

“(I) is employed by the Federal Government; or

“(II)(aa) has met the requirements for a master’s degree or a doctorate degree from an institution of higher education (as defined in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002)); and

“(bb) is conducting research in the Federal building under an arrangement between the parent or guardian and a Federal agency.”; and

(4) in subsection (d) (as so redesignated), by striking “subsection (b)” each place it appears and inserting “subsection (c)”.

**SEC. 16. SENSE OF THE SENATE ON SIGNIFICANTLY REDUCING CHILD POVERTY BY CALENDAR YEAR 2019.**

(a) FINDINGS.—The Senate finds that—

(1) the United States has the highest rate of childhood poverty among 34 major countries in the Organisation for Economic Co-operation and Development, including Denmark, Finland, Norway, Iceland, Cyprus, Austria, Sweden, the Czech Republic, Germany, Slovenia, Hungary, South Korea, the United Kingdom, Switzerland, the Netherlands, Ireland, France, Malta, Luxembourg, Slovakia, Estonia, Belgium, New Zealand, Poland, Canada, Australia, Japan, Portugal, Greece, Italy, Lithuania, Latvia, Spain, and Bulgaria;

(2) a record-breaking 46,496,000 individuals lived in poverty in the United States in 2012, which is an increase of 14,915,000 individuals since 2000;

(3) 16,073,000 children in the United States lived in poverty in 2012, which is an increase of 4,486,000 children since 2000;

(4) more than 7,100,000 children in the United States, 40 percent of children living in poverty in the United States, live in extreme poverty (defined as living in families with an income that is less than half of the poverty level);

(5) nearly 1,200,000 public school students in the United States were homeless in the 2011–2012 school year, an increase of 73 percent since the 2006–2007 school year;

(6) in an average month in fiscal year 2011, 1,200,000 households with children in the United States did not have any cash income and, for food, depended only on benefits under the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.);

(7) in 2012, government assistance programs removed from poverty 9,000,000 children, including 5,300,000 children through the earned income tax credit under section 32 of the Internal Revenue Code of 1986 and the child tax credit under section 24 of the Internal Revenue Code of 1986, and 2,200,000 children through the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.);

(8) in 2012, child poverty would have been 57 percent higher, and extreme poverty would have been 240 percent higher, without government tax credits and food, housing, and energy benefits;

(9) in 2013, an individual working full-time at the Federal minimum wage could not afford the fair market rent for a 2-bedroom rental unit and have enough money for food, utilities, and other necessities;

(10) in school years 2009–2010 and 2010–2011, less than half of children ages 3 and 4 were enrolled in preschool;

(11) Early Head Start programs carried out under the Head Start Act (42 U.S.C. 9831 et seq.) served only 4 percent of the 2,900,000 eligible poor infants and toddlers each day in fiscal year 2012, and Head Start programs carried out under such Act served only 41 percent of the 2,000,000 eligible poor children ages 3 and 4;

(12) more than 220,000 children are on waiting lists for child care assistance; and

(13) child poverty costs the United States not less than \$500,000,000 each year in additional education, health, and criminal justice costs and in lost productivity.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the President should immediately present to Congress a comprehensive plan to significantly reduce child poverty in the United States by calendar year 2019.

Mr. REID. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

CHANGE OF VOTE

Mr. COBURN. Madam President, on rollcall vote 77 I voted “aye.” It was my intention to vote “nay.” I ask unanimous consent that I be permitted to change my vote since it will not affect the outcome.

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

(The foregoing tally has been changed to reflect the above order).

**SUPPORTING SOVEREIGNTY AND DEMOCRACY IN UKRAINE—MOTION TO PROCEED**

Mr. REID. Mr. President, I move to proceed to Calendar No. 329, S. 2124, which is the bill to support sovereignty and democracy in Ukraine.

The PRESIDING OFFICER (Mr. MARKEY). The clerk will report the motion.

The legislative clerk read as follows:

Motion to proceed to Calendar No. 329, S. 2124, to support sovereignty and democracy in Ukraine, and for other purposes.

**UNANIMOUS CONSENT AGREEMENT—H.R. 3370 AND S. 2137**

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 317, H.R. 3370, the Homeowner Flood Insurance Affordability Act; that there be up to 45 minutes of debate prior to a vote on passage of the bill, with the majority controlling 30 minutes and the Republicans controlling 15 minutes; further, that upon disposition of H.R. 3370, the Senate proceed to the consideration of S. 2137, introduced earlier today by Senator LEE; that the bill be read a third time and the Senate proceed to vote on passage of the bill; that each bill be subject to a 60 affirmative vote threshold, with all of the above occurring with no intervening action or debate; finally, that there be 2 minutes equally divided in between the votes; and that Senator COBURN be recognized for up to 30 minutes following the votes for his remarks relative to the flood insurance bill.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

**UNANIMOUS CONSENT AGREEMENT—EXECUTIVE SESSION**

Mr. REID. Mr. President, I ask unanimous consent that following disposi-

tion of S. 2137, the Senate proceed to executive session to consider the following two nominations en bloc: Calendar Nos. 647 and 551; that the Senate proceed to vote without intervening action or debate on the nominations in the order listed; that the motions to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate’s action and the Senate then resume legislative session; further, that there be 2 minutes for debate equally divided in the usual form prior to each vote, and that the votes be 10 minutes in length.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

**HOMEOWNER FLOOD INSURANCE AFFORDABILITY ACT OF 2013**

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of H.R. 3370. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 3370) to delay the implementation of certain provisions of the Biggert-Waters Flood Insurance Reform Act of 2012, and for other purposes.

The PRESIDING OFFICER. Under the previous order, there are now 45 minutes for debate.

The Senator from Utah.

Mr. LEE. Mr. President, this particular bill has not been examined in committee—not in the Senate, not even in the House. It was rushed to the floor of the House without amendment, and it is rushed to the floor here without amendment. This is not how the legislative process is supposed to work—especially not here in the Senate.

My opponents may say we already had our chance to impact this policy, but what we have before us now is a different bill—a bill which we have never seen before. This bill is not a conference report. It takes zero cues from the Senate bill. Not a single representative of the American people has been given the opportunity to offer even a single amendment to this legislation.

All I have been asking for is a vote on an amendment which eliminates certain insurance rebates for second homes. My amendment would not change homeowners’ flood insurance policies or even reduce the new taxpayer subsidy we are going to give them. It simply removes a retroactive reimbursement for second homes. Essentially we ask that working families around the country, including taxpayers in my State, not have to cut an additional check to the owners of coastal vacation houses. I know of no one who objects to my provision on policy grounds. Let me repeat that. I don’t know of anyone, not one person who has raised a policy objection to

the amendment I have offered. It is an objective improvement to the underlying policy and this is what the Senate is supposed to do. Yet the supporters of the bill have been blocking any amendments that may garner bipartisan support to hold together a deal that has been negotiated in a backroom, written in secret by only a few Members, perhaps with the influence of a few people who may be interested in that. These "masters of the universe" as my friend Senator SESSIONS has sometimes referred to them, are shutting the American people out of the process.

I asked for 10 minutes and a vote on a single unobjectionable germane amendment to a bill the public has never before seen, but it seems this may be a bridge too far for the "masters of the universe," as my friend from Alabama likes to call them.

So in an effort hopefully to change one of the more offensive policies in the bill, one that provides a refund of premiums paid under the law to homeowners of second vacation homes from a program that is already \$24 billion in the hole, I agree to a vote on my amendment as a stand-alone bill. I have assurances from the House majority leader that he will work to get the policy considered in the House and I take him at his word.

I urge my colleagues to support my bill to protect the American people from being asked to fund—to refund premiums paid under current law to owners of second homes and vacation homes.

Mr. INHOFE. Mr. President, I am opposed to H.R. 3370 because it abandons the much-needed reforms to the National Flood Insurance Program, NFIP, that were instituted in the Biggert-Waters Reform Act of 2012. That bill set the NFIP on a course to quickly remove Federal subsidies from the program and make it actuarially sound. If these policies had been fully implemented, it would have allowed the development of a private insurance marketplace for flood insurance, which does not currently exist. H.R. 3370 prevents flood insurance policies from being written at an actuarially sound rate when homes are sold to a new buyer or when a flood insurance policy lapses. New purchasers of homes in areas that require flood insurance should not be subsidized for making that decision. H.R. 3370 puts in doubt the hope that NFIP's subsidies are eliminated.

Thank you, I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I rise to urge a "yes" vote for final passage of the Homeowner Flood Insurance Affordability Act, the legislation we are here to consider. I will say the Senate went through a considerate, deliberate process where amendments were openly considered. I believe at the end of the process there was a 67-to-32 vote. We don't normally get two-thirds

of the Senate agreeing on major issues, but we did at that time in a bipartisan effort.

My understanding is the legislation that ultimately we are considering today, which is basically foundationally what we agreed to here with some changes in the House, for which there was vigorous back-and-forth negotiation, passed by over 300 votes of the House of Representatives. So it seems to me it has a broad bipartisan support and was vigorously debated in that Chamber.

We have an opportunity to once again, after the bill we just passed, show this body can work. We had a respectable debate on good-faith amendments that were germane to the bill, lived up to the ideals of the Senate when it was before us. We were able to have bipartisan negotiations to improve the House-passed version of our bill so it would provide the levels of relief that are necessary. As a result, we are now poised to pass some critical legislation with overwhelmingly bipartisan support which provides real relief to millions of American families.

Just very briefly, because I hope to basically not use all the time so we can come to a vote and get our Members on their way, this new legislation is first of all budget neutral. It does not add a dime to the deficit, nor does it hurt the solvency of the National Flood Insurance Program. It prevents skyrocketing rate increases by implementing the following measures: One, it creates a firewall on annual rate increases. It repeals the property sales trigger that was depressing the values of homes. It repeals the new policy sales trigger. It reinstates grandfathering. It refunds homeowners who overpaid. It has something that I thought was critically important, that I thought was so important when we passed Biggert-Waters that I included it by amendment in the banking committee—an affordability goal.

Let us have the ability to ensure the solvency of the National Flood Insurance Program, but let us have an affordability mechanism which FEMA was, under the law that exists today, required to report to the Congress so we could ultimately come up with an affordability mechanism that would ensure that we have a solvent program and that we have an affordable program.

At the end of the day, insurance is about spreading risk over a wide pool and in doing so keeping rates affordable. With rates that I heard from homeowners in New Jersey that went from \$1,000 to \$10,000 or \$15,000, not only is that not affordable but you are going to ultimately reduce the size of the risk pool in the National Flood Insurance Program. That means that is going to continue to drive up the cost, and we have a self-fulfilling cycle that ultimately does not provide for solvency.

So we have kept some of the most important reforms under Biggert-

Waters, but we created a window of opportunity to make sure we get to affordability, that we help the real estate market, at a time when it desperately needs help, to be able to continue to prosper. The people's most significant asset in their life was built over a lifetime to buy a home, and that is where they ultimately have their greatest asset. It is where they leverage for their kid's education or emergency in health care and a whole host of plans for retirement.

So for millions of people in my State and across the country who ultimately did the right thing, followed rules, paid their premiums, met the higher standards, now to be told that in addition to—in New Jersey's case the consequences of Hurricane Sandy, and throughout the Northeast, flooding in Colorado or the Mississippi or a whole host of other places—but despite the fact they did everything right, through no fault of their own and having paid their fees, they are now in rate shock, an inability to keep flood insurance, which sometimes triggers a default on the mortgage, if they have a mortgage, or makes it impossible to sell their home.

That is what we are rectifying. It is our collective purpose. I urge a strong "yes" vote.

Finally, I wish to thank my colleagues who have worked with me on a bipartisan basis: My lead cosponsor Senator ISAKSON. I don't believe there is anybody in the Senate who has a greater depth of knowledge in the real estate industry and how this legislation affects that but also understands the consequences of individual families and is working in an incredibly strong way so we can get to this bipartisan moment. I appreciate all of his work.

Also, I have to say the tenaciousness and the ability to bring us to this point is that of Senator LANDRIEU, who has become an expert out of necessity from what happens in her State with Hurricane Katrina. The people of Louisiana are extraordinarily fortunate to have her as one of their Senators. She has been a guiding light throughout this process, tremendously helpful in getting us to today.

Lastly, I appreciate the leadership on both sides to get us to this moment so we could have this vote.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. ISAKSON. I am going to be very brief in the interest of time. I wish to thank Senator MENENDEZ for his leadership, Senator LANDRIEU for her leadership. Without their work this would not happen.

Let me tell you what this does. This bill corrects the unintended consequence of denying liquidity to coastal Americans in their housing and causing the unintended consequence of people not buying insurance and putting themselves and this country at greater risk in those areas that are

prone to floods. It aggressively addresses the need we have to make this system more solvent and make it work better.

The Senate today will be solving a greater problem for coastal American residents and those in flood areas. They will be doing the right thing at the right time to correct an unintended consequence of an action of the Congress. I am honored to be a part of it.

I commend Senator MENENDEZ and Senator LANDRIEU and thank them for their effort.

I yield back my time.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. First, I thank my colleague from Louisiana for letting me butt in a little bit.

I also praise the three people who are on the floor, one can say without each of whom this would not have happened. I don't think we can say that about anyone else here, myself included, but you can say that about these three. Senator MENENDEZ, our lead sponsor on the bill, who is indomitable and smart about crafting legislation; JOHNNY ISAKSON, who was able to make this a bipartisan bill and in his gentle, friendly, and persuasive way brought many people on board, prevented people from blocking it; and the dynamo—we would all agree—the dynamo of this operation, Senator MARY LANDRIEU, who did not quit. I would say MARY LANDRIEU and I have had probably 200 phone calls in the last month about flood insurance—three or four a day. Whenever there was a blockage, she was like a jackhammer getting through it. So I thank her.

I am going to be very brief as well—not quite as brief as my colleague from Georgia, but brief for me and brief for the Senate.

This is a very important day for the people of New York. We have thousands of homeowners who either have had their flood insurance rise or are fearful of their flood insurance rising. Most of them are middle-class people in places such as Staten Island, Brooklyn, Queens, the Rockaways, out to the southern shore of Long Island and up the Hudson River. To be a homeowner is to have your little piece of the rock if you are a middle-class person. Basically, it is all you own. To have that taken away from you by an irrational Washington force called Biggert-Waters made no sense. Yet, when people's flood insurance bills would go up from \$500 to \$4,000, when they were told if they sold their house it might go up to \$10,000, their piece of the rock—their home—was in true jeopardy.

We all know there is an increase in flooding. We all know the huge damage Katrina and Sandy caused. But to put it on the backs of homeowners, as FEMA was doing by both increasing rates and expanding flood maps beyond what flood zones should be made no sense.

We had so many people in New York who were damaged—I know this is true

of my colleague from New Jersey as well—who were damaged by Sandy, who painstakingly rebuilt their home, getting some money from insurance and some money from FEMA and some money from Sandy and going to relatives and friends. After their home was finally rebuilt to be told, now here is your \$5,000 flood insurance bill, when these people are in debt, it was awful, a double whammy.

This bill isn't perfect, but it will stop all of that. It grandfathers homes in so people who sell their homes will not see the price go way up, and because of the efforts we made in the Senate, the bill the House is sending us has an individual limit on how much flood insurance can go up. Eighteen percent is still not as low an amount as we would like—and we may be able to revisit that down the road—but it certainly is not a 700-, 2,000- or 5,000-percent increase, which is what people were getting.

So this is a good day. It is a good day for the shorefront areas of New York which contain close to 1 million people. It is a good day for the coastal areas throughout America, the areas by rivers throughout America. Do you know what it means? It means that the American dream of working hard, buying a home, and having your little piece of the rock will not be destroyed by some unknown, misunderstood, and irrational force from Washington on flood insurance. Flood insurance will now be a friend once again rather than a foe.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. I wish to speak on this for 2 minutes now, because I know people are anxious to vote on final passage of this important bill, and I will speak at length after the vote.

I just wish to say thank you to the two leaders who are on the floor, Senator MENENDEZ from New Jersey, Senator JOHNNY ISAKSON from Georgia. They were the team who brought the coalition together when it was very hard—and still is difficult—to build a coalition on any subject. This subject is complicated. It is difficult. There are very strong feelings on all sides. There are different parts of the country that look at this in different ways, and there are debts that need to be paid attached to this program. So this was not an easy negotiation, and the leaders both did an extraordinary job keeping us on track.

No. 2, this compromise—and that is what it represents—the best of the compromise was, in fact, debated at length on this Senate floor; it was debated at length in the House of Representatives; and it was voted on 67 to 32 in the Senate favorably and 306 to 91 in the House favorably. The minority view—represented by the Senator from Utah, which would throw this bill into a conference committee right now—is not what the American people want, and it is not what the majority of Re-

publicans or the majority of Democrats want, as demonstrated by the vote I just put into the RECORD.

We could all take this bill and rewrite sections of it that would work better for our home State, but that is not what this place is about. This place is not about perfection. It is about the art of the possible, and it is about listening to our constituents and responding to them when they have a great need.

In the State of Louisiana, I have 400,000 people who are afraid they will lose their homes. For many of these families, that is the greatest asset they have, and they are close to losing it. They don't want us to go to the conference committee and perfect this bill. They want us to pass it today, right now, and that is what I think we are going to do.

I know the Senator from Utah is disappointed. He may know the masters of the universe, but I am still looking for them. I could use a lot more wisdom and strength. If they are around here, I would like them to present themselves. All we have right now is each other—human beings trying to do the very best we can with a difficult circumstance. It may not be a perfect bill, but the concept of this bill got 67 votes in the Senate and 306 votes in the House. We have passed it in record time, given the pace around here. I am very proud.

I see the Senator from Florida. I know he would like to say a word.

Mr. NELSON. Will the Senator yield?

Ms. LANDRIEU. Yes.

Mr. NELSON. I thank the Senator from Louisiana, who has been the sparkplug behind this bill. As a result of her hard work, there are a lot of people in Florida who will be saved unconscionable increases.

Again, my thanks to the Senator from Louisiana.

Ms. LANDRIEU. I yield and turn the floor over to the leader, Senator MENENDEZ. I believe the time will be yielded back.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I understand we are going to be able to act on the Lee bill with a voice vote. As a result, I ask consent that the order with respect to a 60-affirmative-vote threshold with respect to S. 2137 be vitiated with all of the provisions of the previous order remaining in effect.

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

Mr. MENENDEZ. Mr. President, in the interest of getting this bill to the President's desk and giving relief to flood victims across the country, and many other homeowners, we yield back the remainder of our time and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

Without objection, all time is yielded back.

The bill was ordered to a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The yeas and nays have been ordered. The clerk will call the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER) and the Senator from Missouri (Mrs. McCASKILL) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Nevada (Mr. HELLER), the Senator from Oklahoma (Mr. INHOFE), the Senator from Kansas (Mr. MORAN), and the Senator from Kentucky (Mr. PAUL).

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

The result was announced—yeas 72, nays 22, as follows:

[Rollcall Vote No. 78 Leg.]

YEAS—72

Ayotte	Grassley	Portman
Baldwin	Hagan	Pryor
Begich	Harkin	Reed
Bennet	Heinrich	Reid
Blumenthal	Heitkamp	Rockefeller
Blunt	Hirono	Rubio
Booker	Hoeven	Sanders
Brown	Isakson	Schatz
Burr	Kaine	Schumer
Cantwell	King	Scott
Cardin	Kirk	Sessions
Casey	Klobuchar	Shaheen
Chambliss	Landrieu	Stabenow
Coats	Leahy	Tester
Cochran	Levin	Toomey
Collins	Manchin	Udall (CO)
Coons	Markey	Udall (NM)
Cruz	Menendez	Vitter
Donnelly	Merkley	Walsh
Durbin	Mikulski	Warner
Feinstein	Murkowski	Warren
Franken	Murphy	Whitehouse
Gillibrand	Murray	Wicker
Graham	Nelson	Wyden

NAYS—22

Alexander	Enzi	McCain
Barrasso	Fischer	McConnell
Boozman	Flake	Risch
Carper	Hatch	Roberts
Coburn	Johanns	Shelby
Corker	Johnson (SD)	Thune
Cornyn	Johnson (WI)	
Crapo	Lee	

NOT VOTING—6

Boxer	Inhofe	Moran
Heller	McCaskill	Paul

The bill (H.R. 3370) was passed.

VOTE EXPLANATION

• Mrs. BOXER. Madam President, I was unable to attend the roll call vote on passage of H.R. 3370, the Homeowner Flood Insurance Affordability Act of 2014. Had I been present for this vote, I would have voted yea. •

Ms. LANDRIEU. Madam President, when Hurricane Betsy roared ashore in Grand Isle on September 9, 1965, it wrought havoc in Louisiana and Mississippi and became the first natural disaster to cost American taxpayers more than \$1 billion. It fundamentally changed the way our nation prepared for and responded to disasters. Private insurers fled the market, making it necessary for the federal government to step in and help communities rebuild and recover. The National Flood Insurance Program established building standards for flood prone areas to

limit communities' exposure to flooding and rewarded responsible homeowners with affordable flood insurance that was no longer available in the private market.

In response, Congress, led by Hale Boggs, passed the National Flood Insurance Act of 1968 with the explicit goal of making "... flood insurance available on reasonable terms and conditions..."

Affordability was one of the primary goals of the National Flood Insurance Program when it was created, and it remains an essential priority today. Unfortunately, affordability was virtually eliminated by the 2012 NFIP reform legislation known as Biggert-Waters, and we had to fight to get it reinstated in the compromise bill that cleared the House last Wednesday, March 5 with a strong, bipartisan vote of 306–91.

On January 16, Speaker BOEHNER flatly refused to consider comprehensive flood insurance reform legislation in the House, telling an AP reporter bluntly: "We're not going to do that." The decisive 67–32 Senate vote to pass the Homeowner Flood Insurance Affordability Act on January 30 demonstrated the breadth and depth of our coalition and provided the necessary momentum for House leadership to get engaged and support this strategy.

Senior leaders of both parties worked closely with Rep. MAXINE WATERS, Rep. CEDRIC RICHMOND, Majority Leader ERIC CANTOR and Rep. MICHAEL GRIMM to reach a fair, bipartisan, bicameral compromise that can get to the President's desk, and we owe it to our constituents to act as soon as possible with an up or down vote.

The National Flood Insurance Program is one of the earliest examples of large scale community planning in America. It made community based mitigation a requirement for rebuilding. In order to be eligible for federally subsidized, low-cost flood insurance, communities had to pass ordinances restricting future development in floodplains. Taxpayers for Common Sense, the National Wildlife Federation and others would have you believe that NFIP encourages development in flood plains, but the reality is that it does the exact opposite.

By removing affordability from the core of the National Flood Insurance Program, Biggert-Waters put every policyholder on the path to Full Risk Rates whatever they may be. Speaking in support of the compromise bill, STEVE SCALISE, my colleague from Louisiana and Chair of the conservative Republican Study Committee, explained the problem clearly and directly saying:

"Sending somebody a \$10,000 or a \$20,000-a-year bill on a \$200,000 house that never flooded is not an actuarially sound rate. It's a death sentence."

Whether it takes 2 years or 20 years to get there, full risk rates of \$20,000 or more will continue to freeze the housing market, depress property values,

and prevent responsible homeowners from purchasing flood insurance. Program participation is already anemic with just over half—60 percent—of those required by law to have flood insurance in compliance and even less market penetration in low-risk areas where we want people to purchase voluntary flood insurance policies to grow and diversify the risk pool. The Senate bill delayed the worst rate increases until FEMA completed the affordability study and proposed an affordability framework to protect people from impossibly high premiums.

This indiscriminate march to Full Risk Rates is further complicated by a fundamentally flawed mapping process that wipes local levees off the maps and excludes impacted communities from the mapping process. At my request last summer, David Miller, Association Administrator for the Federal Insurance and Mitigation Administration—the man in charge of the National Flood Insurance Program, stood on top of a \$450 million levee in Lafourche Parish that was completely wiped off the map when FEMA released their new flood map in 2008. Their map remains under appeal to this day.

The parish was one of 25 sites nationally included in the pilot program for FEMA's new Levee Analysis and Mapping Procedures, LAMP, that were designed to fix this problem, but that process only began last summer and has a long way to go before it is ready for prime time. The Senate bill delayed rate increases based on new flood maps until FEMA certified that their maps were accurate and reliable.

Whereas the Senate sought to delay the worst parts of Biggert-Waters until maps were accurate and the affordability study was complete, the House took a different approach by repealing these provisions and replacing them with other annual fees and rate increases. We had a healthy discussion and debate about our two approaches and eventually arrived at a compromise we could all live with that will protect people from the most aggressive rate hikes included in Biggert-Waters.

I commend Rep. WATERS and Rep. RICHMOND for the leadership in reinstating affordability as an essential element of this program. Since Representative CANTOR unveiled his bill on February 21, we successfully amended it to include an 18 percent annual cap on individual premium increases and an overall affordability target of 1 percent of the value of the policy.

While I would have preferred lower annual premium increases and stricter standards on overall affordability, this bill is a decent compromise that will address the most pernicious pieces of Biggert-Waters and attract the bipartisan support necessary to get it to the President's desk. This is another important step in our ongoing efforts to provide affordable, accessible and sustainable flood insurance to middle class Americans, but this bill is not the

end of the battle. Nothing is perfect. Nothing is permanent.

After nearly 2 years of arduous work and steadfast determination by a broad coalition of individuals, business groups and community leaders, the most pernicious provisions and draconian rate increases of Biggert-Waters have successfully been stopped and affordability has been returned as the centerpiece of the National Flood Insurance Program. The passionate debate we had during the last 2 years—one that will continue—has shown that affordable flood insurance is about more than just actuarial numbers on a page. It is about protecting our unique culture, our treasured way of life, and preserving the historic coastal communities that built this nation and continue to drive its economy today.

As Chair of the Department of Homeland Security Appropriations Committee, I will hold FEMA accountable for implementing this bill in a timely and transparent manner that provides homeowners and housing markets with the immediate relief they need to recover from these draconian rate hikes. Over the course of the past week, we were able to improve the original Cantor bill by removing onerous and unnecessary bureaucratic provisions, but I am not confident that FEMA will execute this either efficiently or effectively.

The great coalition of home builders, realtors, bankers, insurance agents, mayors, local governments and individual homeowners that fought to make flood insurance reform a national priority must remain vigilant and engaged. The National Flood Insurance Program expires in 2017, and we will need to include strict affordability language to protect responsible homeowners from impossible premiums.

The compromise bill that passed the House last week with a vote of 306-91 has the support of the coalition that helped secure the strong 67-32 vote in the Senate earlier this year. Some of the key industry groups behind the bill are:

Greater New Orleans Inc.—GNO Inc,  
National Association of Realtors,  
National Home Builders Association,  
National Association of Counties—NACo,  
National League of Cities,  
American Bankers Association,  
Independent Community Bankers of America, and the  
Independent Insurance Agents and Brokers of America—Big “I”.

Biggert-Waters was built backwards and upside down. It authorized immediate rate increases on responsible homeowners without any understanding of how they would impact individual policyholders or the program at large and before FEMA was able to certify that their maps are accurate and reliable.

Lafourche Parish has been appealing their new map since 2008 because FEMA cannot figure out how to give them credit for local levees, including an 8-16 foot, 40 mile ring levee that was

authorized by Congress in 1965—the Larose to Golden Meadow Hurricane Protection Project. To date, \$450 million has been invested in this project, including \$200 million from the Federal government. This past summer, FEMA began a pilot program that is supposed to solve the problem, but it will be another 2-3 years before that process is complete. FEMA needs to get their flood maps right the first time.

Currently, only 60 percent of the homeowners and businesses that are REQUIRED to have flood insurance actually do, and the aggressive rate increases authorized under Biggert-Waters threaten to make that problem a whole lot worse. The Congressional Budget Office estimates that every 10 percent increase in premiums leads to a 3 percent drop in overall program participation.

Katherine in Houma, LA cannot sell her home because a pernicious provision in Biggert-Waters that immediately increases premiums hundreds or thousands of dollars when you sell your house. When the young couple that was trying to buy her house went to closing, they learned that the flood insurance would go from \$1,400 to \$8,000 and could no longer afford the house. Katherine is stuck with a house she cannot sell and insurance she cannot afford.

Biggert-Waters threatens the very foundation of home ownership, the cornerstone of the American Dream. Fixing this flawed legislation is about protecting people's homes and equity and preserving the American dream that if you work hard and play by the rules you can have a secure future.

Our bill structures NFIP in an affordable, comprehensive and sustainable way. For decades, the program was sustainable until the 2005 storm season resulted in an unprecedented \$17 billion in claims. Prior to that, it had an annual average deficit of just \$19 million per year.

This is not just a Louisiana or coastal issue. Fifty-five percent of our nation's population lives within 50 miles of the coast—and that doesn't include those living along inland waterways. Ten percent of the homes in the United States have a one-in-four chance of flooding in the lifetime of their mortgage.

In 2010, the 15 percent of U.S. counties that are located directly on open ocean, the Great Lakes, major estuaries or coastal flood plains contributed \$8.3 trillion—55 percent—to the Nation's Gross Domestic Product, and these communities proved more resilient during the 2007 recession, actually growing employment by 1.4 percent while the national employment rate fell by 2.3 percent.

This is not about millionaires in mansions on the beach. This is about middle class Americans who need affordable flood insurance so they can live where they need to work to harvest fresh seafood, produce domestic energy, and manufacture and transport

the goods we need to maintain America's competitive advantage in the 21st century.

In response to all the concern I have heard from my constituents, I launched “My Home, My Story” to show you, literally, show some of the people and properties facing these rate increases that we are aiming to help. These aren't mansions, these aren't millionaires. These are middle class, working people living in normal, middle class houses doing their best to raise their kids, contribute to their communities and make a living.

I received over a hundred pictures and stories from my constituents.

Cody put his home on the market for less than its value and still couldn't sell it because of the high premium on his flood insurance.

Rachel lives in a 1,000 square foot elevated home with no central air or heat, one small bathroom, a quaint front porch and a beautiful sycamore tree. Three months after moving in, her flood insurance increased by \$750 per year, and she's struggling to make payments.

Maggie is a 66-year-old woman who has lived in the same house since 1974 and plans to stay there for the remainder of her life. She lives on a very strict budget and just received her first Social Security payment. If the law is not changed, it will be impossible for her to stay in her home or sell her home.

It provides basic consumer protections to responsible homeowners who built to code and played by the rules are struggling to stay in the NFIP.

It protects home equity. In St. Charles Parish, LA, the Assessor is reducing home values up to 30 percent because of the dramatic rate hikes that take effect overnight when a person goes to sell their home.

Based on the average mortgage, every \$1,000 increase in annual flood insurance premiums reduces an individual's purchasing power by \$20,000.

This provision affects 20 percent of all NFIP policyholders—1.1 million properties nationwide.

It ensures FEMA Flood Maps are Accurate. In 2011, FEMA acknowledged the failings of its “without levees” policy that resulted in local levees being literally wiped off the map, but it took them over two years to develop a new policy—the Levee Analysis and Mapping Procedures, LAMP. A pilot program for 25 sites nationwide—including 5 in Louisiana—Lafourche, Terrebonne, St. Charles, Plaquemines and St. Tammany—began in July, but it will be another 2-3 years before that process will be complete.

It allows FEMA to Complete the Affordability Study. FEMA must complete the affordability study mandated by Biggert-Waters and propose solutions for Congressional review. Our bill creates an expedited process for Congress to take action on these recommendations while maintaining critical checks and balances on FEMA's authority.



Provides Fair Credit for Local Levies—Removes the penalty on locally-financed flood protection projects and ensures that local and state investments in mitigation are accurately factored into the flood mapping process.

I thank the following Senate cosponsors for all their hard work throughout this process:

ROBERT MENENDEZ, JOHNNY ISAKSON, MARY L. LANDRIEU, THAD COCHRAN, JEFF MERKLEY, DAVID VITTER, JOHN HOEVEN, TIM SCOTT, ROGER WICKER, HEIDI HEITKAMP, CHUCK SCHUMER, KIRSTEN GILLIBRAND, ED MARKEY, BILL NELSON, MARK BEGICH, ELIZABETH WARREN, AL FRANKEN, JOE MANCHIN, ROBERT CASEY, AMY KLOBUCHAR, CORY BOOKER, KAY HAGAN, LINDSEY GRAHAM, BRIAN SCHATZ, RICHARD BLUMENTHAL, JACK REED, SHELDON WHITEHOUSE, LISA MURKOWSKI, RON WYDEN, SUSAN COLLINS and DEBBIE STABENOW.

This bill does not incentivize unsustainable development—In order to participate in the National Flood Insurance Program, communities have to adopt national building codes governing new development in flood prone areas. Our bill provides basic consumer protections to homeowners that build to code and played by the rules. It does not alter or amend any rules governing new construction. The National Flood Insurance Program is one of the earliest examples of federal land use planning.

It does not put American Taxpayers on the hook for a small sub-set of NFIP policyholders. Prior to Hurricanes Katrina and Sandy, NFIP was basically self-sustaining with an average annual deficit under \$20 million over that 26-year span. The \$24 billion debt incurred as a result of 2005 and 2008 storm seasons was the driving force behind the rate reforms in Biggert-Waters which required NFIP policyholders, not American taxpayers, to pay down that debt and establish a reserve fund for future catastrophic events. Our bill does not change that, it merely gives responsible policyholders a little more time to adjust to the higher premiums they have to pay as a result of Biggert-Waters.

FEMA Administrator Craig Fugate estimates that the NFIP saves taxpayers \$1.6 billion every year in avoided flood losses and disaster response costs due to the national building codes each participating community and policyholder were required to adopt and adhere to.

I would also like to thank the following staff members for their hard work throughout this process: Jason Tuber, Kirby Mayo, Karissa Willhite and Tim Del Monico in Senator MENENDEZ' office; Zack Rosenblum and Meghan Tiara in Senator SCHUMER's office; Joan Kirchner in Senator ISAKSON's office; Adam Telle in Senator COCHRAN's office; Travis Johnson in Senator VITTER's office; Claire O'Rourke, Liz Craddock, Matt Lehner and Wes Kungel in my office; Lisa

Lederberger in MAXINE WATERS' office; Zach Butterworth in CEDRIC RICHMOND's office; Dill Dauster and Alex McDunah in Senator REID's office and all of the exceptional floor staff. On behalf of myself, the Senate cosponsors, and the entire flood insurance reform coalition, thank you.

#### NATIONAL FLOOD INSURANCE PROGRAM PREMIUM REFUNDS

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of S. 2137, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 2137) to ensure that holders of flood insurance policies under the National Flood Insurance Program do not receive premium refunds for coverage of second homes.

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to a vote on S. 2137.

Who yields time?

Mr. COBURN. Madam President, we yield back the time.

The PRESIDING OFFICER. Is there objection?

Without objection, all time is yielded back.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (S. 2137) was passed, as follows:

S. 2137

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. NO REFUNDS UNDER NATIONAL FLOOD INSURANCE PROGRAM FOR COVERAGE OF SECOND HOMES.

(a) DEFINITION.—In this section, the term “National Flood Insurance Program” means the program established under the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.).

(b) NO REFUNDS FOR COVERAGE OF SECOND HOMES.—Notwithstanding section 3(a)(4) of the Homeowner Flood Insurance Affordability Act of 2014 or any other provision of law, in the case of flood insurance coverage under the National Flood Insurance Program for a residential property that is not the primary residence of an individual (as that term is used in section 1307(a)(2)(A) of the National Flood Insurance Act of 1968 (42 U.S.C. 4014(a)(2)(A))), the Administrator of the Federal Emergency Management Agency may not refund any premium for such coverage collected in excess of the rates required under the provisions of, and amendments made by, section 3 of the Homeowner Flood Insurance Affordability Act of 2014.

#### EXECUTIVE SESSION

NOMINATION OF ARUN MADHAVAN KUMAR TO BE ASSISTANT SECRETARY OF COMMERCE AND DIRECTOR GENERAL OF THE UNITED STATES AND FOREIGN COMMERCIAL SERVICE

NOMINATION OF TIMOTHY M. BROAS TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KINGDOM OF THE NETHERLANDS

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nominations, which the clerk will report.

The assistant legislative clerk read the nominations of Arun Madhavan Kumar, of California, to be Assistant Secretary of Commerce and Director General of the United States and Foreign Commercial Service; and Timothy M. Broas, of Maryland, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of the Netherlands.

#### VOTE ON KUMAR NOMINATION

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to a vote on the Kumar nomination.

Mr. REID. Madam President, I ask that all time be yielded back.

The PRESIDING OFFICER. Is there objection?

Without objection, all time is yielded back.

The question is, Will the Senate advise and consent to the nomination of Arun Madhavan Kumar, of California, to be Assistant Secretary of Commerce and Director General of the United States and Foreign Commercial Service?

The nomination was confirmed.

#### VOTE ON BROAS NOMINATION

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote on the Broas nomination.

Mr. REID. Madam President, I yield back that time.

The PRESIDING OFFICER. Is there objection?

Without objection, all time is yielded back.

The question is, Will the Senate advise and consent to the nomination of Timothy M. Broas, of Maryland, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of the Netherlands?

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid