

Mr. MCCAIN. Madam President, I am grateful for the kind words and sentiment expressed by my leader Senator MCCONNELL, and I appreciate very much his kind remarks. On this anniversary day, I still think the greatest honor of my life was the privilege of serving in the company of heroes who inspired all of us to things that otherwise we may not have been capable of. It has been a great honor for me to serve with Senator MCCONNELL as my leader in the Senate. On this particular day, I appreciate his very kind sentiments.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Maryland.

Ms. MIKULSKI. Madam President, what a wonderful speech. I am proud to serve with Senator MCCAIN. America has so few heroes. America needs all the heroes we can get, and people whom we can identify with—not comic book figures wearing weird costumes. There are men and women who put themselves in harm's way and do daring and dashing things for the good of other people, and it is just an honor. We have our dustups, but that is part of the fun.

I just want to salute Senator MCCAIN in the warmest and most sincere way. God bless Senator MCCAIN, and we wish him good health—and even a good voice and occasionally a good amendment. Again, it is an honor.

If I might speak to the Republican leader, I am so glad Senator MCCONNELL did this today because I think we need to take a pause to understand why we are in it together, why we should respect each other, work with each other, and take a moment or two to recall a great story about a great hero.

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

Mr. MCCAIN. Madam President, I thank the Senator from Maryland. I can assure her that if she and I had served together in that place faraway, she would have been a very tough and courageous resister.

Ms. MIKULSKI. I thank the Senator.

RESERVATION OF LEADER TIME

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

DEPARTMENT OF DEFENSE MILITARY CONSTRUCTION AND VETERANS AFFAIRS, AND FULL-YEAR CONTINUING APPROPRIATIONS ACT, 2013

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 933.

The clerk will report the bill.

The legislative clerk read as follows:

A bill (H.R. 933) to make appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes.

Pending:

Reid (for Mikulski-Shelby) modified amendment No. 26, in the nature of a substitute.

Harkin-Cardin amendment No. 53 (to amendment No. 26), of a perfecting nature.

Inhofe amendment No. 29 (to amendment No. 26), to prohibit the expenditure of Federal funds to enforce the spill prevention, control, and countermeasure rule of the Environmental Protection Agency against farmers.

The ACTING PRESIDENT pro tempore. The Senator from Maryland is recognized.

Ms. MIKULSKI. Madam President, I have a unanimous consent request that I understand has been cleared on both sides of the aisle.

I ask unanimous consent that it now be in order for Senator COBURN to call up his amendment numbered 66; that there be 60 minutes equally divided in the usual form for debate on the Harkin and Coburn amendments to run concurrently; and that upon the use or yielding back of time, the Senate proceed to vote in relation to the Harkin and Coburn amendments in the order offered; that there be no amendments in order to either amendment prior to the votes; and both amendments to be subject to a 60-affirmative-vote threshold.

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

Ms. MIKULSKI. Madam President, I note that the Senator from Oklahoma is on the floor.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Oklahoma.

AMENDMENT NO. 66 TO AMENDMENT NO. 26

Mr. COBURN. Madam President, I ask that the pending amendment be set aside and amendment No. 66 be called up.

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

The legislative clerk read as follows:

The Senator from Oklahoma [Mr. COBURN], for himself and Mr. MCCAIN, proposes an amendment numbered 66.

The amendment is as follows:

(Purpose: To temporarily freeze the hiring of nonessential Federal employees)

At the appropriate place, insert the following:

SEC. ____ . FREEZE ON HIRING OF NONESSENTIAL FEDERAL EMPLOYEES.

(a) IN GENERAL.—Except as provided in subsection (b), none of the funds made available under division A, B, C, D, E, or F of this Act may be used by any Executive agency (as defined under section 105 of title 5, United States Code, except that such term shall not include the Government Accountability Office) to hire any new employee.

(b) EXCEPTION.—Subsection (a) shall not apply to the hiring of an excepted employee or an employee performing emergency work, as such terms are defined by the Office of Personnel Management.

Mr. COBURN. Madam President, this is a fairly straightforward amendment. It actually follows the guidelines of the recommendations of the Office of Management and Budget. The administra-

tion claims that during this sequestration period we will have to furlough essential workers, which will negatively impact the daily lives of the American people.

Despite dire warnings to cut TSA agents—by the way, Director Pistole thinks they will be just fine, which is totally opposite of what the rest of the administration has said. Air traffic controllers, food inspectors, and thousands of new Federal jobs have been posted since the sequester went into effect.

Let me spend a minute on this issue. Since the sequester has been in effect, the Department of Treasury is looking to hire a leadership development specialist with a salary of \$182,000. The FDA advertised for a social media management service to streamline management of multiple social media platforms. There are 23 openings on the Federal jobs list for recreation, which includes: recreation aide, recreation specialist, and recreation assistant. The Air Force is looking to hire several full-time painters. There is a search to pay \$165,000 for a director of history and museum policies and programs.

The list continues: The Department of Treasury is currently advertising for an outreach manager. The Department of Labor is looking for a staff assistant at \$81,000 a year to answer the phone. There is a search for a policy coordinator for the Department of Health and Human Services to attend and facilitate meetings at \$81,000 a year. There is an opening for a director for the Air Force history and museums policies and programs at \$165,000 a year. There is another opening for an analyst for the Legislative Affairs Office at the Marine Corps for \$90,000 a year. The Department of Agriculture is looking for a director of the government employee services at a range of \$179,000 a year.

There is an opening for counsel for the Morris K. Udall Scholarship Foundation at \$155,000 a year, an opening for an executive assistant at the Department of Agriculture Forest Service to prepare itineraries for travel plans, an opening for an executive staff officer for the Air Force to represent the director of staff at meetings to write draft reports and memos at \$93,000.

These are all nonpriority hirings at a time when we are in sequester. What this amendment would do is simply implement OMB's guidance and freeze hiring for nonessential Federal positions during sequestration but still allow hiring of employees defined by the Office of Personnel Management as exempted or emergency personnel.

If this amendment does not freeze hiring of exempted or emergency employees as defined by OPM—and we all know what that means—there is also an exemption in here that gives agencies the flexibility to know which positions are critical to performing duties and allows their progression.

Right now the agencies are not following OMB's guidance. We hear about possible furloughs, but a good portion

of those furloughs would never be necessary if, in fact, the agencies would follow OMB's guidance. The government is seeking to hire travel specialists, recreation aides, public affairs specialists, outreach managers, librarians, historians, administrative assistants, and many other nonessential positions.

The Department of Health and Human Services has posted a job opening for a travel specialist with a salary of \$97,000 a year, and the job is to obtain domestic and international travel for HHS officials. It is not essential to their overall mission and actually facilitates more travel, which is one of the things also recommended by OMB in their guidance that they are not to do.

All we are saying is follow the OMB guidance in freezing nonessential new hiring and we could prevent furloughs to the government workers carrying out essential services and mission-critical duties today.

I have no question that some of these positions can be helpful to the agency which they have advertised for, but they are not necessary at this time until we get past this pothole in the road. Canceling job openings at the FAA of two community planners and four management program assistants would spare 1,000 air traffic controllers from furlough. Let me say that again. Just canceling and not hiring these four people at FAA could affect 1,000 Federal employees. Canceling just one job opening for a librarian at the Department of Agriculture could offset one furlough a day for as many as 750 entry-level workers at the Department of Agriculture.

What we are asking is simply for the agencies to follow the guidance that has already been out there, and we would mandate that as part of this continuing resolution omnibus appropriations bill.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. SCHATZ). The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I rise in opposition to the Coburn amendment. I am not going to go into the process of wanting to keep the bill as free of amendments as possible which has been something the House has requested us to do. This is the continuing resolution. It is not the authorization legislation and so on. We have to get this funded for the rest of the fiscal year 2013.

I wish to comment about the Senator from Oklahoma in that he is often on to something very good. Sometimes we are so worried about clinging to party positions we don't listen to one another. He has been a big help to me on my Commerce-Justice-Science bill, where we uncovered just ridiculous catering situations, and we had a very good amendment one time that addressed an agency paying \$4 for each meatball at some reception. I mean, truly folly, truly stupidity. So at this time, whether it is big government or

small government but smart government, we do have to have a sense of frugality.

However, I will come back to this: The Coburn amendment would propose a hiring freeze on all Federal employees except those deemed essential.

In late February, OMB issued guidance instructing agencies to apply increased scrutiny to areas such as new hiring and to ensure that such actions were taken only when vital to carrying out the agency's mission as a result of the uncertainty in terms of agencies facing a possible government shutdown on March 27 and the Draconian sword of sequester that is already underway. The Coburn amendment would force agencies to rely on contracting out functions the Federal Government should be handling or that are more expensive to outsource simply because they are not allowed to hire necessary staff.

We can debate essentials, but we are not going to do that this morning. What is an essential Federal employee? I have close to 300 people working as Federal prison guards in Garrett County this morning. They have increasingly violent prisons. We are increasingly overcrowded because of the skimpy funding that even I and the Justice Department have to put into the prisons. We had a prison guard killed just a few weeks ago in our neighboring State of Pennsylvania.

In any organization, whether it is a Federal agency or Microsoft, there might be a position we don't want or need or when we hear about it, it seems to have no value. Let's take the travel specialist. I am not standing here with a manual of all the civil service jobs, but here is what I think a travel specialist does.

The Department of HHS has to travel, whether it is the CDC, whether it is NIH. They are involved with other agencies in other parts of the country and they are involved with counterparts in other parts of the world. They have to get the best deal when they travel. How many of us, when we have tried to book an airline—booking an airline is similar to commodity trading; one day it is this, one minute it is that if I call Delta. Maybe American is going the way I want to go, but they only land at 7:17, when I have to be there at 12:14. So it is akin to being a commodity trader. Should Sebelius be doing that on her own? I don't think so. Should the head of CDC be doing that? No. They need a travel specialist who knows how to work it and maybe, in the long run, provide safe travel.

I support the direction the Senator is going in. He told me something I didn't know about, where some of these VA international conferences take over 50 people, for which I don't know what more than 50 people would do. So he is on the right track with many things. I think we have to be very careful when we are dealing with the entire civil service—millions of people, 2 million people who work for the Federal Gov-

ernment—and put a freeze on them. Some Federal agencies have had a hiring freeze for some time. The Department of Defense is already under a civilian hiring freeze.

It is important to recognize a hiring freeze would only have limited savings. A hiring freeze does not solve these problems, and it is just one more blow to a battered civil service. Remember, we have had civil service pay freezes in effect. So we have now frozen their pay for several years. They are facing increased costs in their pension program and now they are going to face furlough, and then we are going to tell them we don't think a lot of you are essential.

I come back to what I said a few days ago. If we are going to have a democratic government, we need to have an independent civil service. We might not always like what they do. We might not like every position that is in an agency. We need a civil service that goes beyond party, goes beyond the administration, and performs their jobs based on educational qualification and a skill set, and one that is meritocracy based. We then can focus on making sure we have the best civil service in the world so we can point to what a real civil service is; thereby, encouraging new, emerging democracies to be able to follow our lead.

I hope we do not accept the Coburn amendment. I hope if we are going to talk about the size of the government, we should do that next week on the budget bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. First of all, I am so excited with the chairman and ranking member of the Appropriations Committee. I have to say, since I have been in the Senate, I have found these two individuals more than capable to work with and more than willing to work with me and I wish to congratulate them on bringing their bill to the floor.

I have to very adamantly disagree because I think the chairman of the committee has missed my point. Every American family over the last 5 years has been making tough decisions about priorities. By not hiring some of what most Americans—a wall can get painted 6 months later. It doesn't have to be painted today. As a matter of fact, if we go over to all the Senate and House office buildings, we see the Architect of the Capitol repainting all the walls, with wet signs out there, while we can't let the visitors into our buildings. There is something wrong with us in the way we are managing. We are painting walls that don't have to be painted at the same time we make citizens wait in line for an hour and a half to get into our buildings.

It is about priorities. The fact is, if we don't fill some of these superfluous positions that are not absolutely necessary right now, many Federal employees will not get furloughed. That is the point I am making. I can't believe

we have to have a research librarian right now at the Air Force at a time when we don't have the money to put our pilots in the air to keep them trained.

So we are not talking about essential employees. By the way, essential and excepted employees are prison guards. Not one of them will be furloughed. So if we care about Federal employees, we do not want to spend money on positions that are truly not necessary right now, given the priorities, so the rest of the Federal workforce can be there.

Let me go back through this list again. Is it important to hire a lawyer for the Morris K. Udall Scholarship Foundation at a salary of \$155,000 right now? Is that important? How many people in the Federal Government would that keep from being furloughed and the services continue if we don't fill that position? How about an executive assistant to the Department of Agriculture Forest Service to prepare itineraries and briefing and information material packages at \$57,000.

What we don't get is all the rest of America is doing this already and now the OMB has recommended we do it and the agencies will not do it. We ought to tell them to do it for the benefit of the Federal employees who are working for us right now because they are the ones who are going to get furloughed. By not hiring these absolutely—I don't doubt they are positions we can use and are effective in many areas, but they are not a priority right now. I would think the priority right now would be having the people we have employed working.

How about a leadership development specialist at Treasury; is that really a priority right now, at \$182,000 a year? That is a priority, while laying off IRS employees so people get their refund back? Tell me which one is more important. I would think the American taxpayers would rather get an answer than a busy signal when they call the IRS versus us hiring a leadership development specialist. There are 23 openings related to recreation at the FDA right now—for recreation. Is that truly a priority for us right now?

We have a 60-vote limit on this. I am fine with a 60-vote threshold. But America is going to vote 80 percent or 90 percent with what I am recommending. We have a 60-vote threshold so we can make sure it doesn't happen, so we don't apply priorities, so we don't apply common sense, and everybody knows that if this was at a 50-vote margin, it would fly through here. The reason it is 60 is so we can protect people politically and not do the best right thing for America.

This bill is going to go through here. We are going to pass it. The government isn't going to be shut down. We are going to conference it and get it worked out. Senator SHELBY and Senator MIKULSKI will get that job done. We have absolute confidence in them.

This isn't a deal killer; this is common sense. This is what every business,

every family in America is doing right now. They don't spend money they don't have on things that aren't absolutely necessary, and that is all this amendment does.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. COBURN. I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. HARKIN. Mr. President, I ask unanimous consent I be allowed to speak for up to 5 minutes.

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

Mr. HARKIN. Mr. President, the first amendment vote today will be on the amendment I laid down yesterday on the Labor-HHS part of this so-called continuing resolution.

As I pointed out yesterday, the amount of money I am dealing with in my amendment is exactly what is in the CR. There is no additional money in there, but you need to understand whoever negotiated this package kept Labor-HHS, NIH, and others in a CR rather than in a bill form.

Interestingly enough, in the package before us Defense receives a full-length appropriations bill, as well as Homeland Security, Agriculture, Military Construction, Commerce-Justice-Science. They receive a full appropriations bill but not Labor, Health and Human Services, Education and Related Agencies. Interesting.

The one bill which speaks to educating our young, ensuring working families have adequate childcare protection, increasing our medical research to NIH, protecting food safety and drug safety through the Centers for Disease Control and Prevention—this must be on autopilot from last year and the year before. Therefore, my amendment costs exactly what is in the underlying CR.

What is in this amendment was agreed upon by the House Democrats and House Republicans, Senate Republicans, Senate Democrats in our negotiations last December in the Appropriations Committee.

There is a lot of talk about being bipartisan around here. We engaged in bipartisan negotiations last fall. It took us months, and we reached an agreement in December. That is bipartisan work. My amendment mirrors exactly what that agreement was. I am told now all Republicans are going to vote no. Why? Why, I ask?

The Individuals with Disabilities Education Act under the CR contains no increase. Under my amendment, there would be a \$125 million increase.

Title I for poor kids in school has a \$107 million increase in my amendment and no increase in the underlying bill.

NIH in the underlying bill contains a \$71 million increase and under my amendment a \$211 million increase.

Childcare in the underlying bill is \$50 million and my amendment is \$107 million.

AIDS drugs, there is no increase in the underlying bill but a \$29 million increase in my amendment.

These are things we hammered out through tough negotiations last December.

I know the Senator from Alabama has said there were some open items we didn't include. No, of course I didn't include open items, because they weren't agreed to. What I have in my amendment is what we agreed to, with one exception. As I said yesterday, there is no additional funding for health care reform, which Republicans are objecting to. It is not in my amendment, and still they are objecting.

Republicans say this amendment will kill the whole package. I must ask why funding these and keeping within the same dollar level as in the underlying bill kills the bill?

Chairman ROGERS, a Republican on the House side, helped negotiate these numbers last December. I hear a lot of talk on both sides of the aisle about how much they support NIH, how much they support biomedical research. I say to my Republican friends, here is the time to prove it, \$211 million versus \$71 million. There is no increase in my amendment of the underlying bill at all. Because we did a bill rather than a CR, we may move numbers around a little bit.

I want to know, where are the champions of NIH? Where are they? This is the chance to vote on it and not increase spending one single dime.

I would point out a number of medical groups and research groups have endorsed this amendment: the American Cancer Society, the American Dental Association, the American Diabetes Association, the American Heart Association, the Association of American Medical Colleges, BIO, Parkinson's Action Network, and more. Almost 300 patient advocacy groups and scientific societies support this amendment.

I ask unanimous consent a list of these groups be printed in the RECORD.

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

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

GROUPS SUPPORTING HARKIN AMENDMENT

Ad Hoc Group for Medical Research Funding, AIDS Institute, AIDS United, American Association of Community Colleges, American Association of School Administrators, American Cancer Society, American Dental Association, American Diabetes Association, American Federation of Government Employees, AFL-CIO, AFSCME, American Federation of Teachers American Heart Association.

Association of American Medical Colleges, Association of Assistive Technology Act Programs, Association of Community College Trustees, Association of Farmworker Opportunity Programs, BIO, Center for Law and

Social Policy, Child Care Aware of America, Coalition on Human Needs, College Board, Committee for Education Funding, Community Action Partnership, Council for Adult and Experiential Learning, Council for Advancement of Adult Literacy.

Corporate Voices for Working Families, Corporation for a Skilled Workforce, Council for Exceptional Children, Council for Opportunity in Education (TRIO), Council of Chief State School Officers, Council of the Great City Schools, Early Care and Education Consortium, First Five Years Fund, Friends of the National Institute of Dental and Craniofacial Research (FNIDCR), Great City Schools, Insight Center for Community Economic Development, Jobs for the Future, National Association of Community Health Centers (NACHC).

National Association of Federally Impacted Schools (NAFIS), National Association of State Alcohol & Drug Abuse Directors, National Association for the Education of Young Children, National Board for Professional Teaching Standards, National Coalition for Literacy, National College Transition Network at World Education, Inc., National Council for Workforce Education, National Education Association, National Head Start Association, National League of Cities, National Network to End Domestic Violence, National PTA.

National School Boards Association, National Skills Coalition, National Title I Association, National Transitions of Care Coalition, National Women's Law Center, Ovarian Cancer National Alliance, Parkinson's Action Network, PACER Center (Minnesota), Sargent Shriver National Center on Poverty Law, Teach for America, The Corps Network, Trust for America's Health, Wider Opportunities for Women, Zero to Three.

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

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

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

Mr. HARKIN. Mr. President, again I say why would this amendment kill the bill? It was agreed to by the distinguished chairman of the House Appropriations Committee, Chairman ROGERS, last December. This is what we agreed to. Why is it the one bill in Appropriations which speaks to the human needs of our country, the educational needs of our kids, the scientific and research needs we need for addressing some of our chronic illnesses in this country—why is this bill singled out? Why is it singled out to not have a full-standing bill but must be in the continuing resolution at the same level on autopilot as last year? I submit we can make these decisions. We can decide we are going to do these kinds of increases, keeping within the same dollar level as we have in the underlying bill.

I don't believe this will kill the bill. I believe those who don't want these increases, who don't want to see an increase in NIH will hold us up and say, yes, it will kill the bill. This is an idle threat. That is what it is, simply an idle threat. This is the third year now where they have put these programs on autopilot.

I daresay if we don't do this, this will be the last, we have seen the last of the Labor-HHS appropriations bills ever

passed in this body or the other body for many years into the future. We will still be on autopilot. Now is the time to step up, break that trend of putting us on autopilot every year. Now is the time for us to make these decisions. I hope the champions of NIH, who say they are champions of NIH, will step up and support this amendment.

I yield the floor.

The PRESIDING OFFICER. Under the previous order, the question is on agreeing to amendment No. 53 offered by the Senator from Iowa, Mr. HARKIN.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) is necessarily absent.

The result was announced—yeas 54, nays 45, as follows:

[Rollcall Vote No. 36 Leg.]

YEAS—54

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

NAYS—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

NOT VOTING—1

Lautenberg

The PRESIDING OFFICER (Ms. BALDWIN). Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

VOTE ON AMENDMENT NO. 66

Under the previous order, the question occurs on amendment No. 66, offered by the Senator from Oklahoma, Mr. COBURN.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) is necessarily absent.

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

The result was announced—yeas 45, nays 54, as follows:

[Rollcall Vote No. 37 Leg.]

YEAS—45

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

NAYS—54

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

NOT VOTING—1

Lautenberg

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

Ms. MIKULSKI. Madam President, I move to reconsider the vote.

Mr. LEAHY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BROWN. Madam President, I ask unanimous consent to speak for up to 2 minutes. After my remarks, I ask that the senior Senator from Arizona be recognized.

Mr. WHITEHOUSE. Madam President, I ask that I be recognized when the senior Senator from Arizona has finished his remarks.

The PRESIDING OFFICER. Is there objection to the modified request? Without objection, it is so ordered.

Mr. BROWN. Madam President, I don't yet want to call up my amendment—I have been working with Chairman MIKULSKI on this—until they get an agreement. However, I will discuss for a moment amendment No. 83, which I am cosponsoring with Senator ISAKSON of Georgia. It does help us restore what Senator MIKULSKI has been working toward, which is regular order in this Chamber.

This is an amendment having to do with some language dealing with a

pilot project with customs and privatization that Senator LANDRIEU has supported. I have spoken to Senator LANDRIEU about this issue, and we need to talk through some other things. If we are going to do regular order the way we need to, this language should come in front of the Finance Committee to work out these issues, where Senator ISAKSON and I sit. I think we should not succumb to the temptation to legislate through appropriations, and this would be one way of doing that.

Later I will ask my colleagues to support amendment No. 83, sponsored by me and Senator ISAKSON. I appreciate the forbearance of Senator MCCAIN.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. BROWN. I yield the floor.

Mr. MCCAIN. Madam President, I thank the chairwoman, Senator MIKULSKI, for allowing me to speak as if in morning business.

SYRIA

On March 15, 2011, thousands of Syrian men, women, and children in the city of Deraa gathered together in a public square that is known today as Dignity Square. They came together to peacefully protest against the Syrian regime's decision to arrest and torture a group of 15 teenagers whose crime had been exercising their universally recognized rights to free speech. Their crime was speaking truth to those in power in Syria. They sketched on the wall of their school a statement that remains true in Syria today: "The people want the regime to fall."

Since these peaceful calls for change were first heard in Syria 2 years ago, more than 70,000 men, women, and children have been massacred by the Assad regime. More than 1 million refugees have fled their country at a rate of 8,000 people each day as of last month, and 2.5 million people have been displaced within their country. Only the genocide in Rwanda and the first Iraq war have driven more people to refugee status over a similar period of time.

These facts and figures are startling. Behind each statistic is a profound human tragedy to which we cannot grow numb as the conflict in Syria presses on into a third year. I certainly cannot.

Last April Senator Joe Lieberman and I visited a Syrian refugee camp in southern Turkey, and earlier this year I traveled together with Senators WHITEHOUSE, AYOTTE, BLUMENTHAL, and COONS to the Zaatari refugee camp in Jordan. I have seen my share of suffering and death, but the horror I saw in those camps and the stories I heard still haunt me today. There were men who had lost all their children, women and girls who had been gang-raped, children who had been tortured, and none of these were the random acts of cruelty that sadly occur in war. Syrian Army defectors told us that killing, raping, and torture was what they were instructed to do as a tactic of terror and intimidation. So if I get a little

emotional when I talk about Syria, that is why.

The cost—both strategic and humanitarian—of this conflict has been and will continue to be devastating. Earlier this week UNICEF released a report detailing the impact of Syria's 2-year conflict on the children of Syria. The report states:

In Syria, children have been exposed to grave human rights violations, including killing and maiming, sexual violence, torture, arbitrary detention, recruitment and use by armed forces and groups, and exposure to explosive remnants of war. . . . As millions of children inside Syria and across the region witness their past and their future disappear amidst the rubble and destruction of this prolonged conflict, the risk of them becoming a lost generation grows every day.

The conflict in Syria is breeding a lost generation—a whole new generation of extremists. Earlier this year I met a Syrian teacher in the Zaatari refugee camp in Jordan who told me that the generation of young Syrians growing up in these camps and inside Syria will take revenge on those who did nothing to help them in their hour of greatest need. We should be ashamed of our collective failure to come to the aid of the Syrian people. But more than that, we should be deeply concerned. As much as I want to disagree with that Syrian teacher, I am haunted by the belief that she is exactly right.

As the conflict of Syria enters its third year, we cannot lose sight of the clear trend toward escalation both in the nature and quality of the killing. In recent months the use of SCUD missiles against civilians fits into a pattern of forced escalation by the Assad regime over the past year.

In January 2012 the regime began to use artillery as Syrian opposition forces became more capable against regime ground forces. In June 2012 Assad escalated his use of air power because the rebels were gaining control of the countryside. Today the regime is intensifying its air campaign by firing SCUD missiles at civilian populations, which is taking a deadly toll, particularly in the north where thousands of civilians have been killed over the past several weeks.

The regime's escalation to Scud missiles—which can be used as delivery vehicles for chemical weapons—should be alarming to us all. According to a recent report from the Washington Institute for Near East Policy, Scud missiles can deliver a 1,000-pound, high-explosive warhead or a chemical agent and, as the report states:

The rebels have no means of knowing when the missiles have been fired, where they are going, or what kinds of warheads are on board. In fact, even with good intelligence collection, there is no reliable way to know which Scuds have been uploaded with chemical warheads.

Let there be no doubt that the threat of chemical weapons is real. I note this morning's headline from the Associated Press: "Israel's Military Intelligence Chief says Syria's Assad readying to use chemical weapons."

I ask unanimous consent that this article from the Washington Post be printed in the RECORD.

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

ISRAEL'S MILITARY INTELLIGENCE CHIEF SAYS SYRIA'S ASSAD READYING TO USE CHEMICAL WEAPONS

(By Associated Press)

[From the Washington Post, Mar. 14, 2013]

JERUSALEM.—Israel's military intelligence chief says Syria's embattled president, Bashar Assad, is preparing to use chemical weapons.

Maj. Gen. Aviv Kochavi told a security conference in the coastal town of Herzliya that Assad is stepping up his offensive against rebels trying to oust him.

Kochavi claims Assad is making advanced preparations to use chemical weapons, but has not yet given the order to deploy them.

He did not disclose information about why he thinks Assad is preparing to use them.

Israel has long expressed concerns that Assad's stockpile of chemical weapons could end up in the hands of groups hostile to Israel like Hezbollah or al-Qaida inspired organizations.

Israel has kept out of Syria's civil war, but it is concerned that violence could spill over the border into northern Israel.

Mr. MCCAIN. This is a dangerous and unfair fight, and the costs to the United States are significant. Russia and Iran are Assad's lifelines in this brutal fight. Iran continues to use Iraqi airspace to fly fighters and large quantities of weapons to Syria to help Assad with the killing. As many as 50,000 Syrians, militiamen, in Syria are being supported by Tehran and Hezbollah, according to a Washington Post report. Meanwhile, Russia continues to ship heavy weapons to Assad—including, as senior Obama administration officials have stated, the very helicopter gunships the regime is currently using to bomb and shatter civilians.

As the United States and the international community stand idle, the consequences are clear. Syria will become a failed State in the heart of the Middle East, threatening both our ally Israel and our NATO ally Turkey. With or without Assad, the country will continue to devolve into a full-scale civil war that is increasingly sectarian, repressive, and unstable. In the meantime, more and more ungoverned space will come under the control of al-Qaida and its allies. Violence and radicalism will spill even more into Lebanon and Iraq, fueling sectarian conflicts that are still burning in both countries. Syria will turn into a battlefield between Sunni and Shia extremists, each backed by foreign powers which will ignite sectarian tensions from North America to the gulf and risk a wider regional conflict. This is the course we are on in Syria, and in the absence of international action, the situation will only get worse.

Although Secretary Kerry and other administration officials have said our goal in Syria is to "change Assad's calculus" and make room for a negotiated transition, the truth is, in the absence

of a shift in the balance of military power on the ground, that is a hopeless goal. What the administration does not seem to realize is what President Bill Clinton came to understand in Bosnia—that a diplomatic resolution in conflict such as this is not possible until the military balance of power changes on the ground. As long as a murderous dictator, be it Slobodan Milosevic or Bashar al-Assad, believes he is winning on the battlefield, he has no incentive to stop fighting and negotiate.

Our European powers—led by the French and British—seem to understand this clearly, which is why they are urgently working to persuade their allies to lift an embargo to supply arms to the Syrian opposition. They understand that only a change in military power will bring this conflict to an end.

The same is true for the regime's foreign supporters. Despite destroying Russia's reputation in the Arab world, the Russian Government has stuck with Assad for nearly 2 years now. What makes us think President Putin is about to change course now, when Assad is still a dominant power on the ground?

The Syrian opposition needs our help to change the balance of power on the ground. I have had the honor of meeting one of the key leaders of the Syrian opposition led by a man named Sheikh al-Khatib, the President of the Syrian National Coalition. Sheikh al-Khatib and the national coalition are doing everything the international community asks of them. They have worked to bring together credible moderate members of the Syrian opposition. They are building institutions, both civilian and military.

While the United States and our partners deserve credit in helping and pushing them to do so, when the opposition coalition asks responsible nations for support—when they ask us to help them in coordinating the distribution of aid, governing the liberated areas, and ultimately forming a transitional government—when they have asked us for this assistance, what have we done for them? Next to nothing.

Sheikh al-Khatib and the other moderate leaders of the Syrian opposition are struggling desperately to be relevant to their fellow citizens who are fighting and dying every day inside the country. I believe most Syrians do not support al-Qaida. But many of us in the West are still mired in our own internal debates about whether to provide nonlethal assistance or whether to continue to provide assistance through international NGOs—many of which, I would add, still function with the permission of the Assad regime and deliver most of their aid in Damascus—the fight in Syria is being won by extremists.

Al-Qaida fighters are showing up in greater numbers in the liberated areas of Syria with capable fighters and food and medicine and other aid. Is it any wonder, then, that extremists are gaining ground in Syria?

It is this simple: What is left of the moderate Syrian opposition is in a race against time to survive the radicalization of this conflict and, right now, the world is failing them. The longer we fail them, the worse the outcome will be for us all.

The time to act is long overdue, but it is not too late. I know many wish to avoid this reality by telling themselves and others there is nothing we can do in Syria, that our only options are to let the Syrians fight it out alone to the bitter end or to launch a massive and costly military intervention. But the truth is there are many options that we have the capability to undertake that would save lives and protect our important strategic interests in Syria.

First, the fact that the opposition in Syria is doing better militarily thanks to external support seems to validate what many of us have been arguing for months; that opposition forces have enough organization to be supportable and that our support can help them to further improve their organization and command and control. This is an argument for doing more, not less, to aid the rebel fighters in Syria, including providing responsible members of the armed opposition who share our goals and our values with the arms they need to succeed.

In a hearing of the Senate Armed Services Committee last month, I asked Secretary of Defense Leon Panetta and Chairman of the Joint Chiefs of Staff Martin Dempsey whether they agreed with a proposal reportedly developed by former Secretary of State Hillary Clinton and former CIA Director David Petraeus last summer to have the United States arm and train members of the Syrian opposition. I was very pleased to hear both Secretary Panetta and Chairman Dempsey state that they supported this proposal which, unfortunately, was refused by the White House. What this means is that the President overruled the senior leaders of his own national security team who were in unanimous agreement that America needs to take greater action to change the military balance of power in Syria.

Beyond providing arms to the opposition, we have other capabilities at our disposal that could make a decisive difference on the ground and save lives. I will give just two examples. NATO has deployed PATRIOT missile batteries in Turkey that are capable of shooting down Syrian aircraft as far south as Aleppo. We could establish a limited no-fly zone using these systems and, believe me, after the first few Syrian aircraft are shot down, I doubt Assad's pilots will be lining up to fly missions anymore. Another option would be to destroy Assad's aircraft on their runways with cruise missiles and other standoff weapons. Either way, we can take Syrian air power off the table.

Once defended, these safe havens could become platforms for increased deliveries of food and medicine, communications equipment, doctors to

treat the wounded, and other nonlethal assistance. They could also serve as staging areas for armed opposition groups to receive battlefield intelligence, body armor, and weapons—from small arms and ammunition to antitank rockets—and to train and organize themselves more effectively, perhaps with foreign assistance. The goal would be to expand the reach of these safe havens across more of the country.

Would these actions immediately end the conflict? No. But would they save lives in Syria? Would they give the moderate opposition a better chance to succeed and marginalize the radicals? Would they help the West regain the trust of the Syrian people? Do we have the capability to make a difference? To me, the answer to all these questions is clearly yes. Yes, there are risks to greater involvement in Syria. The opposition is still struggling to get organized. Al-Qaida and the other extremists are working to hijack the revolution, and there are already reports of reprisal killings of Alawites. These risks are real and serious, but the risks of continuing to do nothing are worse.

What is needed is American leadership. What is needed is a reminder of the words Abraham Lincoln spoke in his annual message to Congress in 1862: "We—even we here—hold the power, and bear the responsibility."

As we mark 2 years of this horrific conflict, if there were ever a case that should remind us of this responsibility, it is that of Syria.

A few months ago, The Washington Post interviewed a young Bosnian man who had survived the genocide of Srebrenica in 1995. This is how he sees the ongoing slaughter in Syria:

It's bazaar how "never again" has come to mean "again and again," he said. It's obvious that we live in a world where Srebrenicas are still possible. What's happening in Syria today is almost identical to what happened in Bosnia two decades ago.

He could not be more correct. The conflict in Syria today is nearly indistinguishable from that in Bosnia during the 1990s. As Leon Wieseltier wrote earlier this week in "The New Republic"—I ask unanimous consent that the complete column by Leon Wieseltier be printed in the RECORD.

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

SYRIA, BOSNIA, AND THE OLD MISTAKES
(By Leon Wieseltier)

"One could never have supposed that, after passing through so many trials, after being schooled by the skepticism of our times, we had so much left in our souls to be destroyed." Alexander Herzen wrote those words in 1848, after he witnessed the savage crackdown on the workers' rebellion in Paris. Having been disabused by history of any illusions about the probabilities of justice, the great man was surprised to discover that he had not yet been completely disabused—that his belief in the betterment of human affairs, however mutilated by experience, was still intact; and what apprised him of his irreducible idealism was his broken

heart. In 1995, I cited Herzen's pessimistic optimism, or optimistic pessimism, in an angry article about Bosnia and the Western failure there, and glossed the lacerating sentence this way: "They did not suppose that they had so much left in their souls to be destroyed! What basis for bitterness do those words leave us, who have witnessed atrocities of which the nineteenth century only dreamed, who have watched totalitarian slaughter give way to post-totalitarian slaughter, and the racial and tribal wars of empire give way to the racial and tribal wars of empire's aftermath? But bitterness is regularly refreshed . . ." Forgive my quotation of myself, but I have been reading in the old Bosnian materials, in the writings of the reporters and the intellectuals who campaigned for American action to stop a genocide. I have been doing so because my Bosnian bitterness has been refreshed by Syria.

I am finding crushing parallels: a president who is satisfied to be a bystander, and ornaments his prevarications with high moral pronouncements; an extenuation of American passivity by appeals to insurmountable complexities and obscurities on the ground, and to ethnic and religious divisions too deep and too old to be modified by statecraft, and to ominous warnings of unanticipated consequences, as if consequences are ever all anticipated; an arms embargo against the people who require arms most, who are the victims of state power; the use of rape and torture and murder against civilians as open instruments of war; the universal knowledge of crimes against humanity and the failure of that knowledge to affect the policy-making will; the dailiness of the atrocity, its unimpeded progress, the long duration of our shame in doing nothing about it. The parallels are not perfect, of course. Only 70,000 people have been killed in Syria, so what's the rush? Strategically speaking, moreover, the imperative to intervene in Syria is far more considerable than the imperative to intervene in Bosnia was. Assad is the client of Iran and the patron of Hezbollah; his destruction is an American dream. But his replacement by an Al Qaeda regime is an American nightmare, and our incomprehensible refusal to arm the Syrian rebels who oppose Al Qaeda even as they oppose Assad will have the effect of bringing the nightmare to pass. Secretary of State Kerry seems to desire a new Syrian policy, but he is busily giving our side in the conflict—if we are to have a side by the time this is over—everything but what it really needs.

We must mark an anniversary. It has been two years since fifteen teenagers in the town of Dara'a scrawled "the people want the regime to fall" on the wall of a school, and were arrested and then tortured for their temerity. The protest that erupted in Dara'a, in the area in front of a mosque that was dubbed "Dignity Square," was a democratic rebellion, and it swiftly spread. In Dara'a it was met by a crackdown whose brutalities were documented in an unforgettably chilling report by Human Rights Watch a few months later. Dissolve now to Aleppo in ruins, where the dictator is hurling ballistic missiles at his own population. Two years. The Obama administration may as well not have existed. Though two years into the Bosnian genocide Bill Clinton was still more than a year away from bestirring himself morally and militarily, so what's the rush? Clinton acted after the massacre at Srebrenica. But Syria has already had its Srebrenicas, and Obama is still elaborate and unmoved. He also worries about a Russian response to American action, when Putin's obstructionism in fact perfectly suits Obama's preference for American inaction. People around the White House tell me that Syria is agonizing for him. So what? It is

hard to admire the agony of the bystander, especially if the bystander has the capability to act against the horror. Obama likes to drape himself in Lincoln's language, so he should ponder these words, from the Annual Message to Congress in 1862: "We—even we here—hold the power, and bear the responsibility." Obama wants the power but not the responsibility. Unfortunately for him, the one brings the other.

Not even the advent of Barack Obama can abrogate what was learned in Bosnia in the antiquity of the twentieth century: that in the case of moral emergencies, those with the ability to act have the duty to act; that even justified action is attended by uncertainty; that military force can do good as well as evil, and that war is not the only, or the worst, evil; that the withdrawal of the United States from global leadership is an invitation to tyranny and inhumanity; that American foreign policy must be animated by principle as well by prudence, though there is nothing historically imprudent about setting oneself resolutely on the side of decency and democracy. "How do I weigh tens of thousands who've been killed in Syria versus the tens of thousands who are currently being killed in the Congo?" Obama recently told this magazine, as an example of how he "wrestle[s]" with the problem. Do not be fooled. It is not wrestling. It is casuistry. He has no intention of coming to the assistance of Congo, either. Obama is a strong cosmopolitan but a weak internationalist. And he is, with his inclination to disinvolvement, and his almost clinical confidence in his own sagacity, implicating us in a disgrace, even we here.

Mr. MCCAIN. Again, as Leon Wieseltier wrote earlier this week in the *New Republic*:

I am finding crushing parallels: A President who is satisfied to be a bystander, and ornaments his prevarications with high moral pronouncements; an extenuation of American passivity by appeals to insurmountable complexities and obscurities on the ground, and to ethnic and religious divisions too deep and too old to be modified by statecraft, and to ominous warnings of anticipated consequences, as if consequences are ever all anticipated; an arms embargo against the people who require arms most, who are the victims of state power; the use of rape and torture and murder against civilians as open instruments of war; the universal knowledge of crimes against humanity and the failure of that knowledge to affect the policy-making will; the dailiness of the atrocity, its unimpeded progress, the long duration of our shame in doing nothing about it. The parallels are not perfect, of course. Only 70,000 people have been killed in Syria, so what's the rush?

We must ask ourselves: How many more innocent people must die before we take action?

Amidst these crushing parallels, there is one key difference. In Bosnia, President Clinton finally summoned the courage to lead the world to intervene and stop the killing. It is worth recalling his words upon ordering military action in Bosnia in 1995:

There are times and places where our leadership can mean the difference between peace and war, and where we can defend our fundamental values as a people and serve our most basic, strategic interests. [T]here are still times when America and America alone can and should make the difference for peace.

Those were the words of a Democratic President who led America to do

the right thing in stopping mass atrocities in Bosnia, and I remember working with my Republican colleague Senator Bob Dole to support President Clinton in that endeavor.

The question for another Democratic President today, and for all of us in a position of responsibility, is whether we will again answer the desperate pleas for rescue that are made uniquely to us as the United States of America, and whether we will use our great power, as we have done before at our best, not simply to advance our own interests but to serve a just cause that is greater than our interests alone.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Madam President, may I take this opportunity to thank Senator MCCAIN for his call to our consciences on the massacres in Syria by the tyrant Assad. I thank him for his reminder to us all that in the case of moral emergencies, those with the ability to act have the duty to act, and I thank him for his efforts to call us to that duty.

While he is here on the floor, I would like to also take this chance to join in the warm remarks from colleagues on both sides of the aisle on this 40th anniversary of his release from captivity in North Vietnam—an anniversary that could have come a good deal sooner had he not been so courageously stubborn in refusing to leave his comrades in captivity.

ORDER OF PROCEDURE

Madam President, I ask unanimous consent that the Senate recess following my statement until 2:15 p.m. and that the first-degree amendment filing deadline be at 3 o'clock today.

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

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

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

CLIMATE CHANGE OBSTRUCTIONISM

Mr. WHITEHOUSE. Madam President, I rise today, as I have at least two dozen times in the past year, to say again that it is time for us to wake up to the stark reality of the climate changes carbon pollution is causing.

Elected officials bear a responsibility every once in a while to escape the grip of the polluting special interests and to act in the interests of regular Americans. We need to wake up and start talking about the negative consequences, the harms of climate change. We need to wake up and mitigate—take steps to protect ourselves—and adapt to the consequences that are already hitting our coasts and our forests, our cities and our farms, our economy and our way of life.

But, of course, the climate deniers and the polluters do not want that. The deniers want to prevent discussion of climate change altogether. In the past few years, in this body, climate science has become a taboo topic.

I watched, when my back was out in the last few days, one of the Harry Potter movies on television. Lord Voldemort was called “He-Who-Shall-Not-Be-Named” in those Harry Potter stories. Well, carbon pollution is the “Pollution Which Shall Not Be Named.” Climate change—the harm that is caused by that pollution—is the “Harm That Shall Not Be Named.”

The obstructionists want to squelch any discussion of the “Pollution Which Shall Not Be Named” so as to let big polluters continue dumping carbon and other greenhouse gas into our oceans and atmosphere.

Take, for instance, the House Select Committee on Energy Independence and Global Warming, created in 2007 as a forum for confronting the economic and security challenges of our dependence on foreign fuels. When Republicans took control of the House of Representatives in 2011, they disbanded that committee. End of discussion.

Between May 2011 and December 2012, our colleagues in the House of Representatives, HENRY WAXMAN and BOBBY RUSH, who were the Democratic ranking members of the Committee on Energy and Commerce and of the Subcommittee on Energy and Power, wrote 21 letters—21 letters—to Chairmen FRED UPTON and ED WHITFIELD requesting hearings on climate change. To date, there has been no response, no hearings. End of discussion.

House Republicans have tried to prevent the Department of the Interior and the Department of Agriculture from funding their climate adaptation plans—commonsense efforts to preserve our resources, protect our farmers, and save taxpayer dollars. But, no, end of discussion.

I am sad to say that it is not just the House of Representatives. In the Senate, in the Environment and Public Works Committee, Democrats have been informed that there will be opposition to any legislation that mentions climate change. It is one thing to want to oppose any legislation that does anything about climate change. This is a further step. The mere mention of climate change is enough to provoke Republican opposition. End of discussion.

The taboo is being applied elsewhere in this Chamber. Just this week a Republican Senator demanded that the following language be stricken from a noncontroversial Senate resolution. We pass resolutions here in the Senate all the time by unanimous consent. A Republican Senator said: No, I am going to withhold my consent. I am going to deny the ability of the resolution unless this offending language is removed. What was the offending language? I will quote:

[W]omen in developing countries are disproportionately affected by changes in cli-

mate because of their need to secure water, food, and fuel for their livelihood.

This body unanimously approved identical language in the last Congress, but today that mention of climate change in an otherwise noncontroversial resolution draws automatic Republican opposition. Again, end of discussion.

And they are not just trying to squelch the legislative branch. In the executive branch, they have tried to defund salaries for White House climate advisers and withhold U.S. funds from the United Nations Intergovernmental Panel on Climate Change. Again, end of discussion.

Now, you might think that in these efforts to attack funding, at least they are motivated by a desire to cut spending. But then what would be the motivation behind House Republicans blocking a no-cost restructuring of the National Oceanic and Atmospheric Administration that would have created a National Climate Service that is akin to the National Weather Service—a simple reorganization that would have centralized information about climate change, information which is in high demand by State and local governments and by the business community? Again, the purpose is obvious: try to end the discussion.

I would remind my colleagues who are trying to silence this discussion with political power that history teaches, quite plainly, that in contests between power and truth, truth always wins in the end. The Inquisition tried to silence Galileo, but the Enlightenment happened anyway, and the Earth does still spin around the Sun.

Chris McEntee, who is the executive director of the American Geophysical Union, said:

Limiting access to this kind of climate information won't make climate change go away.

And shareholders and directors of corporations should consider what it will mean for the corporations that used their power to suppress the truth once that truth becomes inescapable, once it is undeniable and the denial campaign is seen as a fraud.

This Republican policy of climate change denial is alive and well at the State level too. In 2010 Virginia attorney general Ken Cuccinelli used his powers of office to harass former University of Virginia climatologist Michael Mann and 39 other climate scientists and staff. As a UVA grad, I am proud that the university fought back against this political attack on science and on academic freedom.

Said UVA:

[The attorney general's] action and the potential threat of legal prosecution of scientific endeavor that has satisfied peer-review standards send a chilling message to scientists engaged in basic research involving Earth's climate and indeed to scholars in any discipline. Such actions directly threaten academic freedom and, thus, our ability to generate the knowledge upon which informed public policy relies.

The victim of this harassment, Professor Mann, was more blunt. He called

out this witch hunt as “a coordinated assault against the scientific community by powerful vested interests who simply want to stick their heads in the sand and deny the problem of human-caused climate change, rather than engage in the good faith debate about what to do about it.”

I would note that the Virginia Supreme Court ruled Attorney General Cuccinelli's so-called investigation groundless. But that was not enough for obstructionists in Virginia. Last year the Republican Virginia Senate struck from a joint resolution titled “Requesting the Virginia Institute of Marine Science to study strategies for adaptation to relative sea-level rise in Tidewater Virginia localities”—they struck from that title the phrase “sea-level rise” both in the title and again in the text of the resolution. News outlets reported—get this—that this was because “sea-level rise” was believed to be a “left-wing term.” Add “sea-level rise” to the “Harms Which Shall Not Be Named.”

In North Carolina, you can still say “sea-level rise,” but you cannot predict it or plan for it. That is because last year North Carolina's Republican-dominated legislature passed a bill requiring, as a matter of law, that North Carolina coastal policy be based on historic rates of sea-level rise rather than on what North Carolina scientists actually predict. This means that even though North Carolina scientists predict 39 inches of sea-level rise within the century, North Carolina, by its own law, is only allowed to prepare for 8. King Canute would be so proud.

Further down, the South Carolina Department of Natural Resources wrote a report more than a year ago on the risks climate change poses to the Palmetto State, but it was never released to the public. The State newspaper managed to obtain a copy of that study. The report calls for South Carolina to prepare for increases in wildlife disease, loss of prime hunting habitat, and the invasion of non-native species. But to Republicans, these are more “Problems Which Shall Not Be Named.”

In South Dakota, the Republican legislature, in 2010, even passed a non-binding resolution calling for teaching in public schools that relies on a number of common and thoroughly debunked climate denier claims—in short, bringing climate denier propaganda into public high school science classes.

Who might be behind this concerted effort to make climate science and climate change taboo subjects—“Problems Which Shall Not Be Named”? Well, look at ALEC, the conservative American Legislative Exchange Council, which peddles climate denier legislation and undermines local and national efforts to protect against climate change. Look at ALEC's board of directors, comprised of lobbyists from ExxonMobil, Peabody Energy, and Koch Industries. Look at the array of

bogus denial organizations propped up to create doubt in this debate.

Against this tide of propaganda and nonsense stands States, including Rhode Island, that already cap and reduce carbon emissions. Nineteen States have climate adaptation plans completed or in progress. Thirty-one States have a renewable and/or alternative energy portfolio standard.

Twenty-three States require State buildings to meet Leadership in Energy and Environmental Design or LEED standards.

The obstructionists may be well funded by the polluting special interests, but the majority of the American people—the vast majority of the American people—understand that climate change is a very real problem. They want their leaders to take action. Americans want their leaders to listen to the climate scientists. They want us to plan and to prepare, to limit, to mitigate, and to adapt to the changes that are coming.

Here in Congress it is long past time to move forward with meaningful action. That is why I am working with several colleagues to establish a fee on carbon pollution. As I said in my remarks last week, the idea is a simple one. It is basic market 101, law 101, and fairness 101. If you are creating a cost that someone else has to bear, that cost should be put back into the price of the product.

The big carbon polluters should pay a fee to the American people to cover the cost of their dumping their waste into our oceans and air. It is a cost they now happily push off onto the rest of us, allowing them an unfair and improper market advantage, in effect to cheat against rival energy sources. The deniers want to make this the problem which shall not be named. But I am here to name it, as are many others. I am here to shame them if I can, if shame is a feeling a big corporation can even have. I am here to see to it that we wake up and that we get to work.

I yield the floor.

RECESS

The PRESIDING OFFICER. The Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 1:02 p.m., recessed until 2:15 p.m., and reassembled when called to order by the Acting President pro tempore (Ms. HEITKAMP).

DEPARTMENT OF DEFENSE, MILITARY CONSTRUCTION AND VETERANS AFFAIRS, AND FULL-YEAR CONTINUING APPROPRIATIONS ACT, 2013—Resumed

Mr. SHELBY. Madam President, I suggest the absence of a quorum.

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

The bill clerk proceeded to call the roll.

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

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

AMENDMENT NO. 29, AS MODIFIED

Mr. INHOFE. Madam President, I have a modification at the desk to amendment No. 29.

The PRESIDING OFFICER. The amendment will be so modified.

The amendment, as modified, is as follows:

At the end of title VII of division C, insert the following:

SEC. 17____. No funds made available under this Act shall be used for a 180-day period beginning on date of enactment of this Act to enforce with respect to any farm (as that term is defined in section 112.2 of title 40, Code of Federal Regulations (or successor regulations)) the Spill, Prevention, Control, and Countermeasure rule, including amendments to that rule, promulgated by the Environmental Protection Agency under part 112 of title 40, Code of Federal Regulations.

Mr. INHOFE. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

Ms. MIKULSKI. Madam President, reserving the right to object, I will not, I just want to seek clarification from the Senator from Texas. About how long will the Senator seek recognition?

Mr. CRUZ. I need only 5 minutes.

Ms. MIKULSKI. That is more than agreeable. We know the topic and we are anxious to hear it.

The PRESIDING OFFICER (Ms. WARREN). Without objection, it is so ordered. The Senator from Texas.

Mr. CRUZ. Madam President, I thank the Senator from Maryland and I ask unanimous consent to speak as in morning business for 5 minutes.

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

TRIBUTE TO JOHN MCCAIN

Mr. CRUZ. Madam President, I note that today is the 40th anniversary of the release of JOHN MCCAIN from a prisoner of war camp in Vietnam. I wanted to take a moment in this body to thank Senator MCCAIN for his extraordinary service to our Nation.

On October 26, 1967, JOHN MCCAIN, then a young man, volunteered to serve his country, to put himself in harm's way. He found himself very directly in harm's way, captured and imprisoned in the infamous Hanoi Hilton and subject to unspeakable torture and abuse.

He did so for our country. He did so for every American. When midway through his imprisonment he was offered early release, JOHN MCCAIN showed extraordinary courage and valor, turning that down, believing it inconsistent with his obligations as an officer.

That is the sort of bravery that those of us who have never endured imprisonment and torture can only imagine. Yet he continued to remain in harrowing circumstances, suffering beatings and abuse that to this day

limit his mobility. Forty years ago, JOHN MCCAIN was released, able to come home to America and return a hero. Since that time, since being released from Vietnam, he has been a leader on a great many issues. He has been a public servant in this body and he has repeatedly exemplified courage and integrity. I thought it only fitting that we as a body, I have no doubt, would unanimously agree in commending his valor and integrity and sacrifice for his country and recognize this very important milestone, this 40th anniversary.

I yield the remainder of my time.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Ms. MIKULSKI. Madam President, I want to tell my colleagues and anyone watching that just because Senators are not speaking on the Senate floor doesn't mean nothing is going on. I am incredibly impressed by the cooperation on both sides of the aisle as we try to get a finite list of amendments, as well as the proper sequence of those amendments in order to complete the business of moving to the continuing resolution. So there is a lot going on in other offices. These are not back rooms; they are not deal cutting. This is the workman-like way a parliamentary democratic institution does business.

There are Senators who have ideas to improve the bill. Senator SHELBY and I think our bill needs no improvement. We think we ought to just move to it, do it, send it to the House, and avoid any kind of gridlock of a government shutdown. However, Senators do have the right to offer amendments, and they have now offered their amendments. People are scrutinizing the amendments to make sure they understand the policy consequences and also that we don't have unintended consequences. Although it looks as though there is no debate going on here on the floor, there is a lot of discussion going on in Member offices. We hope that in a very short time we will be able to move to amendments so we can discuss and dispose of those amendments in a way that satisfies both parties.

I just wanted people to know that. When we talk to folks back home, they say: I watch C-SPAN, all I hear is Senators' names called out in alphabetical order. They also may know that there might not be an official hearing going on, though we do know some are going on today. I just wanted to talk about some of what is going on and that this is part of the process. This is a big bill, and I hope that a big bill—one that includes every aspect of the Federal