

the same powers as the President, the Commission, and the Board, respectively, have to administer and enforce chapter 5 of title 3, United States Code, in the case of a claim alleged by such individual for a violation of section 411 of such title; and

(6) a court of the United States shall have the same jurisdiction and powers as the court has to enforce—

(A) title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.) in the case of a claim alleged by such individual for a violation of such title;

(B) sections 302 and 304 of the Government Employee Rights Act of 1991 (42 U.S.C. 2000e-16b and 2000e-16c) in the case of a claim alleged by such individual for a violation of section 302(a)(1) of such Act (42 U.S.C. 2000e-16b(a)(1));

(C) the Congressional Accountability Act of 1995 (2 U.S.C. 1301 et seq.) in the case of a claim alleged by such individual for a violation of section 201(a)(1) of such Act (2 U.S.C. 1311(a)(1)); and

(D) chapter 5 of title 3, United States Code, in the case of a claim alleged by such individual for a violation of section 411 of such title.

(b) PROCEDURES AND REMEDIES.—Except as provided in section 4(g), the procedures and remedies applicable to a claim alleged by an individual for a violation of this Act are—

(1) the procedures and remedies applicable for a violation of title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.) in the case of a claim alleged by such individual for a violation of such title;

(2) the procedures and remedies applicable for a violation of section 302(a)(1) of the Government Employee Rights Act of 1991 (42 U.S.C. 2000e-16b(a)(1)) in the case of a claim alleged by such individual for a violation of such section;

(3) the procedures and remedies applicable for a violation of section 201(a)(1) of the Congressional Accountability Act of 1995 (2 U.S.C. 1311(a)(1)) in the case of a claim alleged by such individual for a violation of such section; and

(4) the procedures and remedies applicable for a violation of section 411 of title 3, United States Code, in the case of a claim alleged by such individual for a violation of such section.

(c) OTHER APPLICABLE PROVISIONS.—With respect to a claim alleged by a covered employee (as defined in section 101 of the Congressional Accountability Act of 1995 (2 U.S.C. 1301)) for a violation of this Act, title III of the Congressional Accountability Act of 1995 (2 U.S.C. 1381 et seq.) shall apply in the same manner as such title applies with respect to a claim alleged by such a covered employee for a violation of section 201(a)(1) of such Act (2 U.S.C. 1311(a)(1)).

(d) NO DOUBLE RECOVERY.—An individual who files claims alleging that a practice is an unlawful employment practice under this Act and an unlawful employment practice because of sex under title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.) shall not be permitted to recover damages for such practice under both of—

(1) this Act; and

(2) section 1977A of the Revised Statutes (42 U.S.C. 1981a) and title VII of the Civil Rights Act of 1964.

(e) MOTIVATING FACTOR DECISIONS.—On a claim in which an individual proved a violation under section 4(h) and a respondent demonstrates that the respondent would have taken the same action in the absence of the impermissible motivating factor, the court—

(1) may grant declaratory relief, injunctive relief (except as provided in paragraph (2)), and attorney's fees and costs demonstrated to be directly attributable only to the pursuit of a claim under section 4(h); and

(2) shall not award damages or issue an order requiring any admission, reinstatement, hiring, promotion, or payment.

#### SEC. 11. STATE AND FEDERAL IMMUNITY.

(a) ABBROGATION OF STATE IMMUNITY.—A State shall not be immune under the 11th Amendment to the Constitution from a suit brought in a Federal court of competent jurisdiction for a violation of this Act.

(b) WAIVER OF STATE IMMUNITY.—

(1) IN GENERAL.—

(A) WAIVER.—A State's receipt or use of Federal financial assistance for any program or activity of a State shall constitute a waiver of sovereign immunity, under the 11th Amendment to the Constitution or otherwise, to a suit brought by an employee or applicant for employment of that program or activity under this Act for a remedy authorized under subsection (d).

(B) DEFINITION.—In this paragraph, the term "program or activity" has the meaning given the term in section 606 of the Civil Rights Act of 1964 (42 U.S.C. 2000d-4a).

(2) EFFECTIVE DATE.—With respect to a particular program or activity, paragraph (1) applies to conduct occurring on or after the day, after the date of enactment of this Act, on which a State first receives or uses Federal financial assistance for that program or activity.

(c) REMEDIES AGAINST STATE OFFICIALS.—An official of a State may be sued in the official capacity of the official by any employee or applicant for employment who has complied with the applicable procedures of section 10, for equitable relief that is authorized under this Act. In such a suit the court may award to the prevailing party those costs authorized by section 722 of the Revised Statutes (42 U.S.C. 1988).

(d) REMEDIES AGAINST THE UNITED STATES AND THE STATES.—Notwithstanding any other provision of this Act, in an action or administrative proceeding against the United States or a State for a violation of this Act, remedies (including remedies at law and in equity, and interest) are available for the violation to the same extent as the remedies are available for a violation of title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.) by a private entity, except that—

(1) punitive damages are not available; and

(2) compensatory damages are available to the extent specified in section 1977A(b) of the Revised Statutes (42 U.S.C. 1981a(b)).

#### SEC. 12. ATTORNEYS' FEES.

(a) DEFINITION.—For purposes of this section, the term "decisionmaker" means an entity described in section 10(a) (other than paragraph (4) of such section), acting in the discretion of the entity.

(b) AUTHORITY.—Notwithstanding any other provision of this Act, in an action or administrative proceeding for a violation of this Act, a decisionmaker may allow the prevailing party, other than the Commission or the United States, a reasonable attorney's fee (including expert fees) as part of the costs, to the same extent as is permitted under title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.), sections 302 and 304 of the Government Employee Rights Act of 1991 (42 U.S.C. 2000e-16b and 2000e-16c), the Congressional Accountability Act of 1995 (2 U.S.C. 1301 et seq.), or chapter 5 of title 3, United States Code, whichever applies to the prevailing party in that action or proceeding. The Commission and the United States shall be liable for the costs to the same extent as a private person.

#### SEC. 13. POSTING NOTICES.

A covered entity who is required to post a notice described in section 711 of the Civil Rights Act of 1964 (42 U.S.C. 2000e-10) may be required to post an amended notice, includ-

ing a description of the applicable provisions of this Act, in the manner prescribed by, and subject to the penalty provided under, section 711 of the Civil Rights Act of 1964. Nothing in this Act shall be construed to require a separate notice to be posted.

#### SEC. 14. REGULATIONS.

(a) IN GENERAL.—Except as provided in subsections (b), (c), and (d), the Commission shall have authority to issue regulations to carry out this Act.

(b) LIBRARIAN OF CONGRESS.—The Librarian of Congress shall have authority to issue regulations to carry out this Act with respect to employees and applicants for employment of the Library of Congress.

(c) BOARD.—The Board referred to in section 10(a)(3) shall have authority to issue regulations to carry out this Act, in accordance with section 304 of the Congressional Accountability Act of 1995 (2 U.S.C. 1384), with respect to covered employees, as defined in section 101 of such Act (2 U.S.C. 1301).

(d) PRESIDENT.—The President shall have authority to issue regulations to carry out this Act with respect to covered employees, as defined in section 411(c) of title 3, United States Code, and applicants for employment as such employees.

#### SEC. 15. RELATIONSHIP TO OTHER LAWS.

This Act shall not invalidate or limit the rights, remedies, or procedures available to an individual claiming discrimination prohibited under any other Federal law or regulation or any law or regulation of a State or political subdivision of a State.

#### SEC. 16. SEVERABILITY.

If any provision of this Act, or the application of the provision to any person or circumstance, is held to be invalid, the remainder of this Act and the application of the provision to any other person or circumstances shall not be affected by the invalidity.

#### SEC. 17. EFFECTIVE DATE.

This Act shall take effect on the date that is 6 months after the date of enactment of this Act and shall not apply to conduct occurring before the effective date.

• Mr. CASEY. Mr. President, I was with my wife today, who was recovering from surgery, but had I been present I would have proudly cast my vote in favor of the Employment Non-Discrimination Act (ENDA). As a cosponsor of ENDA, I am grateful for today's bipartisan Senate vote, and I was pleased to vote for cloture earlier this week.

Despite the progress our Nation has made in ensuring equality for all, more than one in five lesbian, gay, bisexual or transgender employees have experienced workplace discrimination. That is completely unacceptable and Congress is long overdue in extending workplace protections to the LGBT community. Workers should be judged on the quality of the job they do, not who they are. I applaud today's vote and hope that the House of Representatives will quickly follow the Senate and work in a bipartisan way to send this legislation to the President for signing. •

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

The PRESIDING OFFICER. The Senator from Indiana.

## VETERANS DAY

Mr. DONNELLY. Mr. President, on Veterans Day we come together to honor the brave men and women who have given so much to defend our country and protect our freedoms. I think of so many veterans, including my dad, who served in the U.S. Navy. I want to take this opportunity to say thank you to our country's veterans, and the nearly 500,000 veterans in the State of Indiana, for your service to the Nation.

Veterans Day is also a chance to reaffirm our country's commitment to caring for veterans and their families. While it is important to say thank you to veterans, it is even more important to express our gratitude through action for all generations of veterans.

There are several ongoing efforts in my office that I would like to share with everyone. I have been a proud supporter of the Veterans History Project through the Library of Congress, and it has done an outstanding job in leading this effort. We have so much to learn from our veterans, and it is vital that we record their stories and experiences for future generations. I urge veterans of any conflict to contact our office if you would like to share your story. We stand ready to give Hoosiers information on this important project, and please contact us at any time if you would like to participate.

Additionally, there are Hoosier veterans of Vietnam and other wars who still have not received, or have lost over the years, their honors or their medals that they earned for heroism. Now is the time to resolve these cases.

I am so deeply honored this Veterans Day to be handing to four Hoosier veterans—Mr. Michael Hodgson, Mr. Canard Terhune, Mr. Jim Horn, and Mr. Julian Quarnstrom—the many medals and ribbons they were awarded for their service and bravery but still have not received.

I also believe it is important to honor veterans from all conflicts, which is why earlier this year I introduced a bill that would authorize the construction of a National Desert Storm and Desert Shield Memorial at no cost to the government. The men and women who fought in the first gulf war, especially those who gave the ultimate sacrifice, deserve to have their service memorialized.

Now we have a new generation of veterans. They have returned home from Iraq and Afghanistan, and many of them are still coping with readjusting to civilian life. They have experienced health challenges, including traumatic brain injuries and post-traumatic stress disorder. These incredible challenges have resulted from their service and their dedication to our country. Our veterans have earned the best care we can provide, and this includes access to timely and quality medical care. It is both our challenge and our priority to ensure a smooth transition and to effectively treat any health conditions linked to their service efforts.

In particular, I am dedicated to addressing the problem of military and

veteran suicide. If you are in need of or know of a servicemember or veteran who has challenges and who is in need, please know that seeking help is a sign of strength, not a sign of weakness, and from that strength there is always help that is available.

I am also committed to addressing the backlog in benefits claims, one of the significant challenges facing the Veterans' Administration. Wait times for benefits claims are at an unacceptably high level.

In the VA regional office in Indianapolis, Hoosiers play a critical role in processing claims to eliminate the backlog. I thank them for their public service, their hard work, and urge them to continue to do whatever they can to reduce that wait time so benefits may be received more promptly.

While I know the Secretary of Veterans Affairs, General Shinseki, is fully committed to solving this problem, more must be done. I stand ready to work together with my colleagues to provide the VA the tools it needs to accomplish this goal, reduce the wait times, and take even better care of our veterans.

In addition to ensuring care and benefits for our veterans, I believe economic opportunity is equally important. When I ask servicemembers what we can do for them, they always have the same answer: We just want to make sure there is a good job to come home to and a good job that can help take care of our families when we do.

A quality education and gainful employment give our veterans the chance to fulfill the American dream, and it helps fulfill our responsibility in supporting our veterans. That is where all of us come in. As one of Indiana's U.S. Senators, I am always looking for ways to improve the transition from military to civilian life. Let's make sure our trade schools and universities welcome our veterans with open arms.

To our business owners, thank you for all of the veterans you have hired, and I urge you to hire even more. Veterans have many skills that can translate to a variety of positions, they have a strong commitment to quality and service, and you can always rely on our veterans.

Hoosiers in every community, please welcome back our brave men and women—whether it is in your neighborhood, whether it is at the local restaurant, whether it is at your child's school, or whether it is at church on Sunday.

On Veterans Day, and every day, let us honor America's veterans by cherishing the freedoms they have defended. Our country is grateful for all you have done for all of us. You have given us our safety, our freedom, and our liberty. Thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

## MANUFACTURING JOBS

Mr. PRYOR. Mr. President, I rise today to talk about an important ini-

tiative that is not only important to my State of Arkansas but important to our entire Nation, and that is manufacturing. This country is an economic powerhouse, and we are certainly a manufacturing powerhouse. There is an important initiative that is being put together here in the Senate called the Manufacturing Jobs for America campaign. I think so far we have maybe 21 colleagues, maybe 22, or maybe even more who are in support of this effort. I encourage others to look at it.

We see a lot of manufactured crises here in Washington. It may be the farm bill or the government shutdown or the near debt default. Those are all just kind of manufactured by the Congress. But I am glad to see we have 21 or 22 or 23 colleagues here who are ready to turn off the "my way or the highway" politics and turn down the rhetoric and really focus on what our No. 1 priority should be, which is jobs and the economy, because if we didn't learn anything else from the shutdown and some of those high-wire act politics of the last few weeks, hopefully we learned that if we want to get anything done in Washington, we need to work together. That is the bottom line. That is what this package of bills and this initiative are intending to do. If we really want to create jobs and if we really want to make a difference for the U.S. economy, we have to reach across the aisle.

There are many bright spots in the Congress. Listen, we know we have been through the ringer. We know how difficult this recession was. It was the hardest economic downturn in my lifetime and most of our lifetimes, the hardest economic downturn we have ever seen since we have been alive, but we are coming out of it.

There are many bright spots in the economy. Yes, we get good economic news pretty much every day, and we also get some mixed economic news pretty much every day. So it is not happening as fast as we would like it to, and it is not happening in every sector of the economy and in every section of the country as we would like it to, but it is happening.

One of those bright spots is manufacturing. Last year manufacturing contributed \$1.87 trillion to our economy—\$1.87 trillion in manufacturing. That is how much of a difference it made in our economy. There are 17.2 million U.S. jobs; that is, jobs in this country, and 1 in 6 private sector jobs is tied to manufacturing. It also provides a very strong return on the investment we make. So if we invest \$1 in manufacturing, it adds \$1.48 back into the economy.

America is a powerhouse when it comes to manufacturing, and we need to keep it that way. Everybody knows—look at all the studies—the United States is the world's largest manufacturing economy. In fact, if we just took manufacturing and put everything else on the side, the United States would still be the 10th largest economy in the world just based on our

manufacturing. We are a powerhouse, but we can do more, we can do much more, and we should.

We need to fight hard to make sure that “Made in America” remains the gold standard. We want it to be the thing everybody wants to see in every market. “Made in America” means something. It also means something here because the investment is here, the workers are here, and the productivity is here. It is good for GDP, et cetera. We want to make sure manufacturing remains what it has always been. That is why today I offer my public support for this Manufacturing Jobs for America campaign, and it is why I have supported a lot of provisions in the past. Most of them have been bipartisan efforts where we have reached across the aisle to try to work with my Republican colleagues on all kinds of issues, including the America COMPETES Act and the America COMPETES reauthorization efforts. I am totally for them. I think they are good initiatives.

One of them we have talked about is the national strategic plan for advanced manufacturing. Advanced manufacturing is a little different from traditional manufacturing. We need to make sure that we are strategic and focused and that we know what we are talking about, as with angel investors. A lot of times people think investment just happens. A lot of times it does, but sometimes, if we can give that little nudge to angel investors, they can invest and make a huge difference in those companies and they can touch millions of people’s lives. We have seen that in our State of Arkansas, and that resulted in some real success stories.

Then, if we can bring it back down to a really small scale, one of the initiatives I have supported over the years is the small business startup savings account. People can take a certain amount of money from a paycheck, put it in a savings account tax-free—kind of like an IRA or a fund like that—put it in that savings account and use it to start a business or somehow grow the business. They never get taxed on it. They can cash it in at some point and use it to start a business. That is good for savings, it is good for the economy, and it is good to get these small businesses started. Everybody knows as well as I do that when someone walks into a lender, a bank, and they have, say, \$10,000, \$20,000, or \$30,000 saved, that gives them a big advantage when they need a loan for the rest of the money. So that is a win-win across the board.

Again, I support working on this commonsense package of bills that really accomplishes four goals: First, strengthening our manufacturing sector; second, leveling the playing field for American companies; third, helping startups get access to capital; and fourth, enhancing innovation, competitiveness, and trade opportunities for businesses here at home. Various Senators in the Chamber have different

ideas on how we accomplish them, but I think we can all agree on those goals. If we work together, we really can make a great difference for our Nation.

One of the reasons why coming out of this sluggish economy has been a little more slow than we would have liked is because we don’t have as many manufacturing jobs as we used to. Although the number is on the rebound and it is growing, we all know we have lost a lot of manufacturing jobs in the last couple of decades. But we are back. It is because of energy. It is because of the trained workforce. It is because of our efficiencies, et cetera. We are back. We need to push this advantage and keep it growing. Our country has the workforce, we have the infrastructure, and we have the manufacturing base and the work ethic here; we just need to give our businesses that little extra boost to manufacture jobs for America.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Montana.

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

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

#### SPORTSMEN’S ACT

Mr. TESTER. Mr. President, I rise today in support of protecting our Nation’s outdoor traditions, including opening access to our public lands, preserving some of the greatest places to hunt and fish and recreate, and encouraging economic development and job creation in our great outdoors.

Last fall I called upon Congress to pass my bipartisan Sportsmen’s Act. As the chairman of the Congressional Sportsmen’s Caucus, I made it my goal to do something significant, something historic for this country’s hunters and anglers. We came very close to passing my bill twice, but politics got in the way both times. A commonsense and widely supported measure failed to get across the finish line because some folks around here put self-interests before the interests of their constituents. I am optimistic that this time will be different and that we can work together to get this bill across the finish line.

Senator HAGAN is leading the charge on behalf of our sports men and women, and I know she is ready to work with all of our colleagues to find a path forward. My friend from North Carolina is the new chairman of the sportsmen’s caucus. Hailing from a State with a rich hunting tradition, she knows the importance of protecting America’s outdoor heritage. Representing a State that stretches from the Atlantic Ocean to the Appalachian Mountains, she knows it is critical to preserve our wide range of treasured lands.

Senator HAGAN’s legislation combines more than 15 bills that will in-

crease access for recreational hunting and fishing, that support land and species conservation, and that protect our hunting and fishing rights. Most importantly, they take ideas from both sides of the political aisle, ideas with support from all corners of the conservation and outdoors community.

When I was the chairman of the Congressional Sportsmen’s Caucus, sports men and women would constantly tell me about the importance of access to our public lands. Right now there are 34 million acres of public land that sports men and women cannot access. That is why this bill requires that 1.5 percent of the annual funding from the Land and Water Conservation Fund be set aside to increase public land access, ensuring sports men and women access to some of the best places to hunt and fish in the country.

Senator HAGAN’s bill will reauthorize the North American Wetlands Conservation Act. This voluntary initiative provides matching grants to landowners who set aside critical habitat for migratory birds, such as ducks. Over the past 20 years volunteers across America have completed more than 2,000 conservation projects and protected more than 26 million acres of habitat under this successful initiative. The North American Wetlands Conservation Act is a smart investment in both our lands and our wildlife, and it needs to be reauthorized.

Senator HAGAN’s bill and mine are not identical, but most of the provisions are the same, and the bill is a product of the same spirit of cooperation that drove my bill.

Now, just as happened last year, some folks around Washington will ask why this legislation is important. After all, we need to be working together to create jobs and put this country on solid financial footing. But outdoor recreation is a job creator and an economic driver throughout this country, and Montana is no exception. In my State, one in three Montanans hunts big game and more than 50 percent fish. Nationwide, outdoor recreation contributed nearly \$650 billion in direct spending to the economy in 2012. Hunting and fishing is not just recreation; it is a critical part of our economy. In Montana, hunting and fishing brings in more than \$1 billion a year to our economy—nearly as much as our State’s cattle industry.

Strengthening our economy, creating jobs, preserving our outdoor traditions and our treasured places—these all sound like no-doubt-about-it ideas, but last year the Sportsman’s Act ran into trouble right here in this Senate. Opposition to my bill didn’t come from concerns about measures in the bill itself; instead, it was blocked by Members of Congress taking out frustrations with how other votes went that day. My bill was simply caught in the crossfire. Sports men and women across the country who have been waiting for a bill such as this for a generation

watched in disbelief as my bill fell victim to politics. They won't stand for it again.

This is a bill with widespread support that preserves our outdoor economy and secures our outdoor heritage for our kids and our grandkids. There is nothing controversial about it.

Thanks to the leadership of Senator HAGAN, my colleagues have another chance to get it right. When Senator HAGAN's sportsmen's bill comes to the floor, whether here or in committee, I urge my colleagues to support it. Approve it as a vote for bipartisanship. Approve it as a vote for common sense over political victory. Approve it as a vote for America's 90 million sports men and women. Approve it as a vote to create jobs.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### POST ACT

Mr. DURBIN. Madam President, yesterday Senator HARKIN of Iowa, the Chairman of the Senate HELP Committee, joined me in reintroducing a bill called Protecting Our Students and Taxpayers or the POST Act. I am pleased that supporting our efforts are the Education Trust, U.S. PIRG, the National Association of College Admissions Counseling, the Military Officers Association of America, and the Young Invincibles.

Since 1992, Congress has required for-profit schools to derive a portion of their revenue from non-Federal sources. Most people would be surprised to learn how these for-profit schools are really totally upside down. Many depend almost exclusively on Federal money. They are private schools, very profitable, and yet often most of their money comes from the Federal Government.

If you took this segment of our economy, for-profit schools, and made it a Federal agency, it would be the ninth largest Federal agency. That is how much money we put into for-profit schools. Who are these schools? Well, young people, particularly high school age or college age, they know them by name. They are the ones that come bombarding you on the Internet with solicitations to please come join our for-profit school. You cannot get on a CTA bus in Chicago, or on the subway in New York without being inundated with all of these schools trying to sign up young people.

There are three numbers which everyone should understand when they take a look at the for-profit school industry. These three numbers tell you what you need to know: 12 percent of

high school graduates go to for-profit colleges—12.

For-profit colleges and universities receive 25 percent of all the Federal aid to higher education, 12 percent of the students—25 percent of the Federal aid to higher education: student loans, Pell Grants.

The third number is the most important. Forty-seven. So 47 percent of the student loan defaults in America are students from for-profit schools. They are a small segment of the population, 12 percent; 25 percent of the Federal aid to higher education and 47 percent of the defaults. They have cooked quite a deal with Congress and with our Federal Government.

Since 1992 we have said to these schools—the law has said: You have to derive a portion of your revenues not from the Federal Government. It is not a portion from the Federal Government, but a portion not from the Federal Government. This was meant to keep for-profit schools in a situation where they would not rely completely on Federal dollars to survive.

Originally, these schools had to come up with—listen to this—15 percent of their revenue from non-Federal sources—15 percent. In 1998, it was reduced to 10 percent. What it means is when the school signs up a student, they only have to come up with 10 percent of the actual cost, in most circumstances, from sources outside of the Federal Government.

These schools are channeling Federal dollars by the millions through these students into their own coffers. Nine out of every \$10 that these schools take in can come from the U.S. Treasury and taxpayers. Much of the for-profit college industry takes in most of its money directly from the Federal Government.

In fiscal year 2012, we sent \$32 billion to for-profit schools. We spent more on for-profit schools than we did on the National Institutes of Health, NASA, the Coast Guard, Customs and Border Patrol, the EPA, or the FBI. We spend more on for-profits than we do keeping planes in the sky, protecting our borders, tracking down criminals, responding to disasters, researching cures for cancer, protecting the Nation's food supply, making sure our air and water are safe, or exploring the outer reaches of the universe.

In 2009 and 2010, for-profits took in 25 percent of the Department of Education Title IV funds, enrolling only 12 percent of the students. They have quite an arrangement going on here. The largest is University of Phoenix, the Apollo Group. You have heard about the University of Phoenix; you cannot escape them. They advertise all the time.

In 2011, the Apollo Group, which owns the University of Phoenix, counted 86 percent of its revenue from Federal sources, Title IV funds, more than \$5 billion to this one for-profit school. As long as they are educating students, why should we be concerned?

The Apollo Group's profit last year was more than \$400 million. In an era of spending cuts and austerity, what are Federal taxpayers doing sending so much money to a private sector company that is so profitable, particularly in a sector of the education economy that accounts for 47 percent of student loan defaults?

Last year a young woman who received a BA in Fine Arts from the International Academy of Design and Technology in Chicago contacted our office. She finished the undergraduate program, and she found that no graduate programs outside of that school would even consider her transcript. They did not recognize a degree from the so-called International Academy of Design and Technology, a for-profit school.

So 4 years later, with a worthless diploma, she was \$58,000 in debt and had no real future in her chosen field. Federal taxpayers gave the International Academy of Design and Technology, 89 percent of its revenue.

It is a flowthrough. The students apply. They then apply for Pell grants if their income is low enough, student loans. The money flows through the student into the for-profit school. The student ends up with the debt and the for-profit school ends up with the money. In this case, the student ends up with a worthless diploma and \$58,000 in debt when it is all over.

Ashford University—I could go on for a while about Ashford in Iowa—is currently being investigated by the California attorney general for its recruitment practices. It receives 87 percent of its revenue from the Federal Government.

For such dependence on Federal taxpayers for their operation, one would think these schools must be generating a great return on investment. We have a deficit. Why should we be sending so much money to these for-profit schools? Some of these schools are good, make no mistake, but many are not, and the taxpayers pay either way. For-profit colleges spend less on student instruction than traditional schools, \$3,500, roughly, for students at the for-profit schools, over \$7,000 at public institutions, and \$15,000 per student at private not-for-profit schools. The students leave school with more debt if they go to for-profit schools. They average at least \$6,000 more debt than the typical student.

For-profit students, as I said, are more likely to default. Almost half of the student loan defaults come from students from these schools.

How are the CEOs at the top for-profit schools doing? They made an average in 2009, the last reported date, of \$7.3 million a year. Think about that, 80 or 90 percent of the money is coming from the Federal taxpayers, encumbering the students with debt, and CEOs of the company are walking away with an average of over \$7 million a year in income.

The bill I have introduced with Senator HARKIN would change this. I want

to do more, but the first step is returning to the 85-15 ratio, saying that for-profit schools cannot take more than 85 percent of their revenues from the Federal Government and taxpayers. It would also hold these schools accountable for breaking the threshold after 1 year of noncompliance, rather than the lenient 3 consecutive years, which is currently the law.

That is only part of the story. The Federal subsidy of these schools, these money-making machines, goes even farther. The dirty little secret of the current Federal 90/10 rule is that it doesn't count GI bill benefits or the Department of Defense Voluntary Education Program. Hundreds of millions of dollars per year would flow to these schools from these programs and they are exempt from the 90 percent-10 percent requirement.

Does anybody dispute the Department of Defense is part of the Federal Government—of course it is. Whether it be planes, bombs, or servicemembers' education it's paid for by U.S. taxpayers. Nobody questions that. When we limit how much of these schools' revenues can come from the Federal Government, why should we ignore the money coming through the Department of Defense? It is Federal money, Federal taxpayer money.

According to the 2009 HELP Committee report on for-profit schools, if all forms of Federal funds were counted, the top 15 publicly traded for-profit companies received, on average, 86 percent of all their revenue from Federal sources. The loophole makes servicemembers and veterans prime targets of for-profit schools. They are all over these servicemembers and veterans to sign them up because they bring in more federal dollars. It has led to well-documented horror stories about aggressive predatory recruiting practices.

I have been on this floor telling these stories many times. I do think they bear repeating. I have told the story of two former military recruiters at a for-profit college in Illinois. They contacted my office to tell me what happened. They were told their job was above all to put "butts in classes"—that they should dig deep into the personal lives of their recruits to find their "pain point."

If a prospective student was out of work, recruiters were encouraged to say things such as: "How do you think your wife is about being married to somebody unemployed?"

Entrance requirements at these schools are very low, maybe nonexistent. It didn't matter how long a student stayed as long as he came in, signed up, got the Federal loan that went to the school, and then he was stuck with the debt. There is no telling how many servicemembers have been lured by these practices and then ripped off.

One of these schools has the name the American Military University. A nephew of mine is serving in the U.S. Army. I sent him an email, and I said

take a close look at this school. It is not part of the military. They sound like it, but they aren't. It is a for-profit school, and very profitable. There is no telling how many servicemembers have been lured into these schools.

There is James Long, who suffered a brain injury when an artillery shell hit his humvee in Iraq. He used military benefits to enroll in Ashford University, one of the more notorious, after he had been heavily recruited by that school. He told Bloomberg News he knows he is enrolled in Ashford, but he can't remember the courses. Remember, he suffered a head injury in Iraq.

Christopher Ford told the LA Times he used his GI bill benefits at a for-profit school to take an online engineering course, only to find out no company would accept his training and he had used his benefits in pursuing this degree. Of his for-profit education, he said:

It was heavily marketed, so I took it. It sounded pretty good, but it turned out to be pretty predatory.

Our bill, Senator HARKIN's bill and my own, would protect servicemembers and their families from being preyed on by ending this loophole and counting these military and veterans' benefits in the new 85-percent limit. This commonsense bill is a modest step forward trying to reclaim some dignity when it comes to Federal aid in education.

We have opened up this amazing loophole, and 25 percent of all the Federal money for higher education is going into these schools, many of which are just plain worthless. If the students were just wasting time, that would be bad enough, but they are wasting opportunities for education and they are digging debt holes they can never get out of.

I received an email this week from a family in Illinois, a mom. She was so proud that her son had graduated from school. It was not a for-profit school, but he graduated, and she was pretty proud of him. She told me he had a problem. He had incurred \$130,000 in student loan debt. She found out that he had signed up for a lot of debt that couldn't be consolidated, couldn't be refinanced, and she was begging me to do something to help her. There was one line in that email I will never forget. She said: Senator, we just can't afford to pay more than \$1,000 a month for his student loans.

She is speaking of \$1,000 a month on a student loan. That is not unusual.

Too many of these young people and their families get sucked into these student loans, many of these worthless for-profit schools. We have cases that have been reported of grandmothers who have had their Social Security checks garnished because they signed on to guarantee their granddaughter's student loans. God bless grandma for wanting to help her granddaughter, but then her granddaughter can't get a job, can't make a loan payment, and they go after the grandmother's Social Security check. That is outrageous. Surely

ly this Congress can come to a bipartisan agreement on how to cure this.

I wish to thank Senator HARKIN for his partnership on this bill. There is more to come. This student loan crisis is a growing one, and it affects some of the hardest working families in America. They were sure they were doing the right things for their kids. Now they find themselves hopelessly in debt, many times with worthless for-profit school diplomas.

We can do better and we should do better to give these young people and their families a chance.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Nebraska.

Mrs. FISCHER. I ask unanimous consent that the order for the quorum call be rescinded.

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

#### VETERANS DAY

Mrs. FISCHER. I rise today on behalf of all Nebraskans to say thank you to our Nation's veterans. Our Nation has long been blessed with men and women with integrity who step forward and answer the call to serve. Throughout times of war and times of peace, our country has maintained a military that has been the envy of the world. Each year Veterans Day is a time to thank and to honor the generations of patriots who have risked life and limb to protect our Nation and defend the cause of freedom. These heroes leave their homes—their comfortable lives with loved ones—for months and years at a time to fight wars in foreign lands. From the windy beaches of Normandy, to the snowy mountains of Korea, and the blistering deserts in the Middle East, our veterans have served fearlessly around the globe. Meanwhile, others, including members of the National Guard, have been stationed throughout the United States serving dutifully to protect the homeland.

As a member of the Armed Services Committee, I have the unique privilege of interacting directly with our servicemembers. I have had the opportunity to meet soldiers, including many Nebraskans, working to protect the hard-fought gains in Afghanistan, and I have visited with troops stationed in Germany, Italy, and other allied nations. This past July I had the opportunity of a lifetime, celebrating Independence Day with our troops in Afghanistan. I expressed my gratitude for their work, and I assured them of my support in the Senate for that work.

While I am committed to ensuring our Active-Duty servicemembers have the training and the tools they need to fulfill their missions, I am equally committed to keeping the faith with our Nation's veterans. Each time I speak with one of Nebraska's many

wonderful veterans, I am reminded of the honor and the valor that decorates all of our men and women who have served. Each one has a unique and a very memorable story to tell.

Recently, I was humbled to take part in the inspiring journey of more than 130 Nebraska Korean war veterans to Washington, DC, through the Honor Flight Program. It was a privilege to help welcome them at the Korean War Memorial on the National Mall. All of our veterans deserve our appreciation, but it was especially important for me to acknowledge the heroic efforts of those men and women who fought in what is referred to as America's forgotten war. We are forever grateful to each and every American who has served, and we salute those who have paid the highest price.

Another way to honor our fallen and missing servicemembers is by showing our gratitude to those who are still with us today. As President Lincoln stated, it is our great charge "to care for him who shall have borne the battle and for his widow, and his orphan."

As a Senator, I am dedicated to promoting policies that assist America's veterans when they return home and to help ease the transition back into a normal life. Many need care for their physical injuries as well as their emotional scars.

Despite possessing valuable skills, veterans also have difficulty finding employment after their return. We need to encourage businesses and organizations to utilize the talents of our Nation's veterans and to help them find employment in our local communities. It is not only the values but also the training and the discipline of our military personnel that make America's fighting force second to none.

I am pleased to report to Nebraskans that this year's National Defense Authorization Act, the NDAA, furthers the goal of helping servicemembers better translate the skills they gain in the military to a civilian job. Specifically, it helps ensure that servicemembers understand how their military skills effectively transfer to meet license or certification requirements for civilian careers.

It also requires the DOD to make available as much information as possible on the content of military training to the civilian credentialing agencies. Employers need to appreciate the vast array of skills and knowledge our veterans acquire during their Active-Duty service. My staff and I also stand ready to assist these men and women in navigating Federal agencies to get the assistance they may need.

Many of our States' veterans have contacted my office with a range of important needs that are not being met, promises that have yet to be kept. These requests range from acquiring important service treatment records, to securing benefits for veterans' spouses, and navigating the bureaucratic maze that plagues the Department of Veterans Affairs. We have a

great track record in securing the needed assistance.

This year's NDAA also urges the Secretary of Defense to expedite efforts to integrate electronic health records between DOD and the VA.

When it is fully implemented, this should greatly shorten the time it takes for these servicemembers to have their information transferred to the VA and start receiving the benefits they are due.

We can never fully repay our men and women in uniform for the contributions they have made to our country, for their noble acts of service, but we can continue to do our best to honor their legacy. The peace we enjoy was hard earned. We owe our way of life to their service and their sacrifice. We will never forget and we are forever grateful.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

#### DC CIRCUIT NOMINATIONS

Ms. KLOBUCHAR. Madam President, I come to the floor because there are three extremely talented, well-qualified women nominees who are ready to get to work on the U.S. Court of Appeals for the DC Circuit. It is time they are confirmed.

I will be joined this afternoon by several of our colleagues: Senators HIRONO, CANTWELL, KAINE, and BLUMENTHAL, because we all know it is time for the Senate to stop the needless blocking of these women. Enough is enough.

I thank Chairman LEAHY for his persistence and the fact that we are not giving up on these three qualified women for the bench.

Our courts need judges in order for the third branch of our government to function. The Senate should not be shutting down another branch of government. Some of my colleagues in the Senate will not even allow an up-or-down vote on these nominees. I don't know if they have even met these nominees, but if they had met them, I don't know how they could come to this floor and not allow an up-or-down vote.

President George W. Bush's candidates to the DC Circuit were confirmed so the DC Circuit could keep running, and our current President's nominees should be considered in the same manner. You can't have justice with an empty courtroom. It is time to stop making excuses. It is time to put judges in their courtrooms, and it is time to get these women on the bench.

One of the very well-qualified nominees is Nina Pillard. Nina Pillard is a talented lawyer and professor. She is the kind of sensible, well-respected person whom we need to fill one of those empty seats in that courtroom. Actually, it is Professor Pillard because she has been a law professor at the Georgetown University Law Center for the last 15 years. She graduated magna cum laude from Yale College in 1983 and earned her J.D. from Harvard Law

School in 1987, again graduating with honors.

In addition to her academic career, Ms. Pillard served in government. From 1998 to 2000, she was the Deputy Assistant Attorney General for the Justice Department's Office of Legal Counsel. Prior to that she served as an assistant to the Solicitor General, a position held by some of our country's most talented lawyers.

It should be no surprise Ms. Pillard is one of the most accomplished Supreme Court advocates in the Nation. She has argued nine cases before our Nation's highest Court and has briefed 25 cases.

Outside the courtroom, she has spent her time teaching and mentoring young lawyers, serving as the faculty director for Georgetown Law School's Supreme Court Institute.

When the current Supreme Court Justice Alito was nominated by President Bush to fill an open seat on the Supreme Court, Ms. Pillard also donated her time to the committee to help review his writings and make a recommendation on his qualifications. Why? She was the chair of the American Bar Association's Reading Committee at Georgetown Law Center, which found Justice Alito "well qualified" to sit on the Supreme Court.

People across the aisle think Ms. Pillard is well qualified too. The head of the Justice Department's Office of Legal Policy under President Bush said that Ms. Pillard is "a patient and unbiased listener . . . a lawyer of great judgment and unquestioned integrity."

The deans of 25 law schools, including the University of New Hampshire, the University of Arizona, and the University of Maine, wrote that Ms. Pillard "has shown an appreciation of nuance and respect for opposing viewpoints, grounded in a profound commitment to fair process and fidelity to the law."

Twenty-five more former Federal prosecutors and law enforcement officials said Ms. Pillard "is unquestionably eminently qualified, and is a sensible and fair-minded lawyer." The nonpartisan American Bar Association's—this is no surprise—committee that reviews every Federal judicial nominee unanimously gave Ms. Pillard its highest possible rating.

Fairminded, unquestionably qualified, unquestioned integrity—these are the qualities the Senate should be looking for in a person we entrust to decide cases in our Federal courts. Next week the Senate should give Ms. Pillard an up-or-down vote.

My hope for progress next week is in contrast to the reality we saw just 1 week ago when the Senate voted to block another eminently qualified woman to an up-or-down vote. As I stated last week on the floor, Patty Millett would also be an excellent person to fill one of the vacancies on the DC court.

My colleagues have discussed the qualifications of Ms. Millett at length. She is a talented lawyer with extensive appellate experience—32 cases in front



of the Supreme Court. I do not understand how anyone in good faith could vote to block an up-or-down vote of someone who has argued 32 cases in front of the U.S. Supreme Court, who has served as an Assistant Solicitor General, and who spent 15 years as an attorney on the appellate staff of the U.S. Department of Justice Civil Division under both Democratic and Republican administrations.

With all this experience, Ms. Millett is also one of the most experienced Supreme Court advocates in the Nation. Just as Ms. Pillard did, Ms. Millett also received the highest possible rating from the nonpartisan American Bar Association committee that reviews every Federal judicial nominee. She has done all of this, as we have all learned, while raising a family, with a spouse serving in the military overseas. She has been raising two children while her husband was serving our country overseas and while donating her time to help kids learn how to read and volunteering for the homeless.

How can anyone not allow a vote on this nominee? This is another woman of unquestioned ability. Instead of confirming Ms. Millett last week, sadly, she was filibustered—another woman filibustered, stopped in her tracks.

I see some of my colleagues have gotten to the floor, and so before I talk about Caitlin Halligan I will give them an opportunity to speak. But Caitlin Halligan is yet another woman stopped in her tracks. This has to end. We have been making so much progress for women in the judicial system and for women in the Senate. We are now 20 of 100 Senators. No one filibustered us. We got an up-or-down vote when we came before the American people, win or lose. That is how it should work for judges. They should get an up-or-down vote—and that is what these women deserve.

With that, I will yield the floor for Senator HIRONO from the State of Hawaii, who is also a member of the Judiciary Committee.

The PRESIDING OFFICER. The Senator from Hawaii.

Ms. HIRONO. Madam President, I thank my colleague from Minnesota. I rise to speak in support of the nomination of Cornelia “Nina” Pillard to be a circuit judge for the U.S. Court of Appeals for the District of Columbia Circuit.

Less than 2 weeks ago, my colleagues on the other side of the table blocked another nominee to the DC Circuit—Patty Millett. Earlier this year, they also blocked Caitlin Halligan—yet another woman who had been nominated to the DC Circuit. Unfortunately, Ms. Halligan withdrew her nomination after 2 years of obstruction.

Only five women have served as judges on the DC Circuit in its entire 120-year history. The DC Circuit is one of the most important circuits in our Nation, and it is shameful that female perspectives are so underrepresented.

Now the Senate will consider the nomination of Nina Pillard, a truly

outstanding nominee to the Federal bench. Ms. Pillard is currently a law professor at Georgetown University Law Center and is one of the leading appellate attorneys in this country. Professor Pillard has extensive litigation experience at all levels. She has argued nine cases before the Supreme Court and has briefed dozens more, including the historic *United States v. Virginia* case that opened the Virginia Military Institute to women and the Nevada Department of Human Resources v. Hibbs case that sustained the Family and Medical Leave Act against constitutional challenge and ensured a primary caregiver could take leave in the case of a family illness regardless of gender and in this case the family caregiver was a male.

Professor Pillard has also had an impressive 15-year tenure teaching constitutional law at Georgetown. The fact that is my alma mater has nothing to do with my support of her.

In addition, she serves as codirector of the Georgetown Supreme Court Institute, where she prepares lawyers for oral argument before the U.S. Supreme Court on a pro bono basis, without regard to which side of the case they represent. In fact, under her leadership, the Supreme Court Institute prepared lawyers on one or both sides of every case heard by the Justices in the 2012 term.

Professor Pillard has also twice served as a top attorney at the U.S. Department of Justice, and in those roles she advised and defended U.S. Government agencies and officials on criminal law enforcement and national security matters—invaluable experience for a judge on the DC Circuit, where such issues are routinely considered.

I have been deeply impressed with her experience and record and have found her to be exceptionally qualified for this important position in the DC Circuit.

In addition to her extensive qualifications, Professor Pillard also has demonstrated a commitment to fair and impartial process throughout her career. As mentioned by my colleague, for example, when Professor Pillard chaired the ABA Reading Committee that reviewed Samuel Alito during his nomination process, her assessment of his legal record led the ABA to apply their highest rating of “well-qualified.” She deserves to be held to the same rigorous, fair standard.

However, following Patty Millett and Caitlin Halligan, Nina Pillard is the third woman in a row to be nominated to the DC Circuit only to face obstruction from my colleagues on the other side of the aisle.

The DC Circuit is one of the most important courts in our Nation, weighing key constitutional issues and other matters of Federal law and regulation. Three of the eleven seats on this court stand vacant. Given the complexity and far-ranging impact of the cases the court hears, it is critical we fill vacancies without delay.

Along with Patty Millett and Nina Pillard, President Obama has nominated Judge Robert Wilkins to fill these important vacancies. Unfortunately, so far, we have seen nothing but more obstruction of these extremely well-qualified nominees. This is an opportunity to put exceptionally talented lawyers on a significant court that has vacancies needing to be filled.

I am disappointed our colleagues recently blocked a vote to confirm Patty Millett, not only a great lawyer but a military spouse who managed a successful career and the care of her children while her husband was deployed overseas. When we talk about supporting our troops, it means supporting their very well-qualified spouses, such as Patty Millett.

I was dismayed and saddened when obstruction caused Caitlin Halligan to give up on her nomination after 2 years.

It would be disgraceful to continue this obstruction of these qualified and impressive women. I urge Senators to reconsider and support these nominations.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Madam President, we have also been joined by Senator KAINE of Virginia, who knows a little bit about one of these nominees and is also a strong advocate for more women in the legal profession. That is one of the cases we are making; that this is about the DC Circuit, this is about the repeated gridlock we are seeing in Washington that the people of this country have said they have had enough of, but it is also about the fact our colleagues on the other side of the aisle have now blocked not one, not two but three incredibly qualified women.

So we are starting small on a Thursday afternoon—and maybe there are not a lot of people in the gallery—but this is just the beginning. We are not going to let this go.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. KAINE. Madam President, I thank my colleagues, the Senators from Minnesota and Hawaii, for joining me on the floor. This is a matter I feel very strongly about, and I do wish to offer a few words to basically just raise the question of whether there is a double standard for appointment of women to this particular court, the DC Circuit.

Before I tackle that question, I will say one thing knowing that I am speaking to a law professor. I am concerned more broadly about what I consider sort of a pattern of nullification. If there is a law we don't like and we can't get it overturned, there seems to be efforts to defund it or even shut down government—or, in this case, what I would call the decapitation strategy: If you don't like the National Labor Relations Board, just don't appoint people to run the business or the

Bureau of Alcohol, Tobacco, and Firearms or, in this case, the DC Circuit.

The DC Circuit has an allotted number of judicial positions. This isn't something the President chooses. Congress sets it on the advice of the judicial conference. The judicial conference has not suggested the number should be shrunk. There are 11 judges and 3 are currently vacant. The strategy of blocking appointments is sort of a nullification of law, which I think is troubling. But let me get to the question of what I consider to be a double standard that is blocking some wonderful candidates from going onto this court.

My legal practice for 17 years was in the civil rights area. In the civil rights area, there is a legal notion called the pretext. When something bad happens—you don't get an apartment, you don't get a job, you don't get your bank loan or your homeowners insurance policy—and if a reason is asserted for that, but the reason just falls apart, it is completely illogical, it is not borne by the facts, that is called a pretext. I worry in this instance there are a couple of pretexts going on because the instances that have been cited by my colleagues—the filibustering of Caitlin Halligan, the filibustering of Patty Millett, and now the filibustering of Nina Pillard—rely on two pretexts. Why are these candidates—Caitlin Halligan, who practiced before the U.S. Supreme Court, was the Solicitor General for the State of New York and did such a good job, why block her? Why block Patty Millett, who worked in the Solicitor General's Office under both administrations, supported by Solicitor Generals of both administrations? Why block Nina Pillard? Nina Pillard was the appellate attorney before the U.S. Supreme Court to argue for the need to admit women students to the Virginia Military Institute in my State, which they have done and it is working very well. One of Nina Pillard's supporters was the superintendent of VMI who was being sued. The promise of America will never be fulfilled as long as justice is denied to even one among us. Josiah Bunting has come forward and said Nina Pillard would be a great circuit justice.

So what is the reason being asserted to block these three women? The reason asserted is there is not enough of a workload on this court. I think it is clear the asserted lack of workload is a pretext. It is nonexistent. It is a phantom argument which gets brought up whenever we want to but then abandoned whenever we want to. My evidence for that is pretty clear.

There are two circuit courts—the Eighth and the Tenth Circuit—which have lower caseloads per judge than the DC Circuit, but we have been approving nominees for that circuit this year without raising any question about workload. So we will put folks on the Eighth and Tenth Circuits, even though they have a lower workload and no one complains and the other side doesn't raise that. I asked Members:

Why are you raising that here when you weren't raising it on other courts, and they said it is because the DC Circuit is the second highest court in the land. It is a more important court. The phrase used by someone to me: It has more juice. Members on the DC Circuit might be on the Supreme Court. So workload isn't the issue on the other courts. It is just an issue of this court apparently because the court is so important.

Let's now drill down on what has happened just this year. The Presiding Officer and I are freshmen. We came in on January 3, 2013. We came in with the pending nomination of Caitlin Halligan for the court—supremely qualified, bipartisan support in the legal profession for her. She was filibustered, and one of the principle asserted reasons was there is not enough workload on the court. So she couldn't even get an up-or-down vote.

Within 2 months we had another nominee—a superbly qualified nominee whom I introduced before the Judiciary Committee, Sri Srinivasan, and we approved him in the Senate 97 to 0. He is a male. No one raised one question or mentioned the workload on the DC Circuit Court. We had just turned down Caitlin Halligan—because you don't get an up-or-down vote because there is not enough workload—but within 2 months, a 97-to-0 vote we confirmed. I want to make clear, Judge Srinivasan is very qualified to be on this court. But the workload rationale just disappeared.

But it didn't go away because as soon as Patty Millett is nominated—as was indicated, not only a superb appellate attorney who has argued more cases before the Supreme Court than all but a handful of women in the history of this country, who has argued cases before the DC Circuit, where we hope she will sit, and other circuits as well. As soon as Patty Millett was nominated, the workload issue pops back up: The court doesn't have enough workload. Now Nina Pillard is being told she is going to be blocked also because the court doesn't have enough workload.

I assert that this workload issue is a complete pretext. It is not raised about other courts and it is not raised about other nominees. Even this year it hasn't been raised. But it has been raised with respect to three superbly qualified women: Caitlin Halligan, Patty Millett, and Nina Pillard. I have only been here 11 months. I don't know all the previous history. But as I watch, women candidates are being treated differently on this court. This second highest court in the land, this court which has juice from which people may go to the Supreme Court, the women candidates are being treated differently. They are being blocked by concerns about workload which are not being applied in an evenhanded way.

The last thing I will say is another bit of evidence which I think is fair to put on the table in this question of whether there is a double standard for

women. During the Presidency of President Obama, there has also been the nomination of two women to be on the U.S. Supreme Court. These were debates we followed. These two women—Justices Sotomayor and Kagan, enormously qualified, with bipartisan support from bar associations and others. Justice Sotomayor, when her vote was finally held here, more than 75 percent of the Senators in the minority party voted against her confirmation on the Supreme Court. Elena Kagan, when she was up for nomination, 88 percent of the members of the minority party voted against her confirmation to be on the Supreme Court.

We could look at courts that aren't the two highest in the land and see there have been more appointments of women judges—and that is a good thing and I hope there are more still. But when you get to the DC Circuit and the Supreme Court, it seems there is a double standard. It seems this phantom workload issue gets raised when it suits one side and then immediately dropped a couple months later, only to be raised again to block women candidates. I think that is a very serious concern.

Congress set the law that there are 11 judges on this court. The President is trying to comply with the mandate of Congress in putting well-qualified women before this body. We should debate their qualifications. If folks have concerns about those, let's have that debate. But we shouldn't block them from being considered and assert reasons that don't stand the light of day. I yield the floor.

**THE PRESIDING OFFICER.** The Senator from Minnesota.

**Ms. KLOBUCHAR.** Madam President, I thank my colleague from Virginia for his well-thought-out argument and the evidence he put out here for the Presiding Officer, a former law professor who believes in evidence. I think it is important that we look at the facts.

I wish to back up some of the facts to why this workload argument doesn't make sense, even when it is put out clearly for the women nominees and it wasn't put out recently for the male nominees. But here are the facts:

When George W. Bush was President, the Senate confirmed his nominees to fill four empty seats on the DC Circuit. That was not long ago. Under President Obama, there have been four vacancies on the court. There were four under Bush and four under Obama. The difference? All of President Bush's nominees were confirmed by the Senate.

It is important to note that one of President Obama's nominees—as was pointed out by my colleague from Virginia—was confirmed by the Senate. I guess that means one guy is confirmed and then these three seats are still open for which women have been put forward.

Some people apparently think there is a problem with the numbers, but let's look at the actual numbers. These



same people have supported having more judges on another court that actually has fewer pending cases. The reason we use that standard—pending cases—is those are the active cases. They are not the pro forma orders which are issued quickly. These are the actual cases before the court for which they have to make difficult decisions.

The DC Circuit has 8 active judges, 6 partially retired senior judges, and 1,479 pending cases. The Tenth Circuit has 10 active judges, 10 senior judges, and 1,341 pending active cases. So the Tenth Circuit—to which my colleagues have confirmed multiple nominees—has more judges but fewer pending cases per judge.

Why does the Tenth Circuit have more judges with fewer cases per judge than the DC Circuit? I believe the answer is quite simple: Earlier this year, the Senate confirmed two judges to fill the empty seats on the Tenth Circuit, and the Senate should do the same with the DC Circuit by taking these three well-qualified nominees and confirming them.

I see the Senator from Washington has arrived and I know she has a few remarks about this as well. As I pointed out to the Presiding Officer, this is just the beginning. We are going to continue to fight for these three women judges.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Madam President, I thank the Senator from Minnesota for her leadership on the floor this afternoon. It is great to join her and my other colleagues to talk about the importance of judicial nominees, and in particular today, because today we are talking about the nomination of more female representation on the courts which I think is incredibly important.

I served my first 2 years in the Senate on the Judiciary Committee, and I was struck to find that, I think at that time, I may have been the fourth woman in the whole history of our country to be on the Judiciary Committee. Now I am so proud that my colleague from Minnesota serves on that committee and does an excellent job and that we have other representation as well. But the point we have to ask ourselves is, do we have to get women elected to the Senate to get women on the Judiciary Committee to get women on the courts because our colleagues aren't going to help us do that?

I am rising to support moving these nominations. President Obama has nominated Cornelia Pillard and Patricia Millett. We want to see these vacancies filled. We don't want the same dysfunction which led to a government shutdown to let us move toward the kind of the stopping of putting people on the court. Nominating highly qualified individuals is what the President's job is, and filling seats on the court is not packing the court. It is simply doing the job.

On October 31, 2013, many of my colleagues voted against a motion to end

debate on Patricia Millett to be a judge on the U.S. Court of Appeals for the District of Columbia. She is a very highly qualified attorney who has argued before the Supreme Court 32 times and is recognized both by Democrats and Republicans for her legal acumen. Despite her qualifications, her nomination was being blocked. Had she been confirmed, she would only be the sixth woman to sit on the DC District Court of Appeals. So I am questioning the place we are now on this nomination.

Professor Nina Pillard is another filibustered nominee who has argued historic cases before the Supreme Court, including a case to open the Virginia Military Institute to women for the first time in history and a case defending the family medical leave law. American people want to know why are these qualified female judges being blocked. Just 32 percent of the U.S. Appeals Court judges are women. In my opinion, it is time to move forward with more highly qualified nominees to add diversity to the courts.

I have not heard any of my colleagues question the credentials of these nominees. In fact, Ms. Millett has been called "a brilliant mind, a gift for clear persuasive writing, and a genuine zeal for the rule of law." This is not a quote by a Democratic Senator or a liberal think tank. That quote is from former Special Prosecutor Kenneth Starr in a letter with six other Solicitors General, top lawyers who have served in the George H. Bush and George W. Bush and Clinton administrations, basically saying, "Equally important, she is unfailingly fair minded." That is from Mr. Starr.

So the DC Circuit Court currently has four judges chosen by Democratic Presidents and four by Republicans. There are three vacancies on the court. Republicans are arguing we shouldn't fill these vacancies, that we should just eliminate them. I think my colleague from Minnesota just spoke to this. This is a proposal that is even opposed by Chief Justice John Roberts, who argues that the DC Circuit Court of Appeals is similar to many of the Federal courts and is operating in a state of crisis. He said, "Based on our current caseload methods, the D.C. Circuit Court should continue to have 11 judgeships."

So we need a court that is fully staffed. The primary responsibility of this court is the handling of cases involving Federal regulations on environmental safety, health care reform, and insider trading. We should trust that our judicial branch can nominate and get judges on that court that basically will look at the law and not party affiliation and stop obstructing people whom I believe are qualified to be on the court.

I hope we can move forward. Ms. Millett is the second female nominee opposed by Republicans after the nomination of Georgetown professor Pillard was filibustered. However, she joins a long list of judicial nominees who hap-

pen to be female who have been opposed, not because of their qualifications but because they were nominated by this President. I will submit that list for the RECORD.

I hope this discussion today points out the need of more women on the courts. Maybe we also need more women elected to the Senate so we can make sure we get more women on the courts. But this is, today, about asking my colleagues on the other side of the aisle to not look past this court. Do not try to diminish it by narrowing its focus. Get more people who will support qualified women so we can have the diversity in America that we need represented on our courts, even at the DC district appeals level.

I thank my colleague from Minnesota for arranging for all of us to be here today to share our views.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Madam President, I think there are two interesting facts that Senator CANTWELL brought up that I didn't know. The first was the percentage of women in the Federal district courts—in the 30-percent range, 32-percent range. The second was Justice Roberts' belief that, in fact, we should have judges to fill these seats. It is interesting that Justice Roberts actually was on the DC Circuit. I remember looking at the numbers. When he was confirmed to serve on the DC Circuit, there were actually fewer pending cases per judge than there are now—even if these vacancies were filled. I keep bringing that up because it is the one and the only argument we keep hearing against these three women we talk about today. Caitlin Halligan was already filibustered, stopped in her tracks despite trying three or four times and never giving up—1 year, the next year, putting in her name, having to go through a nomination process. We just saw Patty Millett, eminently qualified, filibustered, stopped at the door. I have never seen so many tweets about a judicial nominee. They are not always that well known, but in her case she is a hero of military spouses across the country who cannot believe my colleagues across the aisle are denying her that right to serve on our courts.

Now we have a new nominee before us, Cornelia Pillard, someone, as we noted, who has been unanimously suggested for this job by the nonpartisan American Bar Association. She is someone eminently qualified, with nine Supreme Court arguments, and someone who has so much respect from those she mentors, from her colleagues both Democratic and Republican.

I see the Senator from Connecticut is here, another member of the Judiciary Committee.

I yield the floor.

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

Mr. BLUMENTHAL. Mr. President, I thank my colleague, an esteemed lawyer and prosecutor herself, for her service on the Judiciary Committee and

dedication to the quality of our courts and for her bringing us together this afternoon to focus on a topic I think perhaps is not uppermost on the minds of most Americans, not something they worry about when they are bringing their kids to school or fixing dinner at night, but that shapes the quality of our society. It assures the rule of law, and it guarantees the courts of our country look like the people of our country.

We are here because there are too few women as judges on our Federal courts. They have been denied that opportunity, and for so long they were denied the opportunity even to practice law. We are here because this situation is unacceptable. The Senate cannot and should not continue to obstruct the appointment of qualified nominees—in this instance women. Nina Pillard, like Patty Millett, is eminently qualified—indeed, distinguished, a candidate who fits the ideal profile. If you were designing and writing in the abstract the resume of a circuit court judge for the United States of America, it would be Nina Pillard.

One of the tragic results of the obstruction that we see in the appointment of judges nominated by the President is that the Senate is blocking women appointees to this court. The Senate has only confirmed one woman to the DC Court in the last 19 years. During this same time period, five men have been confirmed to the DC Circuit Court of Appeals. In the court's entire history, only five women have been confirmed. These facts speak for themselves.

Thanks to the leadership of President Obama and Chairman LEAHY, the Judiciary Committee has been approving qualified women to take the “men only” sign off the door at the DC Circuit Court of Appeals. But those women have been blocked by a minority of this body.

There ought to be common ground for Senators to have a good reason to block an appointment to the judiciary made by the President of the United States, which is his constitutional responsibility just as it is ours to advise and consent, and not simply, blindly block a woman appointee.

In 2005, the bipartisan gang of 14 came together and they agreed that a Senator should vote against a nominee only in “exceptional circumstances, extraordinary circumstances.” The history of that agreement is pretty well known here even though only a handful of Senators who joined in the agreement are still here. Its spirit and intent ought to guide us. Even if it is not binding in letter, its intent and purpose are as real now as they were then. It was to avoid the kind of nuclear approach—it is called, I suppose, the nuclear option for that reason—because it would be so organically threatening to the civility and collegiality of this body if it is invoked. The approach should be, as a Republican member of that gang of 14 said, that judges should

be denied confirmation only in the event of “a character problem, an ethics problem, some allegation about the qualifications of a person, not an ideological bent.” If Senators agree that only exceptional circumstances justify blocking a nominee, then clearly the three female nominees that have been nominated by the President ought to be confirmed by the Senate. Our Country, and the legal profession specifically, has an unfortunate history when it comes to women.

As I mentioned earlier, for generations women were not even allowed to practice law. Only recently have they been afforded the opportunity to serve on the Federal bench—despite their serving with extraordinary distinction when they were in fact appointed. They are still woefully underrepresented.

When women are denied an equal chance to serve on our courts, we are left with judicial bodies that fail to reflect the American people, fail to reflect their values and backgrounds, their aspirations and dreams, and in fact their talent and insight. An exclusionary Federal judiciary makes a mockery of our Nation's claim to equal justice under law.

The excuse for blocking appointees is that the DC Circuit Court does not need more judges. I find this claim unpersuasive, based on the workload of the court. We can debate, in fact, the numbers, but statistics in this instance fail to reflect the complexity and difficulty of the cases that come before this court. The same Senators who say the caseload fails to justify appointments now gladly voted to approve John Roberts to the ninth seat on the court when the court had just 111 pending appeals per judge. It now has 182 appeals per active judge.

The history here is that the Senate approved appointees nominated by George Bush to fill the 9th, 10th, and 11th seats on the DC Circuit, the three seats that are vacant today. But this issue should not be about partisan politics. It should not be about which President made the appointments. It ought to be about the principle; that is, if the workload is insufficient, the number of seats on the court should be reduced by legislation. The Congress should not refuse to fill vacancies when they exist lawfully and in fact when there is strong evidence that the workload justifies filling those vacancies.

Nina Pillard is a civil rights icon. She is a public servant of extraordinary distinction. Ms. Pillard led the integration of women into the Virginia Military Institute. Her work led the Supreme Court to uphold Congress' ability to pass the Family and Medical Leave Act. Her academic work continues to identify common ground between liberals and conservatives that can allow for the protection of important rights.

Some have said that she is a feminist. The fact is, Professor Pillard believes that a woman's right to choose is protected by the U.S. Constitution.

In other words, she believes in a judicial decision, written by Justice Blackmun—for whom I clerked—which has been upheld repeatedly by the U.S. Supreme Court over four decades. It is embedded in our constitutional law, as fundamental as the right to privacy is fundamental to our Constitution. I think the merits more than justify her confirmation. There is no question that she has the talent and temperament, the intellect and integrity, the experience and the sensitivity to serve as one of our great judges on this court of appeals.

I urge my colleagues to put aside the extraneous and irrelevant considerations that may lead them to oppose confirmation and, very simply, to give their approval to a woman who will be a mentor and a model to so many other women now in law school or beginning their careers or even beginning their judgeships, and who one day will aspire to this kind of position. They will see her example and ours in approving her as an inspiration to them in their careers.

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

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

#### GUN VIOLENCE

Mr. MURPHY. Mr. President, we have been trying to figure out all day how to fit five numbers on this poster. I have been bringing it down nearly every week since the anti-gun violence bill failed here in the Senate due to a Republican filibuster, and this is the first week this poster comes down to the floor of the Senate with five digits. There have been 10,287 Americans killed by guns since December 14, the day of the Sandy Hook shooting.

What I have been endeavoring to do since the failure of that bill on the floor of the Senate—despite the fact that 80 to 90 percent of Americans supported the bill—is to bring to the floor the voices of victims, because the statistics are numbing at this point. We have had 10,000 people in this country die at the hands of gun violence since December 14, and that apparently has not been enough to move this place, or the House of Representatives, to action.

My hope is that by coming down to this floor every week or so and telling the real stories—the human stories—about the individuals who have lost their lives and the absolutely catastrophic runoff of trauma that happens to a family and a neighborhood and a community when you lose a loved one due to gun violence, maybe that will move this place to do something.

I want to tell three stories this afternoon because it now is kind of routine—you just sort of wonder what day

of the week is it going to be when you turn on CNN or look at your Twitter feed and you see “active shooting in progress,” “school lockdown,” or “people fleeing airport.” It just kind of happens every week now. It has become a kind of commonplace occurrence. It is almost like raindrops in the background of news coverage on a daily basis—this week’s shooting, next week’s shooting.

On October 21, a seventh grader named Jose Reyes, a student at Sparks Middle School, opened fire with a handgun he took from his parents. He killed a teacher, himself, and left two other students wounded at a middle school in Nevada.

The teacher he killed was named Mike Landsberry, and, boy, you don’t get much more American than Mike Landsberry. He was an Alabama native. He graduated from high school in Reno, which is right next door to Sparks, in 1986, and then served in the Marine Corps. He joined the Air National Guard after he got out of the Marine Corps. He rose to the rank of master sergeant and served as a cargo specialist in Kuwait and Afghanistan. He fought for this country. He put his life on the line to defend this Nation. When he came back, as happens with thousands of veterans, he decided to continue his public service and became an incredibly popular math teacher.

His brother said of Mike: He is “the kind of person that if someone needed help he would be there. He loved teaching. He loved the kids. He loved coaching them . . . He was just a good all-around individual.”

Mike is no longer with us because he is now one of the over 10,000 Americans who have died at the hands of a gun—this time in a school shooting on October 21.

Gerardo Hernandez, according to his wife, was always excited to go to work. He was a joyful person who took pride in his duty for the American public. Gerardo was the TSA screener at the Los Angeles International Airport who was gunned down when Paul Ciancia, a troubled 23-year-old, walked into LAX with an assault weapon and a grievance and grudge against the government. He opened fire and killed Gerardo Hernandez, age 39. He was the youngest in a family of four boys who had all emigrated from El Salvador. He was 15 years old when they made the decision to come to the United States to seek a better, safer, more stable life. And now the youngest of four boys is one of 10,287.

Finally, the story of Maria Flores, who, frankly, didn’t make headlines when she died over the summer along with her daughter Elizabeth Gomez. They died in Las Vegas when Manuel Mata, her boyfriend with a history of jealousy and domestic violence, shot and killed Maria. He shot and killed her teenaged daughter and wounded a 4-year-old before turning the gun on himself.

Family members said that Mata had financial troubles, drank often, dis-

played jealousy, and constantly accused his girlfriend of cheating. They said his girlfriend Maria Flores, who died that day, threatened to move out of the residence a couple of weeks earlier, but she was convinced by Mata to stay.

The daughter who was killed was scheduled to graduate 3 days after the murder took place.

I tell these three stories for this reason: First, in the wake of the TSA shooting, a lot of folks from the gun lobby made the argument that the way to fix this problem was to arm TSA agents, just as people made the argument that the way to guarantee another Sandy Hook tragedy from happening is to arm the teachers. Some people actually had the audacity to argue that an even better way was to arm the students too.

It speaks to this sort of new philosophy that has infested this place—the Senate and the House—that I kind of describe as gun control Darwinism, the idea that if everybody has a gun—the good guys and the bad guys—hopefully enough of the good guys will shoot the bad guys. You just throw a whole mess load of guns out there, let them figure it out, and in the end we will take care of the bad guys.

We have some new data that tells us how backwards that philosophy is. Common sense tells you that is not a good idea, but the data now tells you that is not a good idea.

The American Journal of Public Health did the most comprehensive study ever done in this country. They looked at rates of gun ownership and rates of homicide by gun death. They looked at decades of data across every State in the Nation, and then they had the common sense to account for about every factor you could think of: gender, race, poverty, income, education, alcohol use, and crime rates. What they found is pretty stunning and straightforward. The American Journal of Public Health said that for every 1 percent increase in gun ownership in a particular State, locality, or geographic region, there is a firearms homicide rate increase of 1 percent, a 1-to-1 ratio. If gun ownership goes up by 1 percent, increases in gun homicide go up by 1 percent.

Police chiefs in city after city across the country will verify that. As they have taken guns off the street, as they have engaged in gun buyback programs, guess what. Miraculously gun deaths decrease. That is not to say the only thing that matters is the number of guns on the street. Clearly, this young man who walked into Sparks Middle School and the 23-year-old who walked into LAX had enormous issues that were going untreated. We are fooling ourselves if any of us are trying to perpetuate an argument that this is just about gun ownership. This is also about a very broken mental health system that we need to address. But a 1-percent increase in gun ownership leads to a 1-percent increase in gun violence.

The reason I tell Maria’s story is because this is Domestic Violence Awareness Month—or maybe it was October. We have either completed it or we are in that month. Here is a stunning fact: In States that have comprehensive background checks, women are 38 percent less likely to die from domestic violence crimes. Women are 38 percent less likely to die from domestic violence crimes if they are lucky enough to live in a State that says: Before you buy a gun, you have to prove to us you are not a domestic abuser.

Since 1998, 250,000 domestic abusers have been stopped from buying guns because of background check laws. That is just the domestic abusers who were dumb enough to show up at a gun store and try to buy a firearm. That doesn’t count, frankly, the millions of domestic abusers who never walked into the store to buy the gun in the first place because they knew they were going to be denied. Women in the United States are 11 times more likely to be murdered by a gun than women in any other high-income Nation. And we have a solution: background checks. Women are 40 percent less likely to die from domestic violence if they live in a State that does background checks.

I bring just three stories to the floor today in my effort to bring voices to the victims—the stories of Mike, a teacher in Nevada; Gerardo, an immigrant to this country who loved doing his public service as a TSA screener; and Maria Flores, one of thousands of women across this country killed by their spouses or partners in part because of the ease of access to a gun in this country.

So 10,287 people—that number is tough to fit on one board. That is just in 11 months. Frankly, it won’t be that long—just a handful of years from now—before there is absolutely no way to fit this number on this board unless the Senate and the House of Representatives decide that 90 percent of Americans are right and we should make sure criminals can’t access guns. We should ban illegal gun trafficking. We should expand the reach of our mental health system so we can finally say that Congress—the Senate and the House—is going to do something to give voice to these victims.

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

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

The bill clerk proceeded to call the roll.

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

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

#### VETERANS DAY

Mr. THUNE. Mr. President, as we approach Veterans Day on Monday, I want to rise to recognize the selfless service and sacrifice of America’s veterans. As we reflect upon the generations of men and women who have answered the call to serve and defend our

freedoms, we especially remember those who have given what President Lincoln so eloquently called “the last full measure of devotion.”

Just as we owe it to the memory of those who have given their lives for freedom, we also have the solemn obligation to ensure that every servicemember comes home and that we care for those who still bear the wounds of war. Some of these wounds are physically visible, while others are not so apparent.

We have made great strides in caring for our servicemembers, especially in regard to lifesaving procedures on the battlefield and rehabilitative care through the Department of Veterans Affairs, but there is still much we must do to combat the epidemic of mental health issues among veterans. Traumatic brain injury, post-traumatic stress disorder, and the alarmingly high rate of suicide among our servicemembers remain among the most pressing issues our veterans face.

We owe all of our veterans a tremendous debt of gratitude, and we must uphold the foremost duty of providing for their care. This responsibility includes aiding our veterans as they transition to civilian life by finding ways to put their skilled military training to work and through providing timely processing of medical claims. We must rise to the occasion to make sure our past mistakes are not repeated as our troops return from current and future conflicts.

In my home State of South Dakota, it is easy to see the integral role veterans have played in shaping who we are as South Dakotans—a legacy that dates back to before the founding of the State itself. South Dakotans have always punched above their weight when it comes to military service in all the various conflicts in which our country has been involved over the years. The values of service and honor are woven into the fabric of our communities. With each passing day these values are strengthened by the men and women currently serving at Ellsworth Air Force Base and in the South Dakota Air and Army National Guard and VA centers around my State. I doubt there are many South Dakotans who do not have a family member or friend who has worn our Nation's uniform.

I know firsthand the sacrifice made by our Nation's veterans because my own father Harold was a decorated World War II Navy pilot. Like all our veterans, my dad served with pride and dignity, protecting our democracy at home and abroad. One of my favorite memories since I have been in the Senate was the opportunity to accompany my father to the World War II Memorial and show him that great memorial that was erected in honor of his generation's veterans. I was humbled by the quiet reverence they had for their comrades lost in battle and reminded of the ultimate sacrifice made by so many of our countrymen.

We should be grateful for the generations of men and women who have given of themselves on behalf of our great Nation. There can be no mistake that America's veterans have served bravely and honorably, making America the country it is today.

As we celebrate a weekend filled with fanfare and celebrations, with people involved in their weekend activities, I would ask that we all take a moment to remember the service of those who did not make it back to their families and that we rededicate ourselves to caring for those who continue to bear the cost of our freedoms.

May God bless our veterans, and may we continue to honor those who have nobly answered the call to serve. On this Veterans Day, may we all keep the brave members of our military and their families in our thoughts and prayers as they continue to serve our great Nation.

#### VETERANS DAY

Mr. CARDIN. Mr. President, as Veterans Day 2013 approaches next Monday, I ask that in honoring the brave men and women who have served our Nation, we in Congress honor them in ways that are meaningful and help them return to civilian life after they have served. A mere thank-you is little comfort to a veteran who cannot find meaningful employment, who is striving to provide for his or her family, or who is dealing with post-traumatic stress.

President Woodrow Wilson established this holiday—originally known as Armistice Day—on November 11, 1919, when he proclaimed that it would be used to honor the brave Americans who fought and died in World War I. The holiday was officially recognized by the U.S. Congress on June 4, 1946. After the end of World War II, Armistice Day was expanded to honor all veterans of our military services, and the holiday's name was changed to Veterans Day.

We should honor our veterans every day, but I believe that this annual holiday is especially important as it allows us to reflect on the true aspect of the sacrifices that our servicemembers have made. Their sacrifices are often made in stressful, frustrating, and dangerous conditions. Yet these brave men and women do not shy from committing themselves to serving our country. It is because of those who have served selflessly, with honor and dignity, that we can continue celebrating our history and our way of life.

While I am proud of all of our veterans, I am especially proud of the veterans in my State. Maryland has a long and proud military tradition. Maryland is known as the Old Line State. Some people think that comes from the Mason Dixon Line, but it actually dates back to 1776, less than 2 months after the Declaration of Independence, when George Washington's army was nearing annihilation in an indefensible

position at Brooklyn Heights. They were faced with overwhelming odds, and the British Army—the most powerful military force in the world at the time—was closing in around them. But on this historic day 400 Marylanders who made up the Maryland Line stepped up against those overwhelming odds and ran into the breach in defense of our Nation. Today, there is a plaque over the mass graves of those citizen soldiers that reads simply this: “In honor of the Maryland 400, who on this battlefield on August 27, 1776, saved the American Army.”

Every year I make it a priority on Veterans Day to take an opportunity to thank the millions of brave men and women who served our Nation in uniform and honor them for their courage, dedication, and sacrifice. In my first year as a Senator of Maryland I went to Garrison Forest Veterans Cemetery in Owings Mills for a Veterans Day observance, as well as attended a Veterans Day Salute and groundbreaking of a new facility for Baltimore Station, which provides innovative therapeutic residential treatment program supporting veterans who are transitioning through the cycle of poverty, addiction, and homelessness to self-sufficiency.

I have also spent Veterans Day at the Leonardtown Cemetery and Crownsville Veterans Cemetery Remembrance Ceremony, where I placed wreaths honoring those who have paid the ultimate price in serving our country. Two years ago, I had the privilege of joining Maryland Veterans Affairs Secretary Edward Chow, Jr., to observe Veterans Day at Cheltenham Veterans Cemetery. Through our efforts, we were able to announce that the U.S. Department of Veterans Affairs has awarded the cemetery a grant of \$1.7 million to make improvements.

Just last year, I had the opportunity to thank the millions of brave men and women who have served in the U.S. Armed Forces and risk their lives for our Nation when I provided remarks at the Crownsville Veterans Day Ceremony. Additionally, I was invited by the Armed Forces Foundation to speak to students at Manor View Elementary School—located on Fort Meade—as part of their Operation Caring Classroom Program. During my visit, I talked to students about Veterans Day and the importance of honoring the service of men and women in the military, as well as the sacrifices of their families. We far too often forget to thank the families of our veterans for all they have sacrificed. We want our veterans and their families to know we are grateful for their service to our Nation and are here today to honor them as well.

This year I will have a chance to say thank you to veterans across Maryland as I participate in the Vietnam Veterans of America, Chapter 451 Veterans Day Celebration and Baltimore City's Veterans Day Celebration sponsored by