into the Union in January of 1896.

Section 9 of Utah's enabling legislation says that public land located within the State, lying within the State of Utah, ''shall be sold by the United States subsequent to the admission of said State into the Union. . . . '' Adding to that, section 9 of Utah's enabling legislation said that 5 percent of the proceeds from the sale of that land would be given to the State and would be held in a trust fund by that State for the benefit of the State's public education system.

So, as I mentioned, Utah was not the first State to have that kind of language in its enabling legislation. Many of the States that were admitted into the Union much earlier than Utah had similar language in their enabling acts. Missouri had such language. North Dakota had such language. We could name State after State after State that had such language.

When you look at Missouri, when you look at North Dakota, and when you look at most of the other States that had language such as that in their enabling acts, you see very little Federal

public land. You see because Congress and the Federal Government honored the promises made to those States. Congress followed through with that commitment. Congress did what it was supposed to do. It sold that land subsequent to statehood. Holding on perhaps to a few parcels here and there that it deemed necessary for one reason or another, it made good on that promise. Those States benefited. The Federal Treasury benefited. The American people benefited.

It is important to remember that what we are talking about here—when you see all this red on the map, representing Federal land ownership—is not about national parks. National parks represent a very tiny percentage of Federal land ownership. We are not talking about national monuments, which also represents a very tiny percentage of Federal land ownership. What we are talking about in the context of the PILT program are lands that are managed by the U.S. Bureau of Land Management, an agency that is considered obscure, almost unheard of throughout most of the United States, but an agency that operates with a particularly dominant force in States such as mine, where you see a lot of red on the map.

I remember the first time I showed this map to my children, my daughter Eliza, who was about 8 years old at the time, was just barely old enough to understand what I was explaining to her. I told her that the red indicated ownership of land by our national government. And 8-year-old Eliza looked at that portion of the map that represented our State, and she said: Look, dad, they own Utah. I said: You're right, Eliza, they own Utah. They certainly own the overwhelming majority of it.

Some of us have not forgotten this promise made in the statehood enabling acts of most of the States admitted into the Union, and yet Congress seems to be determined to overlook it. I am determined not to let that happen. Some of my friends back in Utah are likewise determined not to let that happen.

A good friend of mine, Representative Ken Ivory, who serves in the Utah State legislature, has done an amazing job educating people throughout Utah and, in fact, across America on this very subject, on what happened with these statehood enabling acts, and why it is that States in the western United States got left behind when it came to promises made long ago by the Federal Government. I commend Representative Ivory for his work on this issue and pledge to continue working with him on this important project.

You see, this is about much more than land. This is about the ability of local communities not only to thrive, but to survive. This is about communities where it is very difficult for people to get jobs. It is very difficult for people, in some instances, even to access their own property, even to access their own farms because it is impossible to get anywhere without crossing Federal public land and in some instances Federal land managers will block access to the only roads they can use to access their own property. This has to stop.

In the meantime, it is vitally important that we focus on the issues at hand, that we focus, at a bare minimum, on promises that the Federal Government has extended in lieu of the other promises. That is not to say we are going to forget about the promises made in the statehood enabling acts. We are not. But, for the moment, my attention remains focused on making sure we fund the PILT Program. It has to be funded. In fact, it has to be funded even more than it has been in the past. It ought to reflect at least a rough equivalent of the amount of money the taxing jurisdiction could collect if it were taxing that land at its lowest rate. And, at a bare minimum, even below that, we have to make sure the program continues to exist. We have to make sure the program is funded at least at its current levels. This is not asking much. But it is necessary that we do this.

The broken PILT Program is, one could argue, just another example of government applying significant and unnecessary weight to the shoulders of hard-working Americans, many of whom are struggling just to get by, many of whom are barely able to keep food on the table for their families, others of whom are able to provide for the day-to-day needs of their families but they are worried about what happens next. They find that whenever they find a little bit of additional income, no sooner have they earned it than they find it has been swallowed up—swallowed up by increasing taxes, swallowed up by higher prices for goods and for services, and they do not know how to get out of this rut in which they find themselves somewhat trapped. These are the kinds of people who suffer the most as a result of the Federal Government's failed policies relative to its Federal public land.

We have to remember that lifting these weights is not only within the government's power, it is the affirmative obligation of government to lift those weights. In an 1861 address to Congress, President Abraham Lincoln said the ''leading object'' of American government was ''to elevate the condition of men—to lift artificial weights from all shoulders, to clear the paths of laudable pursuit for all, to afford all an unfettered start and a fair chance, in the race of life.''

Current PILT policy imposes government waste that makes it more difficult for communities to provide important services such as schools, police, and fire departments. It hampers the ability of States to budget, plan, and provide for infrastructure improvements, make needed reforms to their tax systems, and attract new businesses and new jobs.

This policy—and the Federal land management policies that accompany the PILT policy more generously—is broken, and it is imposing a heavy burden on our communities, particularly in rural areas where the Federal Government owns much, most or in some cases nearly all of the land and where needs are at their very greatest.

The program is already broken. The program is already causing millions and millions of Americans to suffer. The program is already severely impeding economic opportunity for Americans, deepening the existing crisis of opportunity that we have in this country, which manifests itself on three different levels: immobility among the poor, insecurity among the middle class, and cronyist privilege at the top.

If you live in one of these States, it might be great if you are one of those people who owns one of the few parcels of land that is not owned by the Federal Government. It is not so great if you live in one of the areas where the Federal Government owns basically everything, where you can do very little anywhere around you without permission from the Federal Government, where your local government is barely able to survive because it lacks a property tax base, and the Federal Government fails to adequately fund PILT and threatens—in this circumstance—to withdraw funding from PILT altogether.

I respectfully implore all of my colleagues to consider the inequities inherent in this map, the inequities inherent in the PILT Program, and, for present purposes, to remember we need to fund PILT.

It has to be reformed, absolutely, and we have to examine our Federal land ownership and management policies more broadly. Today we need to focus on making sure PILT is funded.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

IRAN

Mrs. FEINSTEIN. I come to the floor this evening to discuss an issue of national security, and that is how to prevent a nuclear armed Iran.

I was thinking about our troubled history with Iran and whether more sanctions at this time makes sense for our national security interests, and I asked myself these questions:

Can, in fact, a country like Iran change?

Is it possible for an isolated regime to rejoin the community of nations and change its behavior after several decades?

Must a country and its people be held captive because of the behavior of previous leaders in earlier times?

So I thought back in history. I was a young girl during World War II. I remember when Imperial Japan killed millions in Southeast Asia, and particularly in China, during its brutal wars of expansion. Today, Japan is a peaceful democracy and one of this Nation's strongest allies in Asia.

I remember when Hitler and the German Third Reich committed unspeakable atrocities across Europe, including the murder of 6 million Jewish citizens. Germany is now a close ally, a leader in the European Union, an institution created to ensure a war never again occurs in Europe.

I remember General Franco's Spain, which was so diplomatically and economically isolated that it was actually barred from the United Nations until 1955. Spain is now a close partner of the United States and a fully democratic member of the European Union.

The former Yugoslavia, Vietnam, and South Africa have all experienced tremendous change in recent decades. Independent states have emerged from the painful dissolution of Yugoslavia. Vietnam has opened itself to the international community but still has much progress to make. South Africa has shed apartheid and has emerged as an increasingly stable nation on a much divided continent.

So I believe countries can change. This capacity to change also applies to the pursuit of nuclear weapons. At one time, Sweden, South Korea, and Argentina each pursued nuclear weapons.

Following World War II, Sweden pursued nuclear weapons to deter foreign attack. It mastered nuclear technology and built and tested components for a nuclear weapon. It may have even obtained enough nuclear material to build a bomb. But in 1970, it signed the Nuclear Nonproliferation Treaty, and it ended its nuclear weapon program.

In the early 1970s, South Korea actively sought a nuclear device. The United States heavily pressured South Korea not to go nuclear, and in April 1975, South Korea signed the nonproliferation treaty and halted its nuclear weapons activity.

Throughout the 1980s, when it was ruled by a military junta with an egregious human rights record, Argentina had a covert nuclear weapons program. It built uranium production, enrichment, and reprocessing facilities, and it attempted to develop nuclear-capable ballistic missiles before abandoning its nuclear weapons program and ratifying the NPT in 1995.

So the question comes, is Iran willing to change its past behavior and abandon its pursuit of a nuclear weapon? It may well be, and it is the job of diplomacy to push for that change.

I believe there are positive signs that Iran is interested in such a change, and I would like to explain my reasons.

The election of Hassan Rouhani was a surprise to many long-time observers of Iran because he campaigned in support of repairing Iran's relationship with the West.

Since his inauguration he has tried to do exactly that. For the first time since the Iranian revolution, the leaders of our countries have been in direct communication with each other. Where once direct contact even between senior officials was rare, now Secretary of State John Kerry and Under Secretary of State Wendy Sherman are in near constant contact with their Iranian counterparts. Those conversations produced the historic Geneva agreement which goes into effect in 6 days, on January 20.

Candidate Rouhani also promised to increase nuclear transparency, and he has delivered on that as well. Even before the Geneva interim agreement was reached, Iran slowed uranium enrichment and construction for the Arak heavy water reactor—maybe for technical reasons, maybe not, but it slowed. Iran has also reengaged with the IAEA to resolve questions surrounding its nuclear activities.

So what has been achieved in Geneva? The interim 6-month agreement reached between the P5+1 countries, the United States, China, Russia, the UK, France, Germany, freezes Iran's nuclear program in place while a comprehensive agreement is negotiated in the next 6 months. This agreement caps Iran's stockpile of enriched uranium at 5 percent. It stops the production of 20 percent enriched uranium. It requires the neutralization of Iran's stockpile of 20 percent uranium. It prevents Iran from installing additional centrifuges or operating its most advanced centrifuges. It prohibits it from stockpiling excess centrifuges. It halts all significant work at the Arak heavy water reactor and prevents Iran from constructing a plutonium reprocessing facility.

Most importantly, the interim agreement imposes the most intrusive international inspection regime ever. International inspectors will independently verify whether Iran is complying with the interim agreement. For the first time, the International Atomic Energy Agency inspectors will have uninterrupted access to Iran's enrichment facilities at Natanz and Fordow, centrifuge production plants, centrifuge assembly facilities, and Iran's uranium mines and mills. Finally, Iran is required to declare all planned new nuclear facilities.

In exchange, the P5+1 negotiators offered sanctions relief limited to $7 billion, an aspect of the interim agreement that has been criticized and I wish to talk about it for a moment.

Here are the facts on that sanctions relief which, in my view, does not materially alter the biting sanctions which have devastated Iran's economy. The vast majority of sanctions relief comes in the form of Iranian repatriation of $4.2 billion of its own money. Iran will continue to lose $4 billion to $5 billion a month in lost oil revenue from existing sanctions. Iran will not have access to about $100 billion of its own reserves trapped by sanctions abroad.

For perspective, the total estimated sanctions relief is valued at approximately only 1 percent of the Iranian economy, hardly a significant amount.

I wish to take a moment to detail what is not in the interim agreement.

First, it does not grant Iran a right to enrich. The United States does not recognize such a right for the five nonnuclear weapons states that currently have enrichment programs, and we will make no exception for Iran. But Iran does have a right to peaceful nuclear energy if it fully abides by the terms of its safeguards agreement under the NPT.

Secondly, the agreement does not in any way unravel our core oil and financial sanctions. Others have argued the suspension of any sanctions against Iran will unravel the entire sanctions regime, and that is false. The Obama administration has taken action to ensure that does not happen.

Two days after the interim agreement was reached, the United States settled with a Swiss Oil Services Company over sanctions violations. The settlement was more than $250 million. It was the largest against a foreign firm outside of the banking industry.

On December 12, the administration announced the expansion of Iranian entities subject to sanctions. These entities either helped Tehran evade sanctions or provided support to Iran's nuclear program.

On January 7 of this year, the administration halted the transfer of two Boeing airplane engines from Turkey to Iran. Through these actions, the Obama administration has made it abundantly clear that the United States will continue to enforce our existing sanctions against Iran.

Third, the agreement does not codify the violation of U.N. security resolutions. Critics have attacked the interim agreement for its failure to completely halt all of Iran's nuclear enrichment by noting that six U.N. Security Council Resolutions have called on Tehran to do so and it has not done so.

The purpose of the U.N. Resolutions was not to suspend nuclear enrichment indefinitely. Instead, these resolutions were designed to freeze Iran's nuclear activities until the IAEA could determine whether Iran's activities were for exclusively peaceful purposes.

This is an important point. The interim agreement achieves what the six U.N. Security Council Resolutions could not. It freezes Iran's nuclear progress while a comprehensive, verifiable agreement is being negotiated over the next 6 months.

The interim agreement was only possible because a strong international sanctions regime has worked to convince rank-and-file Iranians, candidly, that enough is enough.

According to the State Department, as a result of the sanctions, Iran's crude oil exports have plummeted from approximately 2.5 million barrels per day in 2011 to around 1 million barrels per day in recent months. This decline

alone costs Iran $3 billion to $5 billion per month in lost revenue.

In total, 23 nations who import Iranian oil have eliminated or significantly reduced purchases from Iran. In fact, Iran currently has only six customers for its oil: China, India, Turkey, South Korea, Japan, and Taiwan.

In the last year, Iran's gross domestic product shrunk by 5.8 percent. Its GDP shrunk in 1 year by 5.8 percent, while inflation is estimated to be 50 percent or more.

Prices for food and consumer goods are doubling and tripling on an annual basis, and estimates put unemployment as high as 35 percent while underemployment is pervasive.

This is why Iran says enough is enough. The sanctions are biting and they are biting deeply, and there is no need to put additional sanctions on the table at this time.

This body may soon consider the Nuclear Weapon Free Iran Act; that is, a bill to do exactly the opposite, to impose additional sanctions against Iran, do it now, and hold it in abeyance.

Before casting a vote, Senators should ask themselves what would happen if the bill passes and a promised veto by the President is not sustained. I would like to give my view.

I sincerely believe the P5+1 negotiations with Iran would end and, with it, the best opportunity in more than 30 years to make a major change in Iranian behavior—a change that could not only open all kinds of economic opportunities for the Iranian people, but help change the course of a nation. Its destiny in fact could be changed.

Passing additional sanctions now would only play into the hands of those in Iran who are most eager to see diplomacy fail. Iranian conservatives, hardliners, will attack President Rouhani and Foreign Minister Zarif for seeking a nuclear compromise.

They will argue that Iran exchanged a freeze of its nuclear program for additional and harsh punitive sanctions. Think about that. They will say that Iran did not achieve anything with this agreement. All we got were more sanctions.

Second, if the United States cannot honor an interim agreement negotiated in Geneva by Russia, China, France, Germany, the UK and ourselves—we are not alone in this—it will never lift sanctions after a final agreement is reached.

Above all, they will argue that the United States is not interested in nuclear diplomacy—we are interested in regime change.

The bottom line: If this body passes S. 1881, diplomatic negotiations will collapse, and there will be no final agreement.

Some might want that result, but I do not.

Iran's nuclear program would once again be unrestrained, and the only remaining option to prevent Iran from obtaining a nuclear weapon would be military action. I do not want that unless it is absolutely necessary.

To date, the prospect of just considering this bill has prompted Iranian legislators to consider retaliation. There is talk that the legislative branch, called the Majles, may move to increase nuclear enrichment far beyond the 5-percent limit in the interim agreement and much closer to, if not achieving, weapons-grade uranium.

So the authors of additional sanctions in this body and Iranian hardliners in the other body would actually combine to blow up the diplomatic effort of 6 major powers.

The bill's sponsors have argued that sanctions would strengthen the United State's hand in negotiations. They argue that sanctions brought Iran to the negotiating table in the first place. They contend that additional sanctions would force Iran to abandon its nuclear program.

I could not disagree more.

Let me give the views of a few other people who are knowledgeable in the arena: Dr. Paul Pillar, a former U.S. intelligence official and current professor at Georgetown University recently argued:

> It is the prospect of having U.S.-led sanctions removed that will convince Iran to accept severe restrictions on its nuclear program. Threatening Iran with additional sanctions now—after it has agreed to the interim agreement and an interim agreement is about to go into effect—will not convince Tehran to complete a final agreement.

I couldn't agree more.

If this bill would help our negotiators, as its authors contend, they would say so.

I believe this bill is an egregious imposition on the Executive's authority to conduct foreign affairs. In fact, our Secretary of State has formally asked this Congress to give our negotiators and our experts the time and space to do their jobs, including no new sanctions.

What does this body say, sitting here? We are not going to do that? This is a Secretary of State who is of this body, Chairman of the Foreign Relations Committee, who has been absolutely prodigious in his efforts to get this interim agreement, has gotten it, and we are going to run the risk that it is going to break apart during the next 6 months when a final agreement might well be negotiated?

If the Senate imposes its will, if we override the President's veto, and it blows up this very fragile process, some would say: Too bad, what a tragedy.

We know what the Iranian reaction will be. The Iranian Foreign Minister Zarif, who I happen to have known for a substantial period of time, has clearly stated what the result will be in five words, and it is this: ''The entire deal is dead.''

That is his direct quote. Why wouldn't we take him at his word? So far he has been good to his word.

The ambassador of our staunchest ally, the UK, warned this body not to pass more sanctions. Sir Peter Westmacott recently wrote:

> Further sanctions now would only hurt negotiations and risk eroding international support for the sanctions that have brought us this far. The time for additional measures will come if Iran reneges on the deal or negotiations fail. Now is not that time.

I deeply believe that a vote for this legislation will cause negotiations to collapse. The United States, not Iran, then becomes the party that risks fracturing the international coalition that has enabled our sanctions to succeed in the first place.

It says to the UK, China, Russia, France, and Germany that our country cannot be trusted to stand behind our diplomatic commitments. That is a very big statement.

Our allies will question whether their compliance with sanctions and the economic sacrifices they have made are for naught.

Should these negotiations fall apart, the choices are few and the most likely result, in my view, is the eventual and inevitable use of military force.

So I ask this body, Is that the choice we want to make? In 6 days the tentative agreement will go into place. We want to pass this? We don't even want to wait and see what happens?

We don't even want to wait and see what the IAEA finds when they are in there 24–7, 365 days a year?

I think what we ought to do is concentrate on Iranian compliance with the interim agreement.

On January 20, 2014, this agreement comes into effect, 6 days from now, and over the next 6 months the international community will be able to verify whether or not Iran is keeping its commitments to freeze its nuclear progress.

If Iran fails to abide by the terms of the interim agreement, or if a final agreement cannot be negotiated, Congress can immediately consider additional sanctions.

I deeply believe that additional sanctions should only be considered once our diplomatic track has been given the opportunity to forge a final, comprehensive, and binding agreement.

This is what is most distressing. If we had not reached an agreement, with the cooperation and leadership of the big powers of this world, that would be one thing. The fact is we have reached agreement and that action is just about to take place, and we are going to jaundice it, we are going to hurt it, and we are likely to collapse it by passing additional sanctions now which a President of the United States will veto with the aim of overriding that veto.

How does that make any kind of common sense? It defies logic, it threatens instant reverse, and it ends what has been unprecedented diplomacy. Do we want to take that on our shoulders? Candidly, in my view, it is a march toward war.

As Chairman of the Senate Intelligence Committee, I know the challenges Iran poses to U.S. interests around the world.

I see the majority leader is on the floor.

Would the majority leader like me to cease for a moment?

Mr. REID. Go ahead and finish.

Mrs. FEINSTEIN. As I said, as Chairman of the Intelligence Committee, I know the challenges Iran poses to the U.S. interests around the world. Its patronage of the terrorist group Hezbollah, its support for Syria's Bashar Assad through the Revolutionary Guard Corps are two of the most troubling.

I would hope that as a followthrough of diplomacy we might be able to quell some of these activities.

Let me acknowledge Israel's real, well-founded concerns that a nuclear-armed Iran would threaten its very existence. I don't disagree with that. I agree with it, but they are not there yet.

While I recognize and share Israel's concern, we cannot let Israel determine when and where the United States goes to war. By stating that the United States should provide military support to Israel in a formal resolution should it attack Iran, I fear that is how this bill is going to be interpreted.

Let me conclude. The interim agreement with Iran is strong, it is tough, and it is realistic. It represents the first significant opportunity to change a three-decade course in Iran and an opening to improve one of our most poisonous bilateral relationships. It could open the door to a new future which not only considers Israel's national security, but protects our own.

To preserve diplomacy, I strongly oppose the Nuclear Weapon Free Iran Act.

I yield the floor.

The PRESIDING OFFICER (Mr. DONNELLY). The majority leader.

Mr. REID. Mr. President, I express my appreciation to the courtesy of the Senator from California. She is courteous in everything she does in life. She is a pleasure to serve with.

UNANIMOUS CONSENT AGREEMENT—H.J. RES. 106

Mr. REID. Mr. President, I ask unanimous consent that at 12 noon on Wednesday, January 15, the Senate proceed to the consideration of H.J. Res. 106, which was received from the House and is at the desk; that there be no amendments, motions, or points of order in order to the joint resolution; that there be 15 minutes of debate equally divided on the joint resolution; finally, that upon the use or yielding back of time, the joint resolution be read a third time and the Senate proceed to vote on passage of the joint resolution.

The PRESIDING OFFICER. Is there objection to the request?

Without objection, it is so ordered.

MORNING BUSINESS

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

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

RECOGNIZING GEORGETOWN UNIVERSITY

Ms. MURKOWSKI. Mr. President, I rise today, as an alumna of Georgetown University, to recognize the university's 225th anniversary. On January 23, 1789, the first deed was granted to then Bishop John Carroll for land on which Georgetown was built. Those of us whose lives have been shaped, at least in part, by this great institution are proud that it was founded in the same year that the United States was formed. Indeed, the two events were intertwined, and Georgetown's mission statement today continues to reflect that bond by emphasizing that the university ''educates women and men to be reflective lifelong learners, to be responsible and active participants in civil life and to live generously in service to others.''

Over the course of more than two centuries, Georgetown, its students, and alumni have contributed to our country's rich history. The Astronomical Observatory on campus was used to calculate the longitude and latitude of the District of Columbia in 1846. This building stands today and is now listed on the National Register of Historic Places. Buildings on the Georgetown campus were used as hospitals for wounded troops during the Civil War, which nearly closed the university because so many students left to fight, for both the Union and Confederate States. All told, more than 1,000 Georgetown students and alumni served. In 1876, the students selected the colors blue—Union—and gray—Confederate—as the university's official colors to celebrate the end of the war. These colors remain a source of school pride today.

Father Patrick Healy, born a slave, became the first African American to head a major U.S. university, serving as Georgetown's president from 1873 to 1882. With the outbreak of World War I, Georgetown formed a 500-member Cadet Corps in the spring of 1917. In 1918, the U.S. War Department replaced it with the Student Army Training Corps, which became the Reserve Officers Training Corps as we know it today following the end of the war. More than 2,000 Georgetown men served. During World War II, Georgetown was selected by the War Department to house the Army Specialized Training Program. Over 75-percent of students enrolled during the 1943–1944 academic year were military servicemen.

Since Georgetown awarded its first two bachelor's degrees in 1817, the university has educated numerous leaders in business, government, and the nonprofit sector. A President, Cabinet Secretaries, Ambassadors, Governors, and Members of the U.S. Senate and House of Representatives have studied on ''the Hilltop'' and left to make important contributions to our country and beyond. Likewise, Georgetown alumni have gone on to lead school systems, universities, and businesses, as well as international and charitable organizations that strive to address challenges facing the United States and the world.

A school with an enrollment of 40 students in its first year has now swelled to over 12,000 undergraduate and graduate students, more than 5,000 faculty and staff, and countless alumni. In addition to undergraduate degrees, Georgetown University now includes the McDonough School of Business, Walsh School of Foreign Service, Graduate School of Arts and Sciences, Law Center, School of Medicine, School of Continuing Studies, School of Nursing and Health Studies, and McCourt School of Public Policy.

I was privileged to have the opportunity to earn a Georgetown degree, and my experience there has played a significant role in the career of public service I have been blessed to live. It is a place that gave me opportunities to be exposed to public service here in the Nation's Capital as a student and impressed on me a set of values reflecting Jesuit tradition that continue to shape my life and work.

Georgetown's history has in many ways tracked the Nation's history. It is a pleasure to recognize the tremendous impact it has had over the last 225 years and to look forward to future centuries of contributions not only to this country but to the world.

Mr. BARRASSO. Mr. President, today I wish to recognize the 225th anniversary of the founding of Georgetown University. As a proud member of the Georgetown community, it is an honor to help commemorate the school's 225 years of excellence. This milestone marks a time of celebration for all of Georgetown's students, faculty, board of governors, and alumni.

As the oldest Catholic and Jesuit institution of higher education in the United States, Georgetown has a long and distinguished history. On January 23, 1789, Bishop John Carroll, the first Catholic bishop in the United States, secured the deed to around 60 acres of land overlooking the Potomac River. This hilltop grew to become the campus of Georgetown University. Three years later, in 1791, the first students arrived on campus. At the age of 13, William Gaston was the first student at the university. He went on to serve North Carolina as a Member of the U.S. House of Representatives and authored a bill granting a Federal charter to ''the College of Georgetown in the District of Columbia'' in 1815. President James Madison signed that legislation into law on March 1, 1815.

While buildings on Georgetown's campus were temporarily used as a hospital after the Second Battle of Bull Run, it wasn't until 1851 that Georgetown University Medical School, which I attended in the 1970s, was established. It was the first Catholic medical school in our Nation. The medical school first

opened its doors in a vacant warehouse and an adjacent building at 12th and F Streets, NW, before later moving to the university's main campus in 1930.

I received both a bachelor of science degree in biology and a doctor of medicine degree from this great university. The quality education and valuable training I received there has had a lasting impact on my life and helped shape my career. I am grateful for my time at this exceptional institution and the incredible influence Georgetown has had on so many people across the United States and around the world.

Over the years, there have been numerous Members of Congress who were students at Georgetown University. Today, the U.S. Senate is fortunate to have five other Members who hold degrees from Georgetown University. Senator LISA MURKOWSKI of Alaska received her bachelor's degree from Georgetown. Senator PATRICK LEAHY of Vermont, Senator MARK KIRK of Illinois, and Senator MAZIE HIRONO of Hawaii all received their law degrees from Georgetown Law. The Senate majority whip, Senator DICK DURBIN of Illinois, holds both his undergraduate and law degrees from Georgetown.

As shown by the geographic range of States represented by these Senators, students come from all over the Nation to attend this wonderful institution of higher education. Georgetown's student body today includes students from all 50 States as well as from 141 countries around the globe. Georgetown is indeed a national as well as a global university.

The university's mission statement makes the point that ''the university was founded on the principle that serious and sustained discourse among people of different faiths, cultures, and beliefs promotes intellectual, ethical and spiritual understanding.'' It is clear that this founding principle continues to energize Georgetown University 225 years later.

I look forward to all of the great contributions Georgetown will continue to provide in the years ahead through its many areas of academic and research excellence: medicine, law, international affairs, business, public service, and the diverse fields within the arts and sciences.

I ask my colleagues to join me in celebrating this significant milestone and wishing Georgetown University continued success in achieving its mission and goals in the future.

MESSAGES FROM THE HOUSE

At 12:27 p.m., a message from the House, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 230. An act to authorize the Peace Corps Commemorative Foundation to establish a commemorative work in the District of Columbia and its environs, and for other purposes.

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

H.R. 841. An act to amend the Grand Ronde Reservation Act to make technical corrections, and for other purposes.

H.R. 1513. An act to revise the boundaries of the Gettysburg National Military Park to include the Gettysburg Train Station and certain land along Plum Run in Cumberland Township, to limit the means by which property within such revised boundaries may be acquired, and for other purposes.

At 2:36 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following joint resolution, in which it requests the concurrence of the Senate:

H.J. Res. 106. Joint resolution making further continuing appropriations for fiscal year 2014, and for other purposes.

ENROLLED BILL SIGNED

At 5:47 p.m., a message from the House, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker had signed the following enrolled bill:

S. 230. An act to authorize the Peace Corps Commemorative Foundation to establish a commemorative work in the District of Columbia and its environs, and for other purposes.

MEASURES REFERRED

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

H.R. 841. An act to amend the Grand Ronde Reservation Act to make technical corrections, and for other purposes; to the Committee on Indian Affairs.

MEASURES READ THE FIRST TIME

The following bills were read the first time:

S. 1917. A bill to provide for additional enhancements of the sexual assault prevention and response activities of the Armed Forces.

S. 1926. A bill to delay the implementation of certain provisions of the Biggert-Waters Flood Insurance Reform Act of 2012 and to reform the National Association of Registered Agents and Brokers, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC–4264. A communication from the Associate General Counsel, Department of Agriculture, transmitting, pursuant to law, (3) three reports relative to vacancies in the Department of Agriculture; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4265. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Importation of Avocados From Continental Spain'' ((RIN0579–AD63) (Docket No. APHIS–2012–0002)) received in the Office of the President of the Senate on January 7, 2014; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4266. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Importation of Fresh Apricots From Continental Spain'' ((RIN0579–AD62) (Docket No. APHIS–2011–0132)) received in the Office of the President of the Senate on January 7, 2014; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4267. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Dimethyl esters of glutaric acid (i.e., dimethyl glutarate), succinic acid (i.e., dimethyl succinate), and adipic acid (i.e., dimethyl adipate); Exemption from the Requirement of a Tolerance'' (FRL No. 9904–57) received in the Office of the President of the Senate on January 8, 2014; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4268. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the continuation of the national emergency that was declared in Executive Order 13396 on February 7, 2006, with respect to Cote d'Ivoire; to the Committee on Banking, Housing, and Urban Affairs.

EC–4269. A communication from the Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled ''Defining Larger Participants of the Student Loan Servicing Market'' ((RIN3170–AA35) (Docket No. CFPB–2013–0005)) received in the Office of the President of the Senate on January 6, 2014; to the Committee on Banking, Housing, and Urban Affairs.

EC–4270. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Suspension of Community Eligibility'' ((44 CFR Part 64) (Docket No. FEMA–2013–0002)) received in the Office of the President of the Senate on January 7, 2014; to the Committee on Banking, Housing, and Urban Affairs.

EC–4271. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Removal of Person from the Entity List Based on a Removal Request'' (RIN0694–AG03) received in the Office of the President of the Senate on January 7, 2014; to the Committee on Banking, Housing, and Urban Affairs.

EC–4272. A communication from the Secretary of Energy, transmitting, pursuant to law, a report relative to National Association of Regulatory Utility Commissioners v. United States Department of Energy; to the Committee on Energy and Natural Resources.

EC–4273. A communication from the Administrator, U.S. Energy Information Administration, Department of Energy, transmitting, pursuant to law, a report entitled ''The Availability and Price of Petroleum and Petroleum Products Produced in Countries Other Than Iran''; to the Committee on Energy and Natural Resources.

EC–4274. A communication from the Administrator, U.S. Energy Information Administration, Department of Energy, transmitting, pursuant to law, a report entitled ''The Availability and Price of Petroleum and Petroleum Products Produced in Countries Other Than Iran''; to the Committee on Energy and Natural Resources.

EC–4275. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of

Energy, transmitting, pursuant to law, the report of a rule entitled ''Energy Conservation Program: Test Procedures for Residential Furnace Fans'' (RIN1904–AC21) received in the Office of the President of the Senate on January 6, 2014; to the Committee on Energy and Natural Resources.

EC–4276. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Energy Conservation Program: Alternative Efficiency Determination Methods, Basic Model Definition, and Compliance for Commercial HVAC, Refrigeration, and WH Equipment'' (RIN1904–AC46) received during adjournment of the Senate in the Office of the President of the Senate on January 2, 2014; to the Committee on Energy and Natural Resources.

EC–4277. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Inflation Adjustment of Civil Monetary Penalties'' (RIN1904–AA43) received during adjournment of the Senate in the Office of the President of the Senate on January 3, 2014; to the Committee on Energy and Natural Resources.

EC–4278. A communication from the General Counsel, Peace Corps, transmitting, pursuant to law, a report relative to a vacancy in the position of Director of the Peace Corps, received in the Office of the President of the Senate on January 7, 2014; to the Committee on Foreign Relations.

EC–4279. A communication from the Principal Deputy Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled ''Report of the Attorney General to the Congress of the United States on the Administration of the Foreign Agents Registration Act of 1938, as amended, for the six months ending December 31, 2012''; to the Committee on the Judiciary.

EC–4280. A communication from the Principal Deputy Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, the annual report from the Attorney General to Congress relative to the Uniformed and Overseas Citizens Absentee Voting Act; to the Committee on Rules and Administration.

EC–4281. A communication from the Co-Chief Privacy Officers, Federal Election Commission, transmitting, pursuant to law, the Commission's Privacy Report for fiscal year 2013; to the Committee on Rules and Administration.

EC–4282. A communication from the Director of the Regulation Policy and Management Office of the General Counsel, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Removal of Penalty for Breaking Points'' (RIN2900–AO51) received in the Office of the President of the Senate on January 7, 2014; to the Committee on Veterans' Affairs.

EC–4283. A communication from the Director of the Regulation Policy and Management Office of the General Counsel, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Community Residential Care'' (RIN2900–AO62) received in the Office of the President of the Senate on January 7, 2014; to the Committee on Veterans' Affairs.

EC–4284. A communication from the Director of the Regulation Policy and Management Office of the General Counsel, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Duty Periods for Establishing Eligibility for Health Care'' (RIN2900–AO25) received in the Office of the President of the Senate on December 20, 2013; to the Committee on Veterans' Affairs.

EC–4285. A communication from the Deputy Director of the Regulation Policy and Management Office of the General Counsel, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Copayments for Medications in 2014'' (RIN2900–AO91) received during adjournment of the Senate in the Office of the President of the Senate on December 27, 2013; to the Committee on Veterans' Affairs.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. CARPER for the Committee on Homeland Security and Governmental Affairs.

*William Ward Nooter, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

*Suzanne Eleanor Spaulding, of Virginia, to be Under Secretary, Department of Homeland Security.

*John Roth, of Michigan, to be Inspector General, Department of Homeland Security.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. MCCONNELL (for himself and Mr. PAUL):

S. 1916. A bill to amend the Dodd-Frank Wall Street Reform and Consumer Protection Act to provide for an application process for interested parties to apply for a county to be designated as a rural area, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mrs. MCCASKILL (for herself, Ms. AYOTTE, and Mrs. FISCHER):

S. 1917. A bill to provide for additional enhancements of the sexual assault prevention and response activities of the Armed Forces; read the first time.

By Mrs. SHAHEEN:

S. 1918. A bill to amend the Internal Revenue Code of 1986 to provide a special change in status rule for employees who become eligible for TRICARE; to the Committee on Finance.

By Mr. PAUL (for himself, Mr. WYDEN, Mrs. GILLIBRAND, Mr. LEE, Mr. TESTER, Mr. MERKLEY, Ms. WARREN, and Mr. MURPHY):

S. 1919. A bill to repeal the Authorization for Use of Military Force Against Iraq Resolution of 2002; to the Committee on Foreign Relations.

By Mr. ROBERTS (for himself and Mr. COONS):

S. 1920. A bill to amend the Internal Revenue Code of 1986 to extend and modify the research and development credit to encourage innovation; to the Committee on Finance.

By Mr. BLUNT (for himself, Mr. COBURN, and Mr. RUBIO):

S. 1921. A bill to require a Federal agency to include language in certain educational and advertising materials indicating that such materials are produced and disseminated at taxpayer expense; to the Committee on Homeland Security and Governmental Affairs.

By Mr. VITTER:

S. 1922. A bill to amend the Food and Nutrition Act of 2008 to prevent the illegal trafficking of supplemental nutrition assistance program benefits by requiring all program beneficiaries to show valid photo identification when purchasing items with program benefits; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. MANCHIN (for himself and Mr. VITTER):

S. 1923. A bill to amend the Securities Exchange Act of 1934 to exempt from registration brokers performing services in connection with the transfer of ownership of smaller privately held companies; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. RISCH (for himself, Mr. RUBIO, Mr. INHOFE, Mr. CHAMBLISS, Mr. CORNYN, Ms. AYOTTE, Mr. JOHNSON of Wisconsin, Mr. CRAPO, Mr. WICKER, Mr. SESSIONS, Mr. VITTER, Mr. MORAN, Mrs. FISCHER, Mr. BLUNT, Mr. ROBERTS, Ms. MURKOWSKI, and Mr. JOHANNS):

S. 1924. A bill to require a report on INF Treaty compliance information sharing; to the Committee on Foreign Relations.

By Mr. HOEVEN (for himself, Ms. KLOBUCHAR, Mr. BLUNT, Mr. MANCHIN, Mr. KIRK, Mr. ISAKSON, Mr. JOHANNS, Mr. CHAMBLISS, Mr. HATCH, Mr. KING, Mr. BENNET, Ms. HIRONO, Mr. BEGICH, Mr. WYDEN, Mr. COONS, Mr. PORTMAN, Mr. FRANKEN, and Mr. THUNE):

S. 1925. A bill to limit the retrieval of data from vehicle event data recorders; to the Committee on Commerce, Science, and Transportation.

By Mr. MENENDEZ:

S. 1926. A bill to delay the implementation of certain provisions of the Biggert-Waters Flood Insurance Reform Act of 2012 and to reform the National Association of Registered Agents and Brokers, and for other purposes; read the first time.

ADDITIONAL COSPONSORS

S. 204

At the request of Mr. PAUL, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 204, a bill to preserve and protect the free choice of individual employees to form, join, or assist labor organizations, or to refrain from such activities.

S. 569

At the request of Mr. BROWN, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 569, a bill to amend title XVIII of the Social Security Act to count a period of receipt of outpatient observation services in a hospital toward satisfying the 3-day inpatient hospital requirement for coverage of skilled nursing facility services under Medicare.

S. 1174

At the request of Mr. BLUMENTHAL, the name of the Senator from Oklahoma (Mr. COBURN) was added as a cosponsor of S. 1174, a bill to award a Congressional Gold Medal to the 65th

Infantry Regiment, known as the Borinqueneers.

S. 1406

At the request of Ms. AYOTTE, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 1406, a bill to amend the Horse Protection Act to designate additional unlawful acts under the Act, strengthen penalties for violations of the Act, improve Department of Agriculture enforcement of the Act, and for other purposes.

S. 1476

At the request of Mr. REED, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 1476, a bill to amend the Internal Revenue Code of 1986 to expand the denial of deduction for certain excessive employee remuneration, and for other purposes.

S. 1533

At the request of Mr. LEVIN, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 1533, a bill to end offshore tax abuses, to preserve our national defense and protect American families and businesses from devastating cuts, and for other purposes.

S. 1590

At the request of Mr. ALEXANDER, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 1590, a bill to amend the Patient Protection and Affordable Care Act to require transparency in the operation of American Health Benefit Exchanges.

S. 1697

At the request of Mr. HARKIN, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1697, a bill to support early learning.

S. 1726

At the request of Mr. RUBIO, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 1726, a bill to prevent a taxpayer bailout of health insurance issuers.

S. 1737

At the request of Mr. HARKIN, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 1737, a bill to provide for an increase in the Federal minimum wage and to amend the Internal Revenue Code of 1986 to extend increased expensing limitations and the treatment of certain real property as section 179 property.

S. 1739

At the request of Mr. HOEVEN, the names of the Senator from South Dakota (Mr. THUNE) and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. 1739, a bill to modify the efficiency standards for grid-enabled water heaters.

S. 1846

At the request of Mr. MENENDEZ, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1846, a bill to delay the implementation of certain provisions of the Biggert-Waters Flood Insurance Reform Act of 2012, and for other purposes.

S. 1848

At the request of Mr. ROBERTS, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 1848, a bill to amend section 1303(b)(3) of Public Law 111–148 concerning the notice requirements regarding the extent of health plan coverage of abortion and abortion premium surcharges.

S. 1853

At the request of Mr. BOOZMAN, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 1853, a bill to amend the Environmental Research, Development, and Demonstration Authorization Act of 1978 to provide for Scientific Advisory Board member qualifications, public participation, and for other purposes.

S. 1875

At the request of Mr. WYDEN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1875, a bill to provide for wildfire suppression operations, and for other purposes.

S. 1902

At the request of Mr. BARRASSO, the names of the Senator from Georgia (Mr. CHAMBLISS), the Senator from Missouri (Mr. BLUNT), the Senator from Texas (Mr. CORNYN) and the Senator from Wyoming (Mr. ENZI) were added as cosponsors of S. 1902, a bill to require notification of individuals of breaches of personally identifiable information through Exchanges under the Patient Protection and Affordable Care Act.

S. 1907

At the request of Mr. KIRK, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 1907, a bill to amend a provision of the Bank Holding Company Act of 1956 regarding prohibitions on investments in certain funds to clarify that such provision shall not be construed to require the divestiture of certain collateralized debt obligations backed by trust-preferred securities or debt securities of collateralized loan obligations.

S. 1915

At the request of Mr. FLAKE, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 1915, a bill to permit health insurance issuers to offer additional plan options to individuals.

S. RES. 330

At the request of Mr. BLUMENTHAL, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. Res. 330, a resolution recognizing the 50th anniversary of ''Smoking and Health: Report of the Advisory Committee to the Surgeon General of the United States'' and the significant progress in reducing the public health burden of tobacco use, and supporting an end to tobacco-related death and disease.

AMENDMENT NO. 2603

At the request of Ms. AYOTTE, the names of the Senator from Mississippi (Mr. WICKER) and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of amendment No. 2603 intended to be proposed to S. 1845, a bill to provide for the extension of certain unemployment benefits, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. MCCONNELL (for himself and Mr. PAUL):

S. 1916. A bill to amend the Dodd-Frank Wall Street Reform and Consumer Protection Act to provide for an application process for interested parties to apply for a county to be designated as a rural area, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. MCCONNELL. Mr. President, I have spoken often on the floor about the challenges and opportunities for the future that the people of eastern Kentucky and rural parts of the Commonwealth face. Many of these challenges stem from this administration's regulatory overreach, whether it is a war on coal, ObamaCare or Dodd-Frank. Too many people are out of work, which has placed a drastic burden on the coal mining industry, and harshly cut the number of jobs available in the coal mining industry and related industries.

In spite of the challenges the people of eastern Kentucky face, I have great confidence we can overcome that and succeed. I was pleased to be able to assist the Kentucky Highlands Investment Corporation in receiving a Promise Zone designation, which was awarded just last week. That is why I wrote the administration in support of this designation last year. This economic initiative is just one way to help jumpstart the region's journey out of economic distress.

But we need more than that. My friend and colleague in the other Chamber, Representative HAL ROGERS, is leading an effort to identify ways to lift Appalachia out of the cycle of poverty and unemployment through the SOAR Initiative, and I applaud his efforts.

To offer yet another possibility for eastern Kentucky, my friend and colleague Senator RAND PAUL and I introduced the Economic Freedom Zones Act, to further enable eastern Kentucky to lift the burdens of some of the poorest families in the country. Our legislation would roll back government regulations and tax barriers to spur job creation and reform failed educational systems to aid disadvantaged children.

So continuing my efforts to find ways to assist these rural counties and give these communities a voice, I am pleased to introduce today, along with Senator PAUL, the Helping Expand Lending Practices in Rural Communities Act or simply the HELP Rural

Communities Act. My friend and colleague in the House, Representative ANDY BARR, introduced this legislation in that body, and I applaud his efforts to see it passed.

The HELP Rural Communities Act would give rural counties in Kentucky a voice when the Consumer Financial Protection Bureau, or CFPB, has incorrectly labeled them as ''nonrural''—just another example of this administration's one-size-fits-all, we-know-best approach to governing. Several counties in Kentucky, such as Bath County, have been labeled as ''nonrural'' and are therefore barred from certain rural lending practices helpful to farmers and small businesses.

If you have ever been to these counties, as I have, you would most certainly disagree with the CFPB's ruling. But current law provides literally no opportunity to challenge the CFPB's decision. My bill would allow counties which have been improperly designated as ''nonrural'' to petition the CFPB with additional local information to reconsider their status in order to ensure that rural communities, such as those in eastern Kentucky, have the access to credit they need to grow their economy.

This is an important step in the effort to renew hope for the future in rural Kentucky, especially eastern Kentucky. Given the bipartisan interest shown in recent weeks to get government out of the way and let the people of the region work, Congress and the President can come together to pass this legislation on behalf of eastern Kentuckians and rural communities. I look forward to working with my colleagues, Senator PAUL and Representative BARR, to see that we get this passed.

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. 1916

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 ''Helping Expand Lending Practices in Rural Communities Act of 2014'' or the ''HELP Rural Communities Act of 2014''.

SEC. 2. DESIGNATION OF COUNTY AS A RURAL AREA.

Section 1022 of the Dodd-Frank Wall Street Reform and Consumer Protection Act (12 U.S.C. 5512) is amended by adding at the end the following new subsection:

''(e) DESIGNATION OF COUNTY AS A RURAL AREA.—

''(1) APPLICATION.—Not later than 90 days after the date of the enactment of this subsection, the Bureau shall establish an application process under which a person who lives or does business in a State may, with respect to a county in such State that has not been designated by the Bureau as a rural area for purposes of a Federal consumer financial law, apply for such county to be so designated.

''(2) EVALUATION CRITERIA.—When evaluating an application submitted under paragraph (1), the Bureau shall take into consideration the following factors:

''(A) Criteria used by the Director of the Bureau of the Census for classifying geographical areas as rural or urban.

''(B) Criteria used by the Director of the Office of Management and Budget to designate counties as metropolitan or micropolitan or neither.

''(C) Criteria used by the Secretary of Agriculture to determine property eligibility for rural development programs.

''(D) The Department of Agriculture rural-urban commuting area codes.

''(E) A written opinion provided by the State's banking regulator.

''(F) Population density.

''(3) PUBLIC COMMENT PERIOD.—

''(A) IN GENERAL.—Not later than 60 days after receiving an application submitted under paragraph (1), the Bureau shall—

''(i) publish such application in the Federal Register; and

''(ii) make such application available for public comment for not fewer than 90 days.

''(B) LIMITATION ON ADDITIONAL APPLICATIONS.—Nothing in this subsection shall be construed to require the Bureau, during the public comment period with respect to an application submitted under paragraph (1), to accept an additional application with respect to the county that is the subject of the initial application.

''(4) INFORMATION REQUIRED TO BE PUBLISHED.—The Bureau shall enter each application submitted under paragraph (1) in a sortable, downloadable database that is publicly accessible through the Web site of the Bureau.

''(5) DECISION ON DESIGNATION.—Not later than 90 days after the end of the public comment period under paragraph (3)(A) for an application, the Bureau shall—

''(A) grant or deny such application; and

''(B) publish such grant or denial in the Federal Register, along with an explanation of what factors the Bureau relied on in making such determination.

''(6) SUBSEQUENT APPLICATIONS.—A decision by the Bureau under paragraph (5) to deny an application for a county to be designated as a rural area shall not preclude the Bureau from accepting a subsequent application submitted under paragraph (1) for such county to be so designated, so long as such subsequent application is made after the end of the 90-day period beginning on the date that the Bureau denies the application under paragraph (5).''.

By Mr. HOEVEN (for himself, Ms. KLOBUCHAR, Mr. BLUNT, Mr. MANCHIN, Mr. KIRK, Mr. ISAKSON, Mr. JOHANNS, Mr. CHAMBLISS, Mr. HATCH, Mr. KING, Mr. BENNET, Ms. HIRONO, Mr. BEGICH, Mr. WYDEN, Mr. COONS, Mr. PORTMAN, Mr. FRANKEN, and Mr. THUNE):

S. 1925. A bill to limit the retrieval of data from vehicle event data recorders; to the Committee on Commerce, Science, and Transportation.

Mr. HOEVEN. Mr. President, I thank the Senator from Minnesota for joining me this afternoon. Today we are introducing the Driver Privacy Act. I am very pleased to sponsor that legislation with the good Senator from Minnesota. We have a great group that has joined us as we introduce this bill today. This is all about protecting people's privacy in regard to their automobile.

Every automobile that will be made going forward, over 90 percent, and something like 96 percent of the automobiles made now have a black box. This is actually silver, but we call it a black box because it is an event data recorder. It records information about your automobile. Ninety-six percent, I think, of automobiles made now have them, but the U.S. Department Of Transportation is requiring this year that every vehicle have an event data recorder in it.

The Senator from Minnesota and I believe that should be the owner's information and that information should not be released without the owner's consent. We already have a good group who have joined us in the endeavor, including an equal number of Republicans and Democrats: Senator JOHANNS from Nebraska, Senator ANGUS KING from Maine, Senator KIRK from Illinois, Senator JOE MANCHIN from West Virginia, Senator SAXBY CHAMBLISS from Georgia, Senator MICHAEL BENNET from Colorado, Senator ROY BLUNT from Missouri, Senator MAZIE HIRONO from Hawaii, Senator JOHNNY ISAKSON from Georgia, Senator MARK BEGICH from Alaska, Senator ORRIN HATCH from Utah, and Senator RON WYDEN from Oregon.

It is absolutely an equal number of Republicans and Democrats from across the United States have joined together, recognizing people are concerned about their privacy and we need to make sure their privacy is protected.

I would like to make a few further introductory comments with the help of these charts and then turn to my colleague from Minnesota for her comments as well. We have seen with the NSA, with the IRS, with the Affordable Care Act, and with a whole range of issues that people believe what is going on, not only in government but with technology, is that their privacy is at risk these days and it is very much a concern. Many people do not realize that this event data recorder is in their car. It records all kinds of information, and in fact the Federal Government is requiring that this device be in their car. Neither is there a limitation on the amount of data that the device can record nor is there a law that protects individuals' privacy to make sure the owner of the car decides who gets that information, other than under very specific circumstances which I will take a minute to go through.

What kind of data gets recorded by your event data recorder, this black box that is included in your car? There are more than 45 different data points that are in fact recorded right now. Again, the manufacturer can change this—add to it. There are no limitations or restrictions or guidelines or requirements on what manufacturers can have the event data recorder do. Right now it records things like speed, braking, engine, seatbelt usage, driver information, passenger information, steering, airbags, and crash details. As

I say, at this point the manufacturer determines what goes into that black box in terms of what its capabilities are.

Just to give a sense, if you delve further, for example, engine—just pick one here: ''Number of times engine was started since being manufactured prior to a crash.'' Obviously the idea here with the event data recorder is that it provides information just like an event data recorder on an airplane. In the event of a crash, it provides information about the accident. It is recording this information in a loop on a continuous basis, and it retains it for a short period of time and constantly updates it.

For example, for your engine, it can record the number of times the engine was started since being manufactured prior to a crash. It can record the number of times the engine was started since being manufactured prior to the EDR data download that is taken in case the box is removed and the information is taken and there isn't a crash. It can record how fast the engine was running. That is just 1 of the 45 data points, but it shows the kind of information that is recorded and can be extracted from the black box.

So what does our legislation do? It is very simple and very straightforward. The Driver Privacy Act provides that the data from your EDR in your car cannot be extracted or taken by another party other than under very specific circumstances, and that means it cannot be done without your consent unless it is authorized by a court of law or the information is retrieved pursuant to NHTSA, which is the National Highway Transportation Safety Administration, recall or the information is needed in the event of a medical emergency, essentially unless there is some kind of recall on the car—and then they can't disclose any data about you as an individual. It is macrodata. But other than that, without your consent, that information can only be taken from you by a court of law or in the event of a medical emergency, and that is done, obviously, for the very reason you have the black box in the car—safety, right?

Law enforcement might be getting it pursuant to a court order. They can't just take it; they have to have a court order. If you are in a car accident and they need that information because of a medical emergency, then there is a special condition to take it.

In developing these, we were very careful to work both with the organizations that advocate privacy as well as the automobile dealers, the insurance industry, and law enforcement. We consulted with stakeholders, such as the Electronic Privacy Information Center, Heritage, AAA, the Auto Alliance, the International Association of Chiefs of Police. Again, we wanted to make sure the law enforcement issues were covered as well as the ACLU. We have a broad and diverse group that has been consulted and that we have worked with in putting together this information.

Fourteen States have their own laws on this issue. I have highlighted the 14 different States that have passed laws that, in fact, assure you that this information is your information and cannot be taken from you without your consent other than through a court order or in the case of a medical emergency. But when you leave your State and you are driving in another State, you are no longer protected. So even though 14 States have stepped up and said: Yes, this is something we need to do—in fact, it was something we did when I was Governor in my State. Not only are the other States not protected, but you are not protected either when you drive outside your State, which all of us do on many occasions. So that is why we need a Federal law.

The reality is this technology is evolving and developing. This technology is going to continue to develop with all kinds of other aspects—obviously now we have GPS—and all the different things that are being done with automobiles. In many cases these are things people want, but they need to know their privacy is protected, and that is what we are doing here. We are doing it in a way that we made sure we continue to assure law enforcement, first responders, and manufacturers that the safety issues are being dealt with, and at the same time assure American citizens and consumers that their privacy rights are being respected and protected as required under the Fourth Amendment of our Constitution.

With that, I will turn to my esteemed colleague from Minnesota and again thank her and her staff for the work they have done on this bill. With her background in law enforcement, she truly understands the issues and has been invaluable in putting this legislation together. Again, I thank her and ask her for her comments.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Madam President, I am introducing this bill today with Senator HOEVEN, who has been a true leader on this issue. When he was Governor, he worked to pass a similar law in North Dakota.

As Senator HOEVEN just described, the Driver Privacy Act will strengthen safety and protect consumer privacy. I think the bipartisan support Senator HOEVEN has gathered for this bill—seven Republicans, seven Democrats, and people all over the country from Hawaii to Georgia to Oregon to Alaska, not to mention the two of us from the middle of the country—demonstrates the strong support and the concerns people have about emerging technology. We want this technology, but I figure our laws have to be as sophisticated as the technology we have out there. Right now our laws are lagging and this information is not protected. There is no roadmap on how it should be protected, and that is why we are introducing this bill.

I have long supported improving safety on the roadways. Too many people die on our highways, and we need to do something about it. In 2010, there were more than 30,000 fatal crashes and more than 1.5 million crashes that resulted in injuries. This is unacceptable. Rural road safety is a critical issue for my State, as well as for Senator HOEVEN's State. Only 23 percent of the country's population lives in rural areas, and yet 57 percent of all traffic fatalities occur in rural America.

As a Member of the Senate Commerce, Science, and Transportation Committee, I have worked to advance efforts to improve safety for all drivers, especially on rural roads, and we have made some progress. The transportation bill, MAP–21, ensured strong funding for safety improvements at rail-highway grade crossings, and the allocation of Federal funding was improved to put resources into roadways that need attention the most.

My amendment in MAP–21, with Senator SESSIONS, required the Federal Highway Administration to work with State and local transportation officials to collect the best practices from around the country that are also cost-effective ways to increase safety on high-risk rural roads. The report was just released, and I am now looking for opportunities for how we can best address some of the challenges addressed in the study, but it is clear we have more work to do.

Vehicle technologies that assist drivers and prevent crashes have grown tremendously in recent years. From new sensors that identify unsafe conditions, to driverless cars, these emerging technologies could dramatically increase safety for drivers and passengers.

Event data recorders, which are the subject of our discussion today, hold similar promise in improving safety on our roadways. An EDR, as Senator HOEVEN described, is a device that records data on a loop it receives from vehicle sensors and safety systems. The data is constantly being replaced and it only records 5 seconds of technical safety information when a crash occurs, although I am sure that could change when the technology changes.

EDRs can be the only resource available to determine the cause of a crash by providing information about what a driver was doing in the seconds leading up to a crash, such as how fast the vehicle was going, whether the brake was activated in the seconds before the crash, if airbags were deployed, and whether the driver and passengers were wearing seatbelts.

As a former prosecutor, I know how useful this data can be. It can be very useful for investigators to put the pieces back together to more easily determine the cause of a crash for safety reasons and also determine who caused the crash.

The proven benefits to driving safety that EDRs provide are not new. In the summer of 2012, the Senate included in

its version of the Transportation bill, MAP–21, a requirement that the National Highway Traffic Safety Administration, NHTSA, initiate a rulemaking to require passenger vehicles and light-duty trucks to include EDRs.

At the same time, there were many legitimate questions regarding what impact expanding EDRs to all passenger vehicles would have on consumer privacy. Who owns the data? Who can access the data? It became clear that an effective EDR provision would need to strengthen driver and vehicle safety while protecting consumer privacy, and the EDR provision was removed from the final transportation bill.

Over the past 2 years, NHTSA has continued to work with law enforcement safety groups and the automobile manufacturers to ensure the safety benefits of EDRs, which could reach the most consumers. The auto manufacturers had already begun expanding the inclusion of EDR technology in more new vehicles each year. EDRs became so commonplace that 96 percent of 2013 cars and trucks had the EDR built in, and NHTSA and the industry it regulates, the automakers, were able to agree that all new cars and trucks should have an EDR in place in September 2014. I am not sure everyone who goes out and buys a car is aware of this, but by 2014 every single car and truck will have this capability.

However, NHTSA does not have the authority to address the consumer privacy concerns related to EDRs that have remained outstanding for 2 entire years. We have seen an enormous increase in new cars and trucks containing the EDRs, and that is where Senator HOEVEN comes in.

Congress does have the authority to clarify ownership of EDR data, and that is why we are introducing the Driver Privacy Act, along with 12 other Senators. Our bill makes crystal clear that the owner of the vehicle is the rightful owner of the data collected by that vehicle's EDR, and it may not be retrieved unless a court authorizes retrieval of the data, the vehicle owner or lessee consents to the data retrieval, the information is retrieved to determine the need for emergency medical response following a crash, or the information is retrieved for traffic safety research, in which case personally identifiable information is not disclosed. So that is where you have it.

We have worked hard with safety groups and law enforcement to make sure this would work for them. You would need a court authorization or you would need a consent or you would need a determination that it is needed to determine the cause of a crash or it is needed for research, and in that case, no identifiable data.

This was really important for me, as a former prosecutor, that we made this work for law enforcement and our safety groups, but, most importantly, our goal was to make it work for the individual consumers, the citizens of the United States of America. We realize while all of this was done for good intentions, no one had taken the broom behind and made sure the American people were protected.

Having just left a judiciary hearing this afternoon about NSA and data collection and privacy and civil liberties, it was very timely that I came over here. While this may not quite have the huge ramifications of that hearing, I do think to myself that maybe if people thought ahead a little bit, we wouldn't have been sitting in that hearing. That is what we are trying to do with this bill. We are trying to think ahead so we can keep up with the technology so it doesn't beat us out and it doesn't beat our constitutional rights out.

I have seen firsthand the devastating effects automobile crashes can have on families as they are forced to say goodbye to a loved one much too early. Oftentimes families just want answers. They want to know what happened and why. EDRs can help provide those answers. Our bill accounts for those needs of law enforcement and these families. You don't have to take my word for it. The International Association of Chiefs of Police has concluded that the Data Privacy Act will not cause any additional burden to law enforcement agencies in accessing the data they need.

Advancements in technology oftentimes force us to take a look at related laws to ensure they remain in sync. Senator HOEVEN and I are introducing the Driver Privacy Act to do just that. Our bill strikes that balance between strengthening consumer privacy protections while recognizing that EDR data will be required to aid law enforcement, advance vehicle safety objectives, or to determine the need for emergency medical response following a crash.

I thank Senator HOEVEN for his leadership. He is a true bipartisan leader. We have worked together on many bills. When we work together, I always say the Red River may technically divide our States, but it actually brings us together, whether it is about flood protection measures or important bills such as this. I appreciate the opportunity to work with him on this bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. Madam President, I thank Senator KLOBUCHAR for joining me on this legislation and working to develop a great group of 14 original cosponsors.

Senator KLOBUCHAR brings such a great background as a prosecutor in the law enforcement industry and truly understands law enforcement issues, safety issues, and the informational benefits there are with not only event data recorders, but also understands the need to protect individual privacy.

As I think we both said very clearly here on the Senate floor, this is a technology that is new and evolving. It is not just that this is a new and evolving technology where new capabilities are being added all the time, we don't know what additional capabilities will be added.

But now the Federal Government is requiring that this device be in every single automobile made. So when the Federal Government—the U.S. Department of Transportation, NHTSA, the safety branch—steps up and says: OK, we are going to require this device to be in every single car, we need to make sure we are also providing the privacy that goes with it that assures our citizens that their Fourth Amendment rights will be protected.

Again, I think the Senator from Minnesota makes a really great point that when we look at some of these areas in terms of whether it is NSA, IRS, or other areas, people feel there wasn't enough work done on the front end to protect their personal privacy, so we are in a catchup situation. Let's not do that when every single citizen across this country owns or their family owns or has access to some type of automobile. That is what we are trying to do.

Again, as the technology develops we need to understand what the ramifications are and how to protect privacy. I think, on behalf of both of us, we are appreciative that we have 14 Senators engaged already, and we look to add, and we are open to ideas on making sure this is the right kind of legislation that addresses safety but ultimately protects the privacy of our citizens.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2649. Mr. COBURN (for himself, Mr. TESTER, Mr. UDALL of Colorado, Mr. BEGICH, Mr. MCCAIN, Ms. AYOTTE, Mr. BURR, and Mr. TOOMEY) submitted an amendment intended to be proposed by him to the bill S. 1845, to provide for the extension of certain unemployment benefits, and for other purposes; which was ordered to lie on the table.

SA 2650. Mr. PORTMAN submitted an amendment intended to be proposed to amendment SA 2631 proposed by Mr. REID (for Mr. REED) to the bill S. 1845, supra; which was ordered to lie on the table.

SA 2651. Mr. HELLER (for himself, Ms. COLLINS, Ms. AYOTTE, Mr. COATS, Ms. MURKOWSKI, Mr. PORTMAN, Mr. ISAKSON, and Mr. HOEVEN) submitted an amendment intended to be proposed by him to the bill S. 1845, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2649. Mr. COBURN (for himself, Mr. TESTER, Mr. UDALL of Colorado, Mr. BEGICH, Mr. MCCAIN, Ms. AYOTTE, Mr. BURR, and Mr. TOOMEY) submitted an amendment intended to be proposed by him to the bill S. 1845, to provide for the extension of certain unemployment benefits, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the matter proposed to be inserted, insert the following:

SEC. 10. ENDING UNEMPLOYMENT PAYMENTS TO JOBLESS MILLIONAIRES AND BILLIONAIRES.

(a) PROHIBITION.—Notwithstanding any other provision of law, no Federal funds may

be used to make payments of unemployment compensation (including such compensation under the Federal-State Extended Compensation Act of 1970 and the emergency unemployment compensation program under title IV of the Supplemental Appropriations Act, 2008) to an individual whose adjusted gross income in the preceding year was equal to or greater than $1,000,000.

(b) COMPLIANCE.—Unemployment Insurance applications shall include a form or procedure for an individual applicant to certify the individual's adjusted gross income was not equal to or greater than $1,000,000 in the preceding year.

(c) AUDITS.—The certifications required by subsection (b) shall be auditable by the U.S. Department of Labor or the U.S. Government Accountability Office.

(d) STATUS OF APPLICANTS.—It is the duty of the states to verify the residency, employment, legal, and income status of applicants for Unemployment Insurance and no Federal funds may be expended for purposes of determining an individual's eligibility under this Act.

(e) EFFECTIVE DATE.—The prohibition under subsection (a) shall apply to weeks of unemployment beginning on or after the date of the enactment of this Act.

SA 2650. Mr. PORTMAN submitted an amendment intended to be proposed to amendment SA 2631 proposed by Mr. REID (for Mr. REED) to the bill S. 1845, to provide for the extension of certain unemployment benefits, and for other purposes; which was ordered to lie on the table; as follows:

Add at the end the following:

TITLE II—WORKFORCE DEVELOPMENT

SEC. 201. SHORT TITLE.

This title may be cited as the ''Careers through Responsive, Efficient, and Effective Retraining Act.''.

SEC. 202. STEERING FEDERAL TRAINING DOLLARS TOWARD SKILLS NEEDED BY INDUSTRY.

(a) DEFINITIONS.—Section 101 of the Workforce Investment Act of 1998 (29 U.S.C. 2801) is amended by adding at the end the following:

''(54) CREDENTIAL.—

''(A) INDUSTRY-RECOGNIZED.—The term 'industry-recognized', used with respect to a credential, means a credential that is sought or accepted by employers within the industry sector involved as recognized, preferred, or required for recruitment, screening, hiring, or advancement. If a credential is not yet available for a certain skill that is so sought or accepted, completion of an industry-recognized training program shall be considered to be an industry-recognized credential, for the purposes of this paragraph.

''(B) NATIONALLY PORTABLE.—The term 'nationally portable,' used with respect to credential, means a credential that is sought or accepted as described in subparagraph (A) across multiple States.

''(C) REGIONALLY RELEVANT.—The term 'regionally relevant,' used with respect to a credential, means a credential that is determined by the Governor and the head of the State workforce agency to be sought or accepted as described in subparagraph (A) in that State and neighboring States.

''(55) STATE WORKFORCE AGENCY.—The term 'State workforce agency' means the lead State agency with responsibility for workforce investment activities carried out under subtitle B.''.

(b) YOUTH ACTIVITIES.—Section 129(c)(1)(C) of the Workforce Investment Act of 1998 (29 U.S.C. 2854(c)(1)(C)) is amended—

(1) by redesignating clauses (ii) through (iv) as clauses (iii) through (v), respectively; and

(2) inserting after clause (i) the following:

''(ii) training, with priority consideration given, after consultation with the Governor and the head of the State workforce agency and beginning not later than 6 months after the date of enactment of the Careers through Responsive, Efficient, and Effective Retraining Act, to programs that lead to an industry-recognized, nationally portable, and regionally relevant credential, if the local board determines that such programs are available and appropriate;''.

(c) GENERAL EMPLOYMENT AND TRAINING ACTIVITIES.—Section 134(d)(4)(F) of the Workforce Investment Act of 1998 (29 U.S.C. 2864(d)(4)(F)) is amended by adding at the end the following:

''(iv) PRIORITY FOR PROGRAMS THAT PROVIDE AN INDUSTRY-RECOGNIZED, NATIONALLY PORTABLE, AND REGIONALLY RELEVANT CREDENTIAL.—In selecting and approving programs of training services under this section, a one-stop operator and employees of a one-stop center referred to in subsection (c) shall, after consultation with the Governor and the head of the State workforce agency and beginning not later than 6 months after the date of enactment of the Careers through Responsive, Efficient, and Effective Retraining Act, give priority consideration to programs (approved by the appropriate State agency and local board in conjunction with section 122) that lead to an industry-recognized, nationally portable, and regionally relevant credential.

''(v) RULE OF CONSTRUCTION.—Nothing in clause (iv) or section 129(c)(1)(C) shall be construed to require an entity with responsibility for selecting or approving a workforce investment activities program to select a program that leads to a credential specified in clause (iv).''.

(d) STATE ADMINISTRATION.—

(1) GENERAL EMPLOYMENT AND TRAINING ACTIVITIES.—Section 122(b)(2)(D) of the Workforce Investment Act of 1998 (29 U.S.C. 2842(b)(2)(D)) is amended—

(A) in clause (ii), by striking ''and'' at the end;

(B) in clause (iii), by striking the period and inserting ''; and''; and

(C) by adding at the end the following:

''(iv) in the case of a provider of a program of training services that leads to an industry-recognized, nationally portable, and regionally relevant credential, that the program leading to the credential meets such quality criteria (which may be accreditation by a State-recognized, third party accrediting agency) as the Governor (in consultation with representatives of the relevant industry sectors and labor groups) shall establish not later than 6 months after the date of enactment of the Careers through Responsive, Efficient, and Effective Retraining Act.''.

(2) YOUTH ACTIVITIES.—Section 123 of the Workforce Investment Act of 1998 (29 U.S.C. 2843) is amended by inserting ''(including such quality criteria (which may be accreditation by a State-recognized, third party accrediting agency) as the Governor (in consultation with representatives of the relevant industry sectors and labor groups) shall establish not later than 6 months after the date of enactment of the Careers through Responsive, Efficient, and Effective Retraining Act for a training program that leads to an industry-recognized, nationally portable, and regionally relevant credential)'' after ''plan''.

(e) REPORT ON INDUSTRY-RECOGNIZED CREDENTIALS.—Section 122 of the Workforce Investment Act of 1998 (29 U.S.C. 2842) is amended by adding at the end the following:

''(j) REPORT ON INDUSTRY-RECOGNIZED CREDENTIALS.—

''(1) DATA COLLECTION.—Each State shall submit to the Secretary data on programs determined, under section 129(c)(1)(C) or 134(d)(4)(F)(iv), to lead to industry-recognized and regionally relevant credentials, and on the need of that State for such credentials.

''(2) REPORT.—Based on data provided by the States under paragraph (1), the Secretary shall annually compile the data and prepare a report identifying industry-recognized credentials that are regionally relevant or nationally portable. The report shall include information on the needs of each State and of the Nation for such credentials.

''(3) AVAILABILITY.—The Secretary shall make the report available and easily searchable on a website.

''(4) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed as an official endorsement of a credential by the Department of Labor.''.

SEC. 203. ESTABLISHING INCENTIVES FOR ACCOUNTABILITY.

(a) PROGRAM.—Subtitle B of title I of the Workforce Investment Act of 1998 is amended by inserting after section 112 (29 U.S.C. 2822) the following:

''SEC. 112A. PAY FOR PERFORMANCE PILOT PROGRAM.

''(a) ESTABLISHMENT.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of the Careers through Responsive, Efficient, and Effective Retraining Act, the Secretary of Labor shall establish a Pay for Performance pilot program. The Secretary shall select not fewer than 5 States, including at least 1 rural State and at least 1 non-rural State, to participate in the pilot program by carrying out a Pay for Performance State program.

''(2) VOLUNTARY NATURE OF PROGRAM.—Nothing in this subtitle shall be construed to require a State to participate in the pilot program without the State's consent.

''(3) DEFINITION.—In this subsection, the term 'rural State' means a State that has a population density of 52 or fewer persons per square mile, or a State in which the largest county has fewer than 150,000 people, as determined on the basis of the most recent decennial census of population conducted pursuant to section 141 of title 13, United States Code.

''(b) SUBMISSION OF PLANS.—To be eligible to participate in the pilot program, a State shall submit to the Secretary and obtain approval of a Pay for Performance plan described in section 112(e) as a supplement to the State plan described in section 112. The State shall submit the supplement in accordance with such process as the Secretary may specify after consultation with States.

''(c) IMPLEMENTATION.—

''(1) IN GENERAL.—In a State that carries out a Pay for Performance State program, the State shall reserve and the local areas shall use the amount described in paragraph (2) to provide a portion of the training services authorized under section 134(d)(4) (referred to in this section as 'training services') under the State's Pay for Performance plan, in addition to the other requirements of this Act.

''(2) AMOUNT.—The amount reserved under paragraph (1) shall be—

''(A) a portion of not more than 25 percent, as determined by the State, of the funds available to be allocated under section 133(b) within the State, and estimated by the State to be available for training services, for the fiscal year involved; and

''(B) a portion of not more than 17.5 percent, as determined by the State, of the grant funds awarded under section 211(b) for the State (which portion shall be taken from

the funds described in paragraphs (2) and (3) of section 222(a)) for the fiscal year involved.

''(d) TRAINING AND TECHNICAL ASSISTANCE.—The Secretary shall provide, by grant or contract, training and technical assistance to States, and local areas in States, carrying out a Pay for Performance State program.

''(e) STATE REPORTS.—Each State carrying out a Pay for Performance State program shall annually prepare and submit to the Secretary a report regarding the performance of the State on the outcome measures described in section 112(e)(2)(C).

''(f) EVALUATIONS.—

''(1) IN GENERAL.—Not later than 1 year after the conclusion of the transition period described in section 112(e)(2)(H), the Secretary shall enter into an arrangement for an entity to carry out an independent evaluation of Pay for Performance State programs carried out under this subtitle.

''(2) CONTENTS.—For each Pay for Performance State program, the entity shall evaluate the program design and performance on the outcome measures, evaluate (wherever possible) the level of satisfaction with the program among employers and employees benefiting from the program, and estimate public returns on investment, including such returns as reduced dependence on public assistance, reduced unemployment, and increased tax revenue paid by participants exiting the program for employment.

''(3) REPORT.—The entity shall prepare a report containing the results of the evaluation, and submit the report to the Secretary, not later than 18 months after the conclusion of the transition period.

''(g) REPORT TO CONGRESS.—Not later than 3 months after the submission of the report described in subsection (f)(3), the Secretary shall prepare and submit to Congress a report that contains the results of the evaluations described in subsection (f) and recommendations. The recommendation shall include the Secretary's opinions concerning whether the pilot program should be continued and whether the pay for performance model should be expanded within this Act, and related considerations.

''(h) PERFORMANCE.—

''(1) IN GENERAL.—Except as provided in paragraph (2), section 136 of this Act shall not apply to a State, or a local area in a State, with respect to activities carried out through a Pay for Performance State program.

''(2) FISCAL AND MANAGEMENT ACCOUNTABILITY INFORMATION SYSTEMS.—Section 136(f)(1) shall apply with respect to reporting and monitoring of the use of funds under this section for activities described in paragraph (1).''.

(b) PAY FOR PERFORMANCE PLAN.—Section 112 of the Workforce Investment Act of 1998 (29 U.S.C. 2822) is amended by adding at the end the following:

''(e) PAY FOR PERFORMANCE PLANS.—

''(1) IN GENERAL.—For a State seeking to carry out a Pay for Performance State program (referred to in this subsection as a 'State program') under the pilot program described in section 112A, the State plan shall include a plan supplement, consisting of a Pay for Performance plan developed by the State and local areas in the State.

''(2) CONTENTS.—The Pay for Performance plan shall, with respect to the State program—

''(A) provide for technical support to local areas and providers in order to carry out a pay for performance model, which shall at a minimum provide assistance with data collection and data entry requirements;

''(B) specify target populations who are eligible to receive training services authorized under section 134(d)(4) (referred to in this subsection as 'training services') through the State program, with appropriate consideration of and participation targets for special participant populations that face multiple barriers to employment, as defined in section 134(d)(4)(G)(iv);

''(C) specify employment placement, employment retention, and earnings outcome measures and timetables for each target population;

''(D) provide for curricula in terms of competencies required for education and career advancement that are, where feasible, tied to industry-recognized credentials and related standards (where the quality of the program leading to the credential or standard is recognized by the State or local area involved), or State licensing requirements;

''(E) describe how the State or local areas will provide information to participants in the State program about appropriate support services, where feasible, including career assessment and counseling, case management, child care, transportation, financial aid, and job placement services;

''(F) specify a fixed amount that, except as provided in subparagraph (H), local areas in the State will pay to providers of training services in the State program, for each eligible participant who achieves the applicable outcome measures or is an excepted participant described in subparagraph (G)(i), according to the timetables described in subparagraph (C), which amount—

''(i) shall represent 115 percent of the historical cost of providing training services to a participant under this subtitle, as established by the State or local area involved; and

''(ii) may vary by target population;

''(G) provide assurances that—

''(i) no funds reserved for the State program will be paid to a provider for a participant who does not achieve the outcome measures according to the timetables, except for a participant who does not achieve the outcome measures through no fault of the provider, as determined by the Governor in consultation with the head of the State board, relevant local boards, and at least 1 representative of the State's providers of training services; and

''(ii) each local area in the State will reallocate funds not paid to a provider, because the achievement described in clause (i) did not occur, for further activities under the State program in the local area; and

''(H) specify a transition period of not more than 1 year during which the reserved funds may be paid to providers of training services based on the previous year's performance on the core indicators of performance described in 136(b)(2)(A)(i), in order to enable the providers to begin to provide services under the State program and adjust to a pay for performance model, including adjusting by—

''(i) developing partnerships with local employers; and

''(ii) seeking financial support and volunteer services from private sector sources.

''(3) APPROVAL.—In determining whether to approve the plan supplement, the Secretary shall consider the quality of the data system the State will use to track performance on outcome measures in carrying out a Pay for Performance plan.''.

(c) CONFORMING AMENDMENTS.—

(1) USE OF FUNDS.—Section 211(b)(2) of the Workforce Investment Act of 1998 (20 U.S.C. 9211(b)(2)) is amended by inserting ''or training services in accordance with section 112A(c)'' before the period at the end.

(2) FUNDING.—Section 223(a) of the Workforce Investment Act of 1998 (20 U.S.C. 9223(a)) is amended—

(A) by redesignating paragraph (8) as paragraph (12), and moving that paragraph to the end of that section 223(a); and

(B) by inserting after paragraph (7) the following:

''(8) Providing training services in accordance with section 112A(c).''.

SEC. 204. PROVIDING A JOB TRAINING REORGANIZATION PLAN FOR THE FEDERAL WORKFORCE INVESTMENT SYSTEM.

(a) DEFINITIONS.—In this section:

(1) FEDERAL JOB TRAINING PROGRAM.—The term ''Federal job training program'' means any federally funded employment and training program, including the programs identified in the Government Accountability Office report.

(2) GOVERNMENT ACCOUNTABILITY OFFICE REPORT.—The term ''Government Accountability Office report'' means the January 2011 report of the Government Accountability Office entitled ''Multiple Employee and Training Programs: Providing Information on Colocating Services and Consolidating Administrative Structures Could Promote Efficiencies'' (GAO–11–92).

(3) INDIVIDUAL WITH A BARRIER TO EMPLOYMENT.—The term ''individual with a barrier to employment'' means a job seeker who—

(A) is economically disadvantaged;

(B) has limited English proficiency;

(C) requires remedial education;

(D) is an older worker;

(E) is an individual who has completed a sentence for a criminal offense; or

(F) has another barrier to employment, as defined by the Director of the Office of Management and Budget.

(b) REORGANIZATION PLAN.—

(1) PREPARATION.—The Director of the Office of Management and Budget (referred to in this section as the ''Director'') shall prepare a plan to reorganize Federal job training programs to increase their efficiency, integration, and alignment. The plan shall include a proposal to decrease the number of Federal job training programs without decreasing services or accessibility to services for eligible job training participants, including individuals with barriers to employment. In preparing the plan, the Director shall demonstrate that the Director considered the findings of the Government Accountability Office report, and input from the States, heads of the affected Federal departments and agencies, local workforce investment boards, businesses, workforce advocates and community organizations, labor organizations, and relevant education-related organizations.

(2) SUBMISSION.—Not later than 12 months after the date of enactment of this Act, the Director shall submit the reorganization plan to the appropriate committees of Congress.

SEC. 205. USING THE NATIONAL DIRECTORY OF NEW HIRES INFORMATION TO ASSIST IN ADMINISTRATION OF WORKFORCE INVESTMENT ACT OF 1998 PROGRAMS.

Section 453(j) of the Social Security Act (42 U.S.C. 653(j)) is amended by adding at the end the following:

''(12) INFORMATION COMPARISONS AND DISCLOSURE TO ASSIST IN ADMINISTRATION OF WORKFORCE INVESTMENT ACT PROGRAMS.—

''(A) IN GENERAL.—If, for purposes of administering a program of workforce investment activities carried out under subtitle B of title I of the Workforce Investment Act of 1998, a State agency responsible for the administration of such program transmits to the Secretary the names and social security account numbers of individuals, the Secretary shall disclose to such State agency information on such individuals and their employers maintained in the National Directory of New Hires, subject to this paragraph.

''(B) CONDITION ON DISCLOSURE BY THE SECRETARY.—The Secretary shall make a disclosure under subparagraph (A) only to the extent that the Secretary determines that the disclosure would not interfere with the effective operation of the program under this part.

''(C) USE AND DISCLOSURE OF INFORMATION BY STATE AGENCIES.—

''(i) IN GENERAL.—A State agency may not use or disclose information provided under this paragraph except for purposes of administering a program referred to in subparagraph (A) (including measuring performance under section 136 of the Workforce Investment Act of 1998 and preparing reports under subsection (d) of such section, subject to this paragraph).

''(ii) INFORMATION SECURITY.—The State agency shall have in effect data security and control policies that the Secretary finds adequate to ensure the security of information obtained under this paragraph and to ensure that access to such information is restricted to authorized persons for purposes of authorized uses and disclosures.

''(iii) PENALTY FOR MISUSE OF INFORMATION.—An officer or employee of the State agency who fails to comply with this subparagraph shall be subject to the sanctions under subsection (l)(2) to the same extent as if such officer or employee was an officer or employee of the United States.

''(D) PROCEDURAL REQUIREMENTS.—State agencies requesting information under this paragraph shall adhere to uniform procedures established by the Secretary governing information requests and data matching under this paragraph.

''(E) WAIVER OF REQUIREMENT TO REIMBURSE COSTS.—Notwithstanding subsection (k)(3), a State agency shall not be required to reimburse the Secretary for the costs incurred by the Secretary in furnishing information requested under this paragraph to the State agency.''.

SA 2651. Mr. HELLER (for himself, Ms. COLLINS, Ms. AYOTTE, Mr. COATS, Ms. MURKOWSKI, Mr. PORTMAN, Mr. ISAKSON, and Mr. HOEVEN) submitted an amendment intended to be proposed by him to the bill S. 1845, to provide for the extension of certain unemployment benefits, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 2 and insert the following:

SEC. 2. EXTENSION AND MODIFICATION OF EMERGENCY UNEMPLOYMENT COMPENSATION PROGRAM.

(a) EXTENSION.—Section 4007(a)(2) of the Supplemental Appropriations Act, 2008 (Public Law 110–252; 26 U.S.C. 3304 note) is amended by striking ''January 1, 2014'' and inserting ''April 1, 2014''.

(b) MODIFICATIONS RELATING TO WEEKS OF EMERGENCY UNEMPLOYMENT COMPENSATION.—

(1) NUMBER OF WEEKS IN FIRST TIER BEGINNING AFTER DECEMBER 28, 2013.—Section 4002(b) of such Act is amended—

(A) by redesignating paragraph (3) as paragraph (4);

(B) in paragraph (2)—

(i) in the heading, by inserting '', AND WEEKS ENDING BEFORE DECEMBER 30, 2013'' after ''2012''; and

(ii) in the matter preceding subparagraph (A), by inserting '', and before December 30, 2013'' after ''2012''; and

(C) by inserting after paragraph (2) the following:

''(3) SPECIAL RULE RELATING TO AMOUNTS ESTABLISHED IN AN ACCOUNT AS OF A WEEK ENDING AFTER DECEMBER 29, 2013.—Notwithstanding any provision of paragraph (1), in the case of any account established as of a week ending after December 29, 2013—

''(A) paragraph (1)(A) shall be applied by substituting '24 percent' for '80 percent'; and

''(B) paragraph (1)(B) shall be applied by substituting '6 times' for '20 times'.''.

(2) NUMBER OF WEEKS IN SECOND TIER BEGINNING AFTER DECEMBER 28, 2013.—Section 4002(c) of such Act is amended by adding at the end the following:

''(5) SPECIAL RULE RELATING TO AMOUNTS ADDED TO AN ACCOUNT AS OF A WEEK ENDING AFTER DECEMBER 29, 2013.—Notwithstanding any provision of paragraph (1), if augmentation under this subsection occurs as of a week ending after December 29, 2013—

''(A) paragraph (1)(A) shall be applied by substituting '24 percent' for '54 percent'; and

''(B) paragraph (1)(B) shall be applied by substituting '6 times' for '14 times'.''.

(c) FUNDING.—Section 4004(e)(1) of the Supplemental Appropriations Act, 2008 (Public Law 110–252; 26 U.S.C. 3304 note) is amended—

(1) in subparagraph (I), by striking ''and'' at the end;

(2) in subparagraph (J), by inserting ''and'' at the end; and

(3) by inserting after subparagraph (J) the following:

''(K) the amendments made by subsections (a) and (b) of section 2 of the Emergency Unemployment Compensation Extension Act;''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the enactment of the American Taxpayer Relief Act of 2012 (Public Law 112–240).

SEC. 2A. REPEAL OF REDUCTIONS MADE BY BIPARTISAN BUDGET ACT OF 2013.

Section 403 of the Bipartisan Budget Act of 2013 (Public Law 113–67) is repealed as of the date of the enactment of such Act.

SEC. 2B. REDUCTION IN BENEFITS BASED ON RECEIPT OF UNEMPLOYMENT COMPENSATION.

(a) IN GENERAL.—Title II of the Social Security Act (42 U.S.C. 401 et seq.) is amended by inserting after section 224 the following new section:

''REDUCTION IN BENEFITS BASED ON RECEIPT OF UNEMPLOYMENT COMPENSATION

''SEC. 224A (a)(1) If for any month prior to the month in which an individual attains retirement age (as defined in section 216(l)(1))—

''(A) such individual is entitled to benefits under section 223, and

''(B) such individual is entitled for such month to unemployment compensation,

the total of the individual's benefits under section 223 for such month and of any benefits under section 202 for such month based on the individual's wages and self-employment income shall be reduced (but not below zero) by the total amount of unemployment compensation received by such individual for such month.

''(2) The reduction of benefits under paragraph (1) shall also apply to any past-due benefits under section 223 for any month in which the individual was entitled to—

''(A) benefits under such section, and

''(B) unemployment compensation.

''(3) The reduction of benefits under paragraph (1) shall not apply to any benefits under section 223 for any month, or any benefits under section 202 for such month based on the individual's wages and self-employment income for such month, if the individual is entitled for such month to unemployment compensation following a period of trial work (as described in section 222(c)(1), participation in the Ticket to Work and Self-Sufficiency Program established under section 1148, or participation in any other program that is designed to encourage an individual entitled to benefits under section 223 or 202 to work.

''(b) If any unemployment compensation is payable to an individual on other than a monthly basis (including a benefit payable as a lump sum to the extent that it is a commutation of, or a substitute for, such periodic compensation), the reduction under this section shall be made at such time or times and in such amounts as the Commissioner of Social Security (referred to in this section as the 'Commissioner') determines will approximate as nearly as practicable the reduction prescribed by subsection (a).

''(c) Reduction of benefits under this section shall be made after any applicable reductions under section 203(a) and section 224, but before any other applicable deductions under section 203.

''(d)(1) Subject to paragraph (2), if the Commissioner determines that an individual may be eligible for unemployment compensation which would give rise to a reduction of benefits under this section, the Commissioner may require, as a condition of certification for payment of any benefits under section 223 to any individual for any month and of any benefits under section 202 for such month based on such individual's wages and self-employment income, that such individual certify—

''(A) whether the individual has filed or intends to file any claim for unemployment compensation, and

''(B) if the individual has filed a claim, whether there has been a decision on such claim.

''(2) For purposes of paragraph (1), the Commissioner may, in the absence of evidence to the contrary, rely upon a certification by the individual that the individual has not filed and does not intend to file such a claim, or that the individual has so filed and no final decision thereon has been made, in certifying benefits for payment pursuant to section 205(i).

''(e) Whenever a reduction in total benefits based on an individual's wages and self-employment income is made under this section for any month, each benefit, except the disability insurance benefit, shall first be proportionately decreased, and any excess of such reduction over the sum of all such benefits other than the disability insurance benefit shall then be applied to such disability insurance benefit.

''(f)(1) Notwithstanding any other provision of law, the head of any Federal agency shall provide such information within its possession as the Commissioner may require for purposes of making a timely determination of the amount of the reduction, if any, required by this section in benefits payable under this title, or verifying other information necessary in carrying out the provisions of this section.

''(2) The Commissioner is authorized to enter into agreements with States, political subdivisions, and other organizations that administer unemployment compensation, in order to obtain such information as the Commissioner may require to carry out the provisions of this section.

''(g) For purposes of this section, the term 'unemployment compensation' has the meaning given that term in section 85(b) of the Internal Revenue Code of 1986, and the total amount of unemployment compensation to which an individual is entitled shall be determined prior to any applicable reduction under State law based on the receipt of benefits under section 202 or 223.''.

(b) CONFORMING AMENDMENT.—Section 224(a) of the Social Security Act (42 U.S.C. 424a(a)) is amended, in the matter preceding paragraph (1), by striking ''the age of 65'' and inserting ''retirement age (as defined in section 216(l)(1))''.

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall apply

to benefits payable for months beginning on or after the date that is 12 months after the date of enactment of this section.

SEC. 2C. REDUCTION OF NONMEDICARE, NONDEFENSE DIRECT SPENDING.

Section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a) is amended by adding at the end the following:

''(11) ADDITIONAL REDUCTION OF NONMEDICARE, NONDEFENSE DIRECT SPENDING.—

''(A) IN GENERAL.—For each of fiscal years 2015 through 2023, in addition to the reduction in direct spending under paragraph (6), on the date specified in paragraph (2), OMB shall prepare and the President shall order a sequestration, effective upon issuance, reducing the spending described in subparagraph (B) by the uniform percentage necessary to reduce such spending for the fiscal year by $1,333,000,000.

''(B) SPENDING COVERED.—The spending described in this subparagraph is spending that is—

''(i) nonexempt direct spending;

''(ii) not spending for the Medicare programs specified in section 256(d); and

''(iii) within the revised nonsecurity category.''.

NOTICE OF HEARING

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. WYDEN. Mr. President, I would like to announce for the information of the Senate and the public that a business meeting has been scheduled before the Senate Committee on Energy and Natural Resources. The business meeting will be held on Thursday, January 16, 2014, at 9:30 a.m. in room 366 of the Dirksen Senate Office Building.

The purpose of this business meeting is to consider the following nominations: Mr. Michael L. Connor, to be Deputy Secretary of the Interior; Dr. Elizabeth M. Robinson, to be the Under Secretary of Energy; Dr. Franklin M. Orr, Jr., to be the Under Secretary for Science, Department of Energy; Dr. Steven P. Croley, to be General Counsel of the Department of Energy; Ms. Esther P. Kia'aina, to be an Assistant Secretary of the Interior, Insular Areas; Mr. Tommy P. Beaudreau, to be an Assistant Secretary of the Interior, Policy, Management, and Budget; Mr. Christopher A. Smith, to be an Assistant Secretary of Energy, Fossil Energy; Mr. Jonathan Elkind, to be an Assistant Secretary of Energy, International Affairs; Mr. Neil G. Kornze, to be Director of the Bureau of Land Management, Department of the Interior; Dr. Marc A. Kastner, to be Director of the Office of Science, Department of Energy; and Dr. Ellen D. Williams, to be Director of the Advanced Research Projects Agency—Energy, Department of Energy.

Because of the limited time available for the business meeting, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, U.S. Senate, 304 Dirksen Senate Office Building, Washington, DC 20510–6150, or by email to abigail_campbell@energy.senate.gov.

For further information, please contact Sam Fowler at 202–224–7571 or Abby Campbell at 202–224–4905.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. WARNER. 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 Tuesday, January 14, 2014, at 10:15 a.m. for a business meeting to consider pending committee business.

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. WARNER. 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 Tuesday, January 14, 2014, at 10:30 a.m. in order to conduct a hearing titled ''Examinng Conference and Travel Spending Across the Federal Government.''

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

COMMITTEE ON THE JUDICIARY

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on Tuesday, January 14, 2014, at 2:30 p.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Hearing on the Report of the President's Review Group on Intelligence and Communications Technology.''

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

SUBCOMMITTEE ON EMERGING THREATS AND CAPABILITIES

Mr. WARNER. Mr. President, I ask unanimous consent that the Subcommittee on Emerging Threats and Capabilities of the Committee on Armed Services be authorized to meet during the session of the Senate on Tuesday, January 14, 2014, at 10:15 a.m., in closed session to receive a briefing on department of defense counterterrorism operations.

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

SUBCOMMITTEE ON FINANCIAL AND CONTRACTING OVERSIGHT

Mr. WARNER. Mr. President, I ask unanimous consent that the Subcommittee on Financial and Contracting Oversight of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on Tuesday, January 14, 2014, at 2:30 p.m. in order to conduct a hearing entitled ''Management of Air Traffic Controller Training Contacts.''

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

PUBLIC HEALTH SERVICE ACT

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 3527, which is at the desk.

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

The assistant legislative clerk read as follows:

A bill (H.R. 3527) to amend the Public Health Service Act to reauthorize the poison center national toll-free number, national media campaign, and grant program, and for other purposes.

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

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

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

The bill (H.R. 3527) was ordered to a third reading, was read the third time, and passed.

DESIGNATING THE LIEUTENANT GENERAL RICHARD J. SEITZ COMMUNITY-BASED OUTPATIENT CLINIC

Mr. REID. Mr. President, I ask unanimous consent that the Veterans' Affairs Committee be discharged from further consideration of S. 1434, and we proceed to the matter.

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

The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 1434) to designate the Junction City Community-Based Outpatient Clinic located at 715 Southwind Drive, Junction City, Kansas, as the Lieutenant General Richard J. Seitz Community-Based Outpatient Clinic.

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

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

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

The bill (S. 1434) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1434

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

SECTION 1. LIEUTENANT GENERAL RICHARD J. SEITZ COMMUNITY-BASED OUTPATIENT CLINIC.

(a) FINDINGS.—Congress finds that—

(1) Lieutenant General Richard J. Seitz served as the cadet commander of a unit of the Reserve Officers' Training Corps at Leavenworth High School in Leavenworth, Kansas, where he earned the American Legion Cup as an outstanding cadet;

(2) while attending Kansas State University, Lieutenant General Seitz accepted a commission as a second lieutenant in the Army and was called into active duty in 1940;

(3) Lieutenant General Seitz volunteered to be one of the first paratroopers in the United States;

(4) at age 25, Lieutenant General Seitz as a major, was given command of the 2nd Battalion of the 517th Parachute Infantry Regimental Combat Team, becoming the youngest battalion commander in the Army;

(5) along with the 7th Armored Division, the battalion commanded by Lieutenant General Seitz formed what became known as Task Force Seitz at the Battle of the Bulge with the mission to plug the gaps on the north slope of the Bulge when the Germans attempted to break out;

(6) the service of Lieutenant General Seitz earned him the Silver Star, 2 Bronze Stars, the Purple Heart, and many other acknowledgments during his 37-year career in the Army;

(7) after victory in Europe, Lieutenant General Seitz remained in the Army, commanding the 2nd Airborne Battle Group, 503rd Infantry Regiment, and the 82nd Airborne Division;

(8) on retiring in 1978, Lieutenant General Seitz settled in Junction City, Kansas, near Ft. Riley, where he would greet deploying and returning units from Iraq and Afghanistan at all times of the day;

(9) Lieutenant General Seitz remained active in the wider community, working with the Coronado Area Council of the Boy Scouts of America, the Fort Riley National Bank, Rotary International, and the Association of the United States Army and serving on the board of the Eisenhower Presidential Library and Museum;

(10) Lieutenant General Seitz had a passion for mentoring young officers and noncommissioned officers at Fort Riley, never ceasing to be a soldier, according to his son, Richard M. Seitz;

(11) Lieutenant General Seitz was named an Outstanding Citizen of Kansas;

(12) in 2012 an elementary school at Fort Riley was named in honor of Lieutenant General Seitz, which is meaningful because he believed the fate of the United States relied on young children and the teachers who inspire them;

(13) during visits to the elementary school, Lieutenant General Seitz would talk with the students about what it meant to be a ''proud and great American'' and his message was always to ''respect the teachers and be a learner'';

(14) the family and friends of Lieutenant General Seitz have described him as a gentleman, compassionate, respected, full of integrity, gracious, giving, and a remarkable individual; and

(15) Lieutenant General Seitz lived each day to its fullest and his commitment to his fellow man serves as an inspiration to all the people of the United States.

(b) DESIGNATION.—The Junction City Community-Based Outpatient Clinic located at 715 Southwind Drive, Junction City, Kansas, shall be known and designated as the ''Lieutenant General Richard J. Seitz Community-Based Outpatient Clinic''.

(c) REFERENCES.—Any reference in any law, map, regulation, document, paper, or other record of the United States to the Junction City Community-Based Outpatient Clinic referred to in subsection (b) shall be deemed to be a reference to the ''Lieutenant General Richard J. Seitz Community-Based Outpatient Clinic''.

MEASURES READ THE FIRST TIME—S. 1917 AND S. 1926

Mr. REID. Mr. President, I am told there are two bills at the desk, and I ask for their first reading en bloc.

The PRESIDING OFFICER. The clerk will read the bills by title for the first time.

The assistant legislative clerk read as follows:

A bill (S. 1917) to provide for additional enhancements of the sexual assault prevention and response activities of the Armed Forces;

A bill (S. 1926) to delay the implementation of certain provisions of the Biggert-Waters Flood Insurance Reform Act of 2012 and to reform the National Association of Registered Agents and Brokers, and for other purposes.

Mr. REID. Mr. President, I ask for a second reading on both of these measures and, in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection is heard.

The bills will be read for the second time on the next legislative day.

ORDERS FOR WEDNESDAY, JANUARY 15, 2014

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Wednesday, January 15, 2014; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; and that following any leader remarks, the time until 12 noon be equally divided and controlled between the two leaders or their designees, with Senators permitted to speak therein for up to 10 minutes each; and, finally, at 12 noon, the Senate proceed to the consideration of H.J. Res. 106, as provided under the previous order.

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

PROGRAM

Mr. REID. At approximately 12:15 p.m. tomorrow there will be a rollcall vote on passage of the short-term continuing resolution. Tomorrow we will continue to work on an agreement to consider the flood insurance bill and begin consideration of the Omnibus appropriations bill once it is received from the House.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

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

There being no objection, the Senate, at 7:11 p.m., adjourned until Wednesday, January 15, 2014, at 10 a.m.