

when Congress switched to direct lending we ensured that not-for-profit servicers would continue to service Federal loans because of the superior customer service experience that not-for-profit servicers have consistently provided. I am glad that Congress is continuing to recognize the importance of not-for-profit servicers in our communities and intends to allow for their continued role of servicing Federal loans and helping more students gain access to college and more students to complete their degrees.

Mr. HARKIN. Mr. President, as chairman of the Health, Education, Labor and Pensions Committee, which holds jurisdiction over the servicing of our Federal student loan programs, it is my understanding that the intent of the budget agreement is to allow for the continuation of the existing not-for-profit servicer contracts and that they will be permitted to compete based on performance with the Department of Education's title IV servicers for additional accounts, so that students receive the best possible service and taxpayer funds are used efficiently.

Mr. ALEXANDER. Mr. President, I thank the Senator from Vermont for engaging in this dialogue and appreciate the Senator from Washington clarifying that it is the intent of the budget measure for the Department of Education to continue to use not-for-profit servicers for the Federal loan program and that these entities should be permitted to compete for additional loan volume in the future.

Mr. HATCH. Mr. President, I thank the Senator from Vermont and the Senator from Washington for providing clarification on this issue. I am happy to hear that the legislative intent of the budget deal is to continue the use of the not-for-profit student loan servicers and that they will be permitted to compete in the future for additional accounts.

Mrs. SHAHEEN. Mr. President, I would like to associate myself with the comments of the senior Senator from Washington and am pleased to know it is her intent that not-for-profit servicers, like the New Hampshire Higher Education Loan Corporation and the NHHEAF Network, will be able to continue their important work and that they will be able to compete in the future for additional accounts.

For over 50 years, the New Hampshire Higher Education Loan Corporation and the NHHEAF Network have provided critical college access, financial education, and default-prevention programs to students in New Hampshire and across the country. The New Hampshire Higher Education Loan Corporation's dedicated staff services a national portfolio over 250,000 borrowers, helping them to manage repayment of almost \$5 billion in student loans. These professionals play a uniquely important role in helping students to succeed in postsecondary education, and I am pleased that it is the Senator from Washington's intent to allow them to continue their work.

Mr. BEGICH. Mr. President, I rise as well to thank the senior Senator from Washington for her insight and to echo the comments from my colleagues, especially my good friend from Alaska. The not-for-profit student loan servicer in my State, the Alaska Student Loan Corporation, does an outstanding job of servicing student loans. They take a proactive and supportive role with the accounts they receive from the Department, and I want to ensure they will be able to continue to participate in this important program. I was pleased to learn that the chairman's intent in including this language was not to exclude not-for-profit servicers from competing for additional servicing accounts.

Mr. GRASSLEY. Mr. President, I would like to associate myself with the comments of the senior Senator from Washington and am pleased to know it is her intent that the use of not-for-profit servicers continues and that not-for-profit servicers will be permitted to compete on an equal basis in the future for additional accounts.

Mr. KING. Mr. President, I wish to associate myself with the comments of the senior Senator from Washington. I am pleased to know that it is her intent that the work of not-for-profit servicers advances and that they will continue to be allowed to compete for additional accounts in the future. In Maine, two not-for-profit servicers, the Finance Authority of Maine and Maine Education Services, provide essential services to Maine students through financial literacy education and the servicing of Federal student loans. Indeed, not-for-profit servicers do meaningful work across the country, and I am glad to know it is the Senate Budget Committee Chairman's intent to continue to allow these State agencies and nonprofits to play a role in servicing federal student loans.

Mr. BAUCUS. Mr. President, I would also like to associate myself with the senior Senator from Washington, my colleague from Vermont, and my colleague from Montana. Our Montana servicer, the Student Assistance Foundation, provides vital services to Montana students by delivering financial aid education, scholarships, and grants. I am therefore pleased to know it is the intent of the chairman of the Senate Budget Committee that not-for-profit student loan servicers will continue to play a role in the servicing market and will be permitted to compete for future servicing contracts.

Mr. TESTER. Mr. President, I rise to share in this important discussion and would also like to associate myself with the comments of the senior Senator from Washington and my colleague from Montana. The Student Assistance Foundation is a strong employer in Montana, representing nearly 200 jobs, and I am pleased to know it is the chair of the Budget Committee's intent that the use of not-for-profit servicers continues. I am also pleased that not-for-profit servicers, such as

the Student Assistance Foundation, will be permitted to compete in the future for additional accounts.

Ms. MURKOWSKI. Mr. President, I am pleased to know it is the intent of the chairman of the Senate Budget Committee—the chief Senate negotiator for the Bipartisan Budget Act—that nonprofit servicers will continue to play an important role in servicing Federal student loans, both now and in the future. I strongly support this intent and the vital public service role that nonprofit and State agency servicers have played in Federal student loan programs on behalf of Federal student loan borrowers and the American public. I will be one of those who will expect the Department to pay close attention to congressional intent in this matter. I also look forward to working with my colleagues on both the Senate Health, Education, Labor and Pensions Committee and the Appropriations Committee to ensure that this intent is carried out.

Ms. COLLINS. Mr. President, I would like to thank the chairman of the Senate Budget Committee, who coauthored this legislation, for clarifying that it is not the intent of the bill's authors to require that existing contracts with not-for-profit student loan servicers be canceled and that such servicers will continue to be able to compete for additional Department of Education contracts in the future. Not-for-profit servicers provide students in Maine and across the country with important financial counseling services, and I am pleased to know that they will continue to be allowed to compete to perform this work under this legislation.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. BOOZMAN. Madam Chair, I yield 1 hour of my time postcloture to Senator SESSIONS.

The PRESIDING OFFICER. The Senator has that right.

The Senator from Washington.

#### MORNING BUSINESS

Mrs. MURRAY. I ask unanimous consent the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each, with the exception of Senator GRASSLEY for up to 20 minutes; further, that the time count postcloture.

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

The Senator from New York.

#### COMMUNITY FIRE SAFETY ACT

Mr. SCHUMER. I ask unanimous consent the Senate proceed to the immediate consideration of H.R. 3588, which is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The bill clerk read as follows:

A bill (H.R. 3588) to amend the Safe Drinking Water Act to exempt fire hydrants from the prohibition on the use of lead pipes, fittings, fixtures, solder, and flux.

There being no objection, the Senate proceeded to consider the bill.

Mr. SCHUMER. I ask unanimous consent that the bill be read a third time and passed, and the motion to reconsider be considered made and laid upon the table, with no intervening action or debate.

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

The bill (H.R. 3588) was ordered to a third reading, was read the third time, and passed.

Mr. SCHUMER. To go over what happened, this is on behalf of myself and Senator TOOMEY. It is a bipartisan bill.

There was a recently released Environmental Protection Agency interpretation of a law that could cost local governments, municipalities, and taxpayers across the country millions of dollars and undermine public safety.

It is a classic case of the Federal bureaucracy and restriction harming our local communities and their budgets. No one would believe this, but it is about one of the most basic functions of government—fire hydrants.

Almost 3 years ago, Congress passed the Reduction of Lead in Drinking Water Act, legislation with an admirable goal, a goal that is spelled out right in the name, and the law is set to be implemented on January 4, 2014.

As we know, Congress intended for this law to direct the EPA to make rules that would keep our drinking water safe from coming into contact with lead-based parts. Congress did that and EPA exempted parts in bathtubs and showers that don't have direct impact on the quality of the drinking water, such as the knobs, the hot and cold knobs. Of course, the faucets would be under the law.

But at the end of October, suddenly, the EPA released a new interpretation of the law that for the first time put fire hydrants under the new standard set by law, meaning everyone needs to buy and install new and upgraded fire hydrants that contain less lead.

It took everyone by surprise. Only a small fraction of fire hydrants are ever used for drinking water. Even when they are, lead poisoning is associated with long-term exposure, which does not occur on the occasions when someone might drink from a hydrant.

While that surprising rule was announced at the end of October, the EPA expects all new fire hydrants installed after January 4 to be of this new reduced-lead standard. No manufacturer can make fire hydrants that quickly. If the interpretation stands, cities and county water authorities would be forced to throw out hundreds of hydrants now in stock, wasting millions of dollars and passing that waste on to consumers in terms of rate hikes. At the same time, there would be no new hydrants they could install when a fire hydrant malfunctioned, when it was run over by a car in an accident or when a snowplow knocked it down.

We are pleased this legislation we have just passed—my colleague from

Pennsylvania and I—will now exempt fire hydrants from the reduced lead standard, just as bathtub and shower pieces that don't have contact with the water are exempt.

Simply put, the EPA's interpretation of reduced lead standards unnecessarily imposed a huge burden on municipalities and first responders without any discernible safety benefit. We have now undone that danger.

Mr. PORTMAN. Would the Senator yield?

I yield to my colleague from Ohio.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. I wish to thank the Senator and our colleague from Pennsylvania, Mr. TOOMEY, for the work on this issue.

Municipalities all around the country, including my State of Ohio, were shocked to hear about this. I appreciate joining my colleague from New York in a letter to the EPA.

Cash-strapped cities in New York, Ohio, and other States are happy to know they are not going to have to take on this burden. It makes sense to stop, take a look at this, and be sure we are not forcing these hydrants—that are otherwise in good shape—to be repaired and replaced. It is not something that is in the budgets of these cities.

I appreciate the Senator's work on it and look forward to ensuring that this does not move forward into regulation but also that we figure out a more sensible way to deal with the issue.

Mr. SCHUMER. I thank my colleague from Ohio. We appreciate his good work. We have now saved municipalities millions of dollars, as well as ensured safety in our communities because the fire hydrants that are in stock will be able to be used.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. On the last vote, I wish to mention to my colleagues what happened and what has happened. A major bill dealing with the debt of the United States was supposed to come out of a budget conference committee and come here.

The budget conference committee failed to complete its meetings and a piece of legislation was sent to the Senate. That legislation has not been subject to amendment.

The majority leader decided there would be no amendments, and he would simply tell us that if we have amendments that will kill the bill or if we have amendments that will make us delay, we can't do it and we will not do it and we will not get an amendment.

A number of good amendments have been filed. The one we just voted on was one of the more egregious. That amendment reduces the retirement pay of the U.S. military without reducing the retirement pay of anyone else who served in government, only the military. So I moved to table the filled tree that Majority Leader REID has been

using to block anybody from having amendments in the Senate on serious legislation.

I mean, this is serious legislation we didn't get to vote on. So the choice for our colleagues, when they cast their vote, was would they vote to allow an amendment to be voted on that would protect veterans, military retirees, from having their pensions reduced; or would they support the majority leader in his determination to block any amendments to the legislation? So a majority has voted. They voted to block the classical rights of Senators to have amendments and therefore to protect the leadership and the domination of this Senate in an unprecedented way by the majority leader.

He has already filled the tree more times than the previous four majority leaders combined—more than twice as often. On every bill now, it seems, he fills the tree. To get an amendment, he has to approve it or you don't get it. If he decides there are no amendments, there are no amendments. So this is contrary to the tradition of the Senate, and we have to change this. This highlights the danger of supporting that kind of process because it keeps us from fixing bad legislation and improving it.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

#### MAYORKAS NOMINATION

Mr. GRASSLEY. Madam President, soon we will be voting on the nomination of Mr. Mayorkas for Deputy Secretary of the Department of Homeland Security. I have concerns about the nomination. First, I will discuss how Mr. Mayorkas has carried out the President's directive giving legal status to thousands of individuals who are in the United States unlawfully.

In 2012, Mr. Mayorkas was charged with implementing this President's directive known as DACA—DACA—Deferred Action for Childhood Arrivals. I have always questioned whether the President's directive is legal. The administration never responded to our requests for their legal basis or opinions. This administration has not been transparent about who is getting deferred action, how they are processing them, and whether those who have been denied have been processed for removal.

They may call this program Deferred Action for Childhood Arrivals, but it clearly benefits older adults, and possibly people who intentionally broke our laws. The agency didn't deny any single applicant until after the 2012 election. We still don't know how many people were actually denied. We do know, however, that people were approved despite shoddy evidence, such as an Xbox receipt and Facebook posting. They always seem to find a way to get approval.

All denials for DACA have to be run through Washington. Adjudicators on