

[Rollcall Vote No. 5 Ex.]

YEAS—94

Alexander	Gillibrand	Murphy
Ayotte	Graham	Nelson
Baldwin	Grassley	Paul
Barrasso	Hagan	Portman
Baucus	Harkin	Pryor
Begich	Hatch	Reed
Bennet	Heinrich	Reid
Blumenthal	Heitkamp	Risch
Blunt	Heller	Roberts
Boozman	Hirono	Rockefeller
Boxer	Isakson	Rubio
Brown	Johanns	Sanders
Burr	Johnson (SD)	Schatz
Cantwell	Johnson (WI)	Schumer
Cardin	Kaine	Scott
Carper	King	Sessions
Casey	Kirk	Shaheen
Chambliss	Klobuchar	Shelby
Coats	Landrieu	Stabenow
Coburn	Lautenberg	Tester
Cochran	Leahy	Thune
Collins	Lee	Toomey
Coons	Levin	Udall (CO)
Corker	Manchin	Udall (NM)
Crapo	McCain	Vitter
Donnelly	McCaskill	Warner
Durbin	McConnell	Warren
Enzi	Menendez	Whitehouse
Feinstein	Merkley	Wicker
Fischer	Mikulski	Wyden
Flake	Moran	
Franken	Murkowski	

NAYS—3

Cornyn Cruz Inhofe

ANSWERED "PRESENT"—1

Kerry

NOT VOTING—2

Hoeven Murray

The nomination was confirmed.

The PRESIDING OFFICER. The motion to reconsider is considered made and laid upon the table.

Under the previous order, the President will be immediately notified of the Senate's action.

Mr. SCHUMER. Mr. President, I know Senator KERRY will be speaking tomorrow, so I will be brief. I think I speak on behalf of every one of us here that we so admire the job Senator KERRY has done in the many different phases of his past life. We are excited he will be our Secretary of State, and for JOHN KERRY I think the best is yet to come.

LEGISLATIVE SESSION

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

The Senator from New York.

MORNING BUSINESS

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

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

The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I ask to speak in morning business for 15 minutes.

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

TRANSPARENCY AT HUD

Mr. GRASSLEY. Mr. President, my fellow Members know the issue of transparency is a very favorite topic of mine, and I come to the floor to speak about transparency as it relates to a very specific problem within the Department of Housing and Urban Development. It is no secret I have worked to bring greater transparency and accountability to all parts of the Federal Government because with transparency I think we get more accountability.

The voters of Iowa have entrusted me to continue my oversight responsibilities no matter who occupies the White House, and since I am a Republican, people might think I am doing it because we have a Democratic President. I think I have a reputation for being an equal opportunity overseer of the executive branch of government.

For several years I have been conducting oversight of the U.S. Department of Housing and Urban Development; everybody knows this is commonly referred to as HUD, H-U-D. HUD's core mission, according to its Web site, is to "create strong, sustainable, inclusive communities and quality, affordable homes for all." These responsibilities have grown larger and more complex over the last few years. The mortgage crisis continues to affect the housing market.

Secretary Donovan was recently tapped to oversee the Hurricane Sandy recovery in the Northeast. HUD's yearly budget is nearly \$38 billion. Secretary Donovan should understand the importance of oversight and transparency to combat waste, fraud, and abuse. I have my doubts, though, because while I have sent dozens of letters to HUD, the Secretary has not signed a single reply. The responses I do receive are often months late and don't answer some of my most pressing concerns.

For instance, last August I sent a letter requesting information on conference spending and employee bonuses. HUD provided no conference spending documents but instead urged me to review a list of inspector general audit reports. My staff has reviewed these audit reports, but none of the audit reports provide a comprehensive review of conference spending. What is even more frustrating is that the response never referenced bonus spending at all. It seems oversight and transparency are not high priorities at the Department of Housing and Urban Development.

Every year HUD provides at least \$4 billion to public housing authorities across the country—along with nearly \$19 billion of section 8 vouchers. In 2009, the Obama administration provided yet another \$4 billion in stimulus funding for the housing authorities—all with little or no oversight. Public housing authorities operate in a gray area. HUD argues that they are State and local government entities, and it is thus—according to HUD—State and local governments that bear the pri-

mary responsibility for the housing authority actions. Up to 90 percent of their total funding comes from the Federal Government, thus making it HUD's responsibility to ensure the money is spent as intended.

My office went to work to determine the compensation packages for a handful of housing authorities spread around the country—mostly in the larger cities. Some authorities would not provide responses, but others responded with some troubling answers. It became apparent many executive directors were living very high on the hog. The fact is executive salaries, and other compensation at some public housing authorities, were a major problem and the amounts were then hidden from the taxpayers.

Some housing authority executive directors were earning high six-figure salaries and benefits that sometimes included a vehicle, housing allowance, and lucrative bonuses. Many of the executive directors were making more than even the Governor of the State they were located in. From Los Angeles, CA, to Boston, MA, they were raking in huge salaries. Unfortunately, no one at the HUD Headquarters in Washington, DC, was watching or even showed any concern.

In Philadelphia, the executive director's salary was \$300,000, plus a \$45,000 bonus. He had a housing authority car and driver, and the housing authority actually paid his mortgage. This money is supposed to help people with very low incomes afford safe and decent housing, but instead they were concerned about their own salary and their own housing. The taxpayers' money was meant to go to the lower income people for safe and decent housing and all the money was not being used for that. It is not supposed to subsidize the housing costs of a government bureaucrat in Philadelphia who already makes \$345,000 a year. In Chelsea, MA, the executive director's salary was \$360,000. He cashed out weeks of unused leave and sick time while only spending about 15 full days per year in the office.

These executive directors used taxpayers' money to build and protect their own fiefdoms, usually at the expense of the poor. In Philadelphia, this included spending millions of dollars on an army of well-connected lawyers. Ironically, these lawyers were paid with taxpayers' money to thwart investigations that were aimed at safeguarding taxpayer money. The HUD Office of Inspector General had done battle with these armies of lawyers over and over around the entire country, and the taxpayers are funding both sides of the fight.

In addition, no-bid contracts and contracts steered toward friends seemed to be common at many housing authorities.

As early as October 2010, I asked HUD to provide salary and compensation information for executive directors at

the 25 largest housing authorities. Instead of numbers, I received the following statement:

In response to your questions related to Executive Directors' salaries, currently HUD does not regulate compensation for Housing Authority executive directors. However, in light of what has taken place with the Philadelphia Housing Authority, HUD is working closely with our Office of General Counsel to assess this policy.

It is pretty obvious that is not an answer to anything I asked. HUD needs to take this issue far more seriously.

Last Wednesday, the director of the Chelsea Housing Authority was charged with four felony counts. According to the Boston Globe, he was indicted for deliberately concealing his salary from State and Federal entities. I hope this is a warning to other housing authorities that abuse of taxpayers' dollars is totally unacceptable. I commend HUD Inspector General David Montoya, the U.S. Attorney's Office in Massachusetts, and, of course, the FBI for vigorously investigating the problems in Chelsea. Others around the country need to take note of what happened in Chelsea. I understand this investigation continues, so stay tuned.

The No. 1 priority for HUD and these directors should be to provide what the law intends with the taxpayers' money—to provide safe, decent, and sanitary housing for people in need instead of lining the pockets of directors. Feathering their own nests seems to have been the focus of some for far too long. Unfortunately, instead of getting straight answers from HUD, I must rely on courageous whistleblowers and newspaper accounts to actually get these facts.

Due to mounting pressure, HUD requested the compensation data for the top five highest compensated employees at housing authorities across the country. The results must be really embarrassing because the Obama administration would make only aggregate data available to the public. That way, the administration has made it impossible to tell which authorities are the worst offenders.

I asked that HUD make all salary data public in a June 2000 letter I wrote to Secretary Donovan. It is one of many letters the Secretary has failed to answer. In fact, no one at HUD responded to the letter at all. I have also sent letters to HUD requesting information about conference and travel spending, as well as the number and the cost of take-home vehicles for HUD and all public housing authorities. Letters were also sent about problems at New York City, Houston, and Port Arthur, TX, housing authorities in those cities. I am still waiting for responses from Secretary Donovan.

Most recently, I sent letters in October of 2012 to Senate appropriators and the Senate Banking Committee with jurisdiction over these issues. There needs to be public hearings into the massive waste of taxpayers' money at HUD. My colleagues need to know the

extent of the problems and that I am ready to work with Members of this body to address these issues.

Mr. President, before I finish, I ask unanimous consent to have the referenced letters printed in the RECORD.

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

U.S. SENATE,
COMMITTEE ON THE JUDICIARY,
Washington, DC, October 17, 2012.

Hon. ROBERT MENENDEZ,
Chairman, Subcommittee on Housing, Transportation, and Community Development, Committee on Banking, Housing and Urban Affairs, U.S. Senate, Washington, DC.

Hon. JIM W. DEMINT,
Ranking Member, Subcommittee on Housing, Transportation, and Community Development, Committee on Banking, Housing and Urban Affairs, U.S. Senate, Washington, DC.

DEAR CHAIRMAN MENENDEZ AND RANKING MEMBER DEMINT: Since March 15, 2010, I have been investigating the Department of Housing and Urban Development (HUD). During those two years I have been writing to HUD Secretary Shaun Donovan regarding concerns about waste, fraud, and abuse of taxpayer money by Public Housing Authorities (PHAs). Many of those letters have gone unanswered, and I ask for your help to receive responses from HUD. I have attached copies of the most recent correspondence for your review.

Many PHAs continue to receive funding despite having a long track record of such problems. Over the weekend the Boston Globe reported on numerous issues that plague PHAs in Massachusetts, and I have attached the article for your review. These problems have been found at PHAs large and small across the country. Most recently, I have raised concerns about HUD conference spending, PHA take-home vehicle abuses and the need for greater transparency of PHA executive director compensation packages.

Given your responsibilities as Chairman and Ranking Member of the Housing, Transportation, and Community Development Subcommittee with jurisdiction over HUD programs, I'm seeking your help. These issues need to be investigated thoroughly, and it is your subcommittee's responsibility to ensure that tax dollars meant to provide housing to the poor are not further wasted or diverted to other purposes. Ultimately, it is the residents of public housing who are being cheated and abused as a result of this mismanagement.

Thank you for your prompt attention to these important issues.

Sincerely,

CHARLES E. GRASSLEY,
Ranking Member.

U.S. SENATE,
COMMITTEE ON THE JUDICIARY,
Washington, DC, October 17, 2012.

Hon. PATTY MURRAY,
Chairman, Subcommittee on Transportation, Housing, and Urban Development, and Related Agencies, Committee on Appropriations, U. S. Senate, Washington, DC.

Hon. SUSAN M. COLLINS,
Ranking Member, Subcommittee on Transportation, Housing and Urban Development, and Related Agencies, Committee on Appropriations, U.S. Senate, Washington, DC.

DEAR CHAIRMAN MURRAY AND RANKING MEMBER COLLINS: Since March 15, 2010, I have been investigating the Department of Housing and Urban Development (HUD). During those two years I have been writing

to HUD Secretary Shaun Donovan regarding concerns about waste, fraud, and abuse of taxpayer money by Public Housing Authorities (PHAs). Many of those letters have gone unanswered, and I ask for your help to receive responses from HUD. I have attached copies of the most recent correspondence for your review.

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Given your responsibilities as Chairman and Ranking Member of the Appropriations Subcommittee with jurisdiction over HUD funding, I'm seeking your help. These issues need to be investigated thoroughly, and it is your subcommittee's responsibility to ensure that tax dollars meant to provide housing to the poor are not further wasted or diverted to other purposes. Ultimately, it is the residents of public housing who are being cheated and abused as a result of this mismanagement.

Thank you for your prompt attention to these important issues.

Sincerely,

CHARLES E. GRASSLEY,
Ranking Member.

Mr. GRASSLEY. To sum up, oversight, whether it is about HUD or any government bureaucracy, is necessary to protect the taxpayers. I take this duty seriously. I am not going away and will continue to vigorously oversee problems at HUD. I urge Secretary Donovan to make executive compensation and all funding data available to the public. It would shed light in an area that has rarely been seen with the light shining in. As some Supreme Court Justice said sometime, sunlight keeps mold from happening, or something to that effect.

Transparency is not the only solution, though. HUD also needs to put controls in place to prevent waste, fraud, and abuse. But transparency may be the quickest and most effective way to curb the worst abuses. The Obama administration could release that executive compensation data today if it wanted to, and it should release that data.

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

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

The legislative clerk proceeded to call the roll.

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

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

(The remarks of Mr. HARKIN pertaining to the introduction of S. 168 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

TRIBUTE TO SECRETARY OF STATE HILLARY CLINTON

Mr. HARKIN. Madam President, on what is her final day as Secretary of State, I would like to express my admiration and gratitude to Hillary Rodham Clinton for the extraordinary job she has done over the last 4 years. I agree wholeheartedly with President Obama who said she has been one of the finest Secretaries of State in our Nation's history.

When she took on this responsibility in January 2009, Hillary Clinton was already one of the most celebrated and accomplished women in the world. Certainly her reputation and renown have been tremendous assets as she worked to restore America's standing in the world.

Over the last 4 years, Hillary Clinton has been the ultimate workhorse public servant as opposed to the showhorse. This comes as no surprise to me and other former colleagues in the Senate. We know she is a leader of extraordinary substance and a talent with an amazing work ethic.

Secretary of State Clinton has set records as the most traveled Secretary for time in office, visiting some 42 countries just in the last year alone. She will be remembered for her tireless efforts to promote the empowerment of women worldwide and for her many demonstrations that "smart power" and assertive diplomacy can be far more effective than so-called "hard power" and military interventions.

I am especially grateful to Secretary of State Clinton for insisting on robust assistance to Haiti in the wake of the devastating earthquake of 2010. In addition, following my visit to Vietnam in 2010, and just prior to her own visit, we talked and I had urged her to pledge America's commitment to helping Vietnam clean up the sites contaminated by Agent Orange. She agreed wholeheartedly, and this is one way she has been very successful in repairing the breach with our former adversary and doing what is right and just for the victims of Agent Orange in Vietnam.

I have many fond memories of Hillary Clinton's 8 years here in the Senate. During that entire tenure, we served together on the Committee on Health, Education, Labor, and Pensions. In that role, as in her previous role as First Lady, she was an outspoken advocate for health care reform, fighting tirelessly to secure quality affordable health care for all Americans. Although she was no longer in the Senate when the Affordable Care Act passed and was signed into law, she shares enormous credit for laying the groundwork of that historic achievement.

Hillary Clinton has been a wonderful friend to my wife Ruth and to me, and, of course, from her many campaigns in my State, she has so many friends all across the State of Iowa. So she is retiring from the Department of State, but we all know that by no means is

she a retiring person. There are many vivid chapters yet to be written in the story of Hillary Rodham Clinton. I wish her a richly deserved rest and much success and happiness in the years ahead.

CONGRATULATING JOHN KERRY

Mr. HARKIN. Madam President, as we say goodbye to Secretary Clinton in her capacity as Secretary of State, we say welcome aboard and congratulations to my good friend Senator JOHN KERRY on the resounding confirmation of his nomination to serve as our next Secretary of State. His departure will be a tremendous loss to the Senate, but I respect President Obama's decision to tap him for this absolutely critical position. There is no one in the United States better qualified by experience, knowledge, and temperament to step into this extraordinarily demanding job.

To repeat what my colleagues already know, but it always bears repeating, after volunteering to serve in the U.S. Navy during the Vietnam war, JOHN KERRY was awarded the Silver Star, a Bronze Star, and three Purple Hearts. Upon returning home, he became a national leader in the fight for justice for veterans who served beside him in Vietnam as well as for veterans of wars before and since Vietnam. He joined with others to found the Vietnam Veterans of America organization. He has worked hard here in the Senate over all of these years to secure veterans' benefits, for an extension of the GI bill for higher education, and for appropriate treatment for veterans with post-traumatic stress disorder.

As we all know, Senator KERRY has played a leading role in shaping American foreign policy for many years in his position on the Foreign Relations Committee and as chair of that distinguished committee. As chair of that committee, he was instrumental in securing passage of the New START treaty, a vital arms accord with Russia that is helping to reduce the danger of nuclear proliferation. He has served as a trusted special envoy to Afghanistan, Sudan, and Pakistan at crucial moments. Senator KERRY advocated for democratic elections in the Philippines. He was part of a delegation that uncovered the fraud that ultimately led to the removal of President Ferdinand Marcos. He was a strong proponent of U.S. action to end ethnic cleansing in Kosovo and to oppose sanctions on Burma tied to human rights abuses. Senator KERRY has been a leader in promoting economic development and recovery in Haiti, fighting global HIV/AIDS, supporting democracy and human dignity, poverty assistance, and the advancement of women's empowerment throughout the world.

In his early days in the Senate, Senator KERRY and I—in fact, we were elected together in 1984; we came to the Senate together. But shortly after

that, Senator KERRY and I went on a factfinding mission to Nicaragua and unearthed information regarding the activities of the Contra guerillas, which he presented to the Committee on Foreign Relations. Based in part on his groundbreaking findings, the committee launched an investigation into the funding of the Contra guerillas that ultimately uncovered the Reagan administration's Iran-Contra scandal, a scheme to divert profits from illegal arms sales to Iran to support the Contra guerillas.

Senator KERRY and I, as I said, were both Members of the class of 1984 here in the Senate. We worked together to end illegal support of the Contras in Nicaragua, and we have collaborated on a range of human rights issues since then.

In particular, I salute his tireless and valiant attempt last year to pass the Convention on the Rights of Persons with Disabilities. I can't tell my colleagues how hard he worked to get it through the committee and before that worked with others to make sure we had a good convention to the U.N. that mirrored our own Americans With Disabilities Act. JOHN KERRY worked tirelessly on this, and I am deeply grateful for all that work and the passionate commitment he made to this treaty. I know he shares my disappointment that the Senate failed to give its consent to this treaty, but I look forward to working with him in his new role as Secretary of State and with Senator MENENDEZ, our new chair of the Senate Foreign Relations Committee, not only to promote the convention around the world, which I know Senator KERRY will do in his position as Secretary of State, but to once again bring this convention to the floor of the Senate and this time to prevail and pass it.

There is no question in my mind that JOHN KERRY will be a great Secretary of State. I wish him and Teresa the very best, and I look forward to working with him in the years ahead.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

NO BUDGET, NO PAY ACT

Mr. BROWN. Madam President, last week the House of Representatives passed a plan to prevent the risk of another credit rating downgrade. By ensuring that the United States will not default on its obligations, the House made the responsible decision to stop playing politics—at least for a while—with our Nation's creditworthiness and to prevent self-inflicted harm on our economy. Despite this effort, the House couldn't pass up the opportunity to