

of what FEMA needs to do to get it right, what they can do under their authority.

Part of this challenge is definitely administrative. That is why I have led those groups to FEMA and why FEMA needs to get it right. That is also why I will be presenting this box of home keys to FEMA later this week at the request of these Louisiana homeowners.

The other part of our challenge is that we get it right legislatively because, in addition to everything FEMA can and must do, there probably also needs to be changes to Biggert-Waters to ensure homeowners are not thrown out of their homes because flood insurance is now unaffordable. That is why I have teamed up with the senior Senator from Mississippi, THAD COCHRAN, in introducing the Vitter-Cochran measure to fix provisions in the National Flood Insurance Program. It will do several things, at least four that are significant:

First, it would ensure that communities that are developing new maps by the end of this year will be able to maintain the old grandfathered rates that are subject to change in section 207 of Biggert-Waters.

Second, the bill would allow a 5-year phase-in of actuarially sound rates for newly purchased homes to require a reasonable phase-in to those higher rates.

Third, the bill would authorize State and local governments flexibility to directly subsidize homeowners' flood-insured properties if that can be part of a solution as well.

Fourth, it would require that a minimum of 25 percent of mitigation funding go directly to homeowners in a given year for programs and help that directly impacts homeowners, such as home elevation.

I will be advancing that bill along with THAD COCHRAN and many other interested Members. We will also be looking for amendment opportunities to advance those ideas and those provisions as well. Certainly, I am joining with my other colleagues from Louisiana, from the Sandy-hit area in the Northeast, and from all parts of the country to advance these fixes.

Senator LANDRIEU has an amendment on the farm bill which is on the Senate floor now of which I am cosponsor, and I am certainly working with her and many other Members to get this fix, to get it done, to reassure these threatened homeowners that help is on the way. We need to do this. We need to preserve the American dream and treat these people right, not make their middle-class homes and middle-class neighborhoods all of a sudden, through no fault of their own, unaffordable. We need to do it for the very goal of putting the National Flood Insurance Program on fiscally sound footing because if we have tens or hundreds of thousands of residents exiting the program, turning their keys over, turning them in to FEMA, turning them in to the

bank, the National Flood Insurance Program will never get to that fiscally sound basis. We will have people exiting the system, no longer able to pay premiums. We need to get it right for them. We need to get it right for the American dream.

I look forward to working with all of our colleagues in doing so because, again, I started at the beginning talking about what South Louisiana has been through—many hurricanes and the BP disaster and more. But this is not a parochial issue. It is not a Katrina issue. It is not a Sandy issue. It is far broader than this. This movie is coming to a theater near you. I urge Members to learn about that threatened impact on their constituents, on their homeowners, and to immediately join me and many others in this effort. I yield the floor.

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

#### REMEMBERING FRANK R. LAUTENBERG

Mr. CORNYN. Mr. President, I join others of our colleagues in mourning the passing of our friend and former colleague Senator FRANK LAUTENBERG. Senator LAUTENBERG joined this body in 2003 for the second time. I was immensely struck by his tenacious work ethic and his deep-seated devotion to the people of his State, the State of New Jersey. These are attributes that would serve all of us well and served him well and are something to which we can all and should all aspire.

Senator LAUTENBERG's legacy will be forever woven in the fabric of America's history. His work on the new GI bill of rights has helped ensure that thousands of America's fighting men and women receive the support they need when they come home and the opportunity to become part of the next "greatest generation."

With his passing, the Senate has lost its final member of what we all know or have come to call, as Tom Brokaw did, the "greatest generation," the World War II generation, the generation my dad served in as part of the Army Air Corps in flying B-17s in World War II, and my father-in-law, who landed on Utah Beach on the second day of the Normandy invasion. These were great Americans, and it is their sacrifice and the contribution they have made to our way of life that have made it possible for America to remain the envy of the world.

We are also reminded that our time in this Chamber is fleeting, and we should be humbled by that reminder.

There have been 43 new Senators who have come to the Senate since 2007 alone. The reason I counted is because that was the last time we took up immigration reform—a subject we are going to turn to perhaps next week. Forty-three new Senators since 2007. Perhaps we will have 44 by the time we turn to that topic next week. We are reminded it is our duty as Americans

to ensure this Chamber will host future generations of great Americans as well.

As Senator LAUTENBERG goes to his rest, my prayer is that his loved ones can take solace in the fact that he played such an important part in the great American story with honor and integrity.

#### CULTURE OF INTIMIDATION

Mr. CORNYN. Mr. President, the events of the last few weeks have thrown a spotlight on a culture in Washington which threatens the very fabric of what I just spoke about and that Senator LAUTENBERG fought for and contributed to, one that would hopefully instill confidence in the American people that what is happening here is in their best interest; that people realize we are the employees of the American people, here to serve their interests. That should be our primary focus.

Unfortunately, we have learned a culture of intimidation has arisen in Washington, and, unfortunately, it has become all too pervasive and threatens to become a cancer that cannot only destroy the public confidence in their Federal Government but also destroy the nature of our democracy itself.

We have learned that IRS agents—we don't know how many yet, but we do know that some—were deliberately targeting different political groups because of their political activities. Remember, this is activity protected by the First Amendment of the United States Constitution. If it weren't for the political activity of the American people, we wouldn't have this great democracy which is the envy of the world. But we have learned the Internal Revenue Service was asking different groups inappropriate questions about their donors, their positions on various issues of the day, and the political affiliations of its officers and directors. We have learned these abuses went far beyond two rogue employees in the Cincinnati field office; that the IRS headquarters in Washington was involved as well.

Of course, the initial story that this was confined to a couple of self-starters and free agents in Cincinnati was laughable. We all know enough about bureaucracies to know that no one, particularly at a lower level to mid-level, instigates any sort of initiative as bold and as toxic as this without some sort of approval from on high, whether it is implicit or explicit.

We have now learned senior officials in the IRS knew about these abuses at least 2 years ago, yet failed to notify Congress or the public. We have learned that one conservative activist from Houston, TX, one of my constituents, Catherine Engelbrecht, was targeted by multiple Federal agencies, including the IRS, the FBI, the Bureau of Alcohol, Tobacco and Firearms, and OSHA.

We have also learned the Environmental Protection Agency is yet another agency that has discriminated

against political organizations they do not happen to agree with. And we have learned the Obama administration, in the form of the Justice Department, has treated a reporter as if he were a criminal simply for doing his job.

I have seen the explanation of the apologists at the Justice Department. They said just because they identified James Rosen as a potential criminal coconspirator, they never intended to prosecute him. This is part of an affidavit designed to get at certain records that Mr. Rosen and his family maintained, invading their privacy. It makes no sense they would claim in this affidavit, in order to get this search warrant, that he was a potential criminal coconspirator and at the same time they never intended to prosecute him. Those are simply incompatible and inconsistent statements.

We have also learned the Department of Justice has conducted a disturbingly intrusive and broad investigation into the phone records of journalists who worked for the Associated Press.

At the Department of Health and Human Services we have learned that Kathleen Sebelius, the Secretary of Health and Human Services, has literally been raising money from private companies she is responsible for regulating in order to fund ObamaCare. That is a conflict of interest, and that is the most charitable thing one can say about it.

We have further learned this culture of intimidation has also given way to a culture of coverups and misinformation. We have learned more about the Obama administration's dishonest portrayal of the September 2012 terrorist attack that killed four Americans in Benghazi, Libya. We have learned the Obama State Department punished U.S. diplomats, whistleblowers, for cooperating with congressional investigators.

Sadly, these abuses are part of a larger pattern that goes back several years. For example, in 2010, when we were considering the matter of ObamaCare, various health insurance companies began alerting their customers about what they believed the impact of ObamaCare would be on them, and that specifically, if passed, it would force them to raise premiums on their own customers. Secretary Sebelius, at the time, threatened to punish these companies and bar them from participating in the ObamaCare exchanges if they followed through in communicating with their own customers about what the impact of this legislation would be on them.

By the way, the same IRS official who led the division to target political speech is now in charge of administering large portions of ObamaCare, which depends upon the Internal Revenue Service to implement so much of it. At a time when the Internal Revenue Service has lost credibility with the American people, it has no business administering a law that will affect one-sixth of our national economy.

The same culture of intimidation we have seen at Health and Human Services and at the Internal Revenue Service has also been prevalent at the Justice Department. That should be the bastion of justice and equal treatment under the law, but, sadly, it is not. The case of Fox News reporter James Rosen is only the latest example.

In recent days we have learned DOJ officials tracked Rosen's movements, got a search warrant to examine his private e-mails, and even obtained his parents' phone records. They treated him like a criminal, which is quite remarkable because, as I said, he was simply doing his job.

As the Washington correspondent for the New Yorker magazine noted:

It is unprecedented for the government, in an official court document, to accuse a reporter of breaking the law for conducting routine business of reporting on government secrets.

I believe national security leaks should be investigated. But what about going after the leaker? We recognize when reporters are targeted, it becomes especially sensitive, given the role of reporting the news and the freedom of the press guaranteed by the Constitution and the need of our society to maintain the kind of openness that only comes with a free and robust press.

In addition to an overbearing surveillance of individual journalists, the Obama Justice Department also targeted whistleblowers in the notorious Fast and Furious investigation. This is where guns were purchased in bulk in the United States and allowed to walk into the hands of the drug cartels in Mexico.

One Department of Justice official, a U.S. attorney in Arizona, tried to smear a whistleblower by leaking a private document. The Department of Justice inspector general called this behavior "inappropriate for a department employee and wholly unbecoming a United States attorney." Meanwhile, a separate Justice Department official was forced to resign her position when she was caught collaborating with left-wing bloggers to slander both whistleblowers and journalists.

As you can see, my conclusion there has been created a culture of intimidation is not the result of just one incident but a number of incidents and data points that, when connected, I think clearly paint that very sad and troubling picture. This culture of intimidation has become entrenched at Federal agencies and departments all across the Obama administration.

This culture of intimidation was troubling before the IRS scandal broke, and it is even more troubling given all we have learned in the past few weeks. So I hope Congress will do its job on a bipartisan basis—as the Finance Committee, under the leadership of Senators MAX BAUCUS and ORRIN HATCH, have already done on the IRS matter—to investigate this in a bipartisan way to get to the bottom of this matter,

recognizing this kind of abuse of power on the part of the Internal Revenue Service can be turned not just against conservative political speech but also against people on the political left or anybody in between. This should not and cannot be tolerated.

Mr. President, I yield the floor.

THE PRESIDING OFFICER. The Senator from Indiana.

#### THE FISCAL CRISIS

Mr. COATS. Mr. President, I thank my colleague and couldn't agree with him more on a number of the things he listed; in particular, the so-called affordable care act, which is anything but affordable.

I found out, as I traveled across the State of Indiana and spoke with Hoosiers, that this law is having an enormous negative impact on the decisions of employers, on health care providers, and on average citizens relative to what is coming down the line within the next several months and into 2014.

This legislation is a colossal mistake. It is a mess. It is distorting the economy, it is keeping people out of work, and it is keeping employers from hiring new workers. People are trying to manipulate the system now because what is being imposed on them is so Draconian and unsustainable and unaffordable. That is why we need to officially call this "unaffordable comprehensive health care reform" rather than the Affordable Care Act. It is unaffordable.

But that is not why I came here today. I came here today to talk about our current fiscal crisis. That has sort of taken a back seat to the debates we have been having on the Senate floor, even though they are necessary—immigration, which is coming up, the farm bill that we are currently dealing with, gun issues, and others. The looming dark cloud, the big bear in the closet, is our fiscal crisis, and it is not going away.

Last Friday, the Social Security and Medicare trustees issued their annual report on the long-term financial status of the health and retirement security programs, and there was a little bit of good news; that is, the current numbers that exist out there and the rate of spending down on these programs has slowed somewhat. But it is not the kind of news we ought to celebrate.

Some are saying: Oh, well, this takes the pressure off. Now we don't need to do anything about the structural reform of our mandatory spending for our entitlement programs because, look, we just had a good report. Let's just get back to regular business and we will worry about this later.

Well, the fact remains our mandatory spending is not only unsustainable, it is having an immediate impact and will continue to have an even greater impact on other essential functions of government as the cost of funding for the mandatory systems continues to