

TOOMEY, Mr. BOOZMAN, Mr. MORAN, Mr. THUNE, Mr. SCOTT, Mr. ENZI, and Mr. GRAHAM):

S. 2424. A bill to provide veterans with the choice of medical providers and to increase transparency and accountability of operations of the Veterans Health Administration of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

Mr. McCAIN. Mr. President, it has been almost 2 months since allegations that some 40 veterans died while waiting for care at the Phoenix VA were first made public. Since that report, we have learned of similar allegations of gross mismanagement and data manipulation at 42 VA medical facilities across the U.S. More troubling, according to the Office of the Inspector General's preliminary report, 1,700 veterans in the Phoenix VA Health Care System who thought they were about to receive care were never even placed on the VA's Electronic Waiting List and are "at risk of being forgotten or lost in Phoenix HCS's convoluted scheduling process". Today, it is clear that delaying medical care and manipulating records to hide those delays in care is systemic through the Department of Veterans' Affairs health system. This has created in our veterans' community a crisis of confidence toward the VA—the very agency that was established to care for them.

Today, I joined Senators COBURN, BURR, and FLAKE to introduce the Veterans Choice Act of 2014. This bill would, principally, empower veterans with greater flexibility when choosing their medical care and increase transparency and accountability within the VA to ensure that it delivers quality care to our veterans in a timely manner. Specifically, it would give veterans the option to go to a different doctor if the VA can't schedule an appointment within a reasonable time or if the veteran lives too far away from a VA medical facility. Additionally, this bill would prohibit scheduling or wait-time metrics/goals from being used as factors to determining performance awards or bonuses. It would also require the Secretary of the VA to punish employees who falsify data, including civil penalties, suspension or termination. And, empower the Secretary of the VA to remove any top executive at the VA if the Secretary determines that his performance warrants removal.

Put simply, unlike some other proposals that have been made to reform how the VA delivers care, this bill would squarely address the root causes of the tragic circumstances that have brought us to this point.

For almost all this century, Americans have been fighting in faraway places to make this dangerous world safer for the rest of us. They have been brave. They have sacrificed and suffered. They bear wounds and mourn losses they will never completely recover from—and we can never fully

compensate them for. But, we can care for the injuries they incurred on our behalf and provide for their physical and emotional recovery from the battles they fought to protect us. Quality care for our veterans is among the most solemn obligations a nation must pay, and we will be judged by God and history by how well we discharge ours.

Indeed, we must be worthy of the sacrifices made on our behalf. How we care for those who risked everything for us is the most important test of a Nation's character. Today, we are failing that test. We must do better tomorrow. Much better.

For the 9 million American veterans who depend on the VA for their health care, and for the families whose tragic stories we have heard over the last two months, who I know are still grieving their losses, it is time to provide our veterans with the care, choice, and accountability that they so rightly deserve. I am pleased to be associated with the bill Senator BURR, Senator COBURN and Senator FLAKE introduced today, which would help the nation achieve those laudable, necessary goals. I urge my colleagues—on both sides of the aisle—to support it.

#### SUBMITTED RESOLUTIONS

##### SENATE RESOLUTION 464—DESIGNATING JUNE 2014 AS "NATIONAL APHASIA AWARENESS MONTH" AND SUPPORTING EFFORTS TO INCREASE AWARENESS OF APHASIA

Mr. JOHNSON of South Dakota (for himself and Mr. KIRK) submitted the following resolution; which was considered and agreed to:

S. RES. 464

Whereas aphasia is a communication impairment caused by brain damage that typically results from a stroke;

Whereas aphasia can also occur with other neurological disorders, such as a brain tumor;

Whereas many people with aphasia also have weakness or paralysis in the right leg and right arm, usually due to damage to the left hemisphere of the brain, which controls language and movement on the right side of the body;

Whereas the effects of aphasia may include a loss of, or reduction in, the ability to speak, comprehend, read, and write, but the intelligence of a person with aphasia remains intact;

Whereas, according to the National Institute of Neurological Disorders and Stroke (referred to in this preamble as the "NINDS"), strokes are the fourth-leading cause of death in the United States;

Whereas strokes are a leading cause of serious, long-term disability in the United States;

Whereas the NINDS estimates that there are approximately 5,000,000 stroke survivors in the United States;

Whereas the NINDS estimates that people in the United States suffer approximately 795,000 strokes per year, with about 1/3 of the strokes resulting in aphasia;

Whereas, according to the NINDS, aphasia affects at least 1,000,000 people in the United States;

Whereas the NINDS estimates that more than 200,000 people in the United States are afflicted with aphasia each year;

Whereas the people of the United States should strive to learn more about aphasia and to promote research, rehabilitation, and support services for people with aphasia and aphasia caregivers throughout the United States; and

Whereas people with aphasia and their caregivers envision a world that recognizes the "silent" disability of aphasia and provides opportunity and fulfillment for people affected by aphasia: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates June 2014 as "National Aphasia Awareness Month";

(2) supports efforts to increase awareness of aphasia;

(3) recognizes that strokes, a primary cause of aphasia, are the fourth-largest cause of death and disability in the United States;

(4) acknowledges that aphasia deserves more attention and study to find new solutions for people experiencing aphasia and their caregivers;

(5) supports efforts to make the voices of people with aphasia heard, because people with aphasia are often unable to communicate with others; and

(6) encourages all people in the United States to observe National Aphasia Awareness Month with appropriate events and activities.

##### SENATE RESOLUTION 465—COMMEMORATING THE CENTENNIAL OF WEBSTER UNIVERSITY

Mr. BLUNT (for himself and Mrs. MCCASKILL) submitted the following resolution; which was considered and agreed to:

S. RES. 465

Whereas in 1915, the Sisters of Loretto established Webster University in Saint Louis, Missouri, as one of the first Catholic colleges for women that is located west of the Mississippi River;

Whereas Webster University has campuses in 8 different countries, introducing people in Europe, Asia, and Africa to United States educational programs, helping to spread United States culture and ideas around the globe, and serving the educational needs of people abroad;

Whereas in 1974, Webster University became one of the first universities in the United States to operate on a military base;

Whereas in 2014, Webster University is located on military bases across the country, serving all branches of the military and directly helping more than 7,700 students who are active members of the Armed Forces, veterans, or direct relatives of individuals with military connections;

Whereas Webster University has been a leader in online education since 1999, and more than 9,000 students are taking courses in the Webster University Online Learning Center, a program that provides quality higher education to students who have access to the Internet and are residing anywhere in the world;

Whereas since 1915, Webster University has conferred more than 184,000 degrees at campuses around the world, including nearly 80,000 degrees in the greater Saint Louis area, demonstrating a local commitment and offering a global education;

Whereas Webster University has a diverse student body and is routinely lauded by organizations working on diversity issues;

Whereas Webster University is the alma mater of more than 160,000 proud alumni; and

Whereas the quality of Webster University as an institution of higher learning is a reflection of the extraordinary caliber of its educational professionals and students: Now, therefore, be it

*Resolved*, That the Senate recognizes and extends congratulations to the educational professionals, students, and alumni of Webster University for 100 years of excellence in higher education.

**SENATE RESOLUTION 466—DESIGNATING THE WEEK OF OCTOBER 27 THROUGH NOVEMBER 2, 2014, AS “NATIONAL DRUG TAKE-BACK WEEK”, AND DESIGNATING OCTOBER 2014 AS “NATIONAL PRESCRIPTION OPIOID AND HEROIN ABUSE AWARENESS MONTH”**

Ms. AYOTTE (for herself and Ms. KLOBUCHAR) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 466

Whereas prescription opioids can play an integral role in proper pain management and treatment of health conditions;

Whereas when no longer needed or wanted for legitimate pain management or health treatment, prescription opioids are susceptible to diversion;

Whereas prescription opioids may be abused by individuals who were not prescribed such drugs or misused by individuals not taking such drugs as directed;

Whereas prescription opioid pain relievers are powerful, regulated drugs that, according to the National Institute on Drug Abuse, attach to the same cell receptors as heroin;

Whereas prescription opioids, when used improperly or not taken as prescribed, can be addictive;

Whereas scientific studies indicate a link between prescription opioid abuse and potential future heroin use and addiction;

Whereas compared to prescription opioids, heroin is a cheaper drug and becoming more readily available;

Whereas deaths from heroin overdoses have significantly increased in communities across the United States;

Whereas addiction and overdoses take lives, ruin families, and fuel rising crime rates in communities across the United States;

Whereas drug take-back programs allow for the collection and safe disposal of unwanted or unused drugs; and

Whereas drug take-back days are held infrequently: Now, therefore, be it

*Resolved*, That the Senate—

(1) encourages a continuous national dialogue on efforts to combat prescription opioid abuse and heroin addiction;

(2) supports a holistic approach to addressing prescription opioid and heroin abuse, including through law enforcement and first responder initiatives, international drug interdiction, and treatment, recovery, prevention, and education efforts;

(3) recognizes the commitment of Federal, State, and local law enforcement personnel, first responders, firefighters, treatment providers, researchers, prescribers, pharmacists, dispensers, medical boards, manufacturers, and community organizations to addressing prescription opioid abuse and heroin addiction;

(4) supports the goals of drug take-back efforts by the Drug Enforcement Administration and the State, local, and tribal law enforcement partners of the Drug Enforcement Administration, and encourages the expansion of such efforts;

(5) designates the week of October 27 through November 2, 2014, as “National Drug Take-Back Week”;

(6) encourages media organizations to bring awareness to prescription opioid and heroin use, particularly among the youth in the United States; and

(7) designates October 2014 as “National Prescription Opioid and Heroin Abuse Awareness Month”.

**AMENDMENTS SUBMITTED AND PROPOSED**

SA 3229. Ms. STABENOW (for Ms. COLLINS) proposed an amendment to the bill S. 2270, to clarify the application of certain leverage and risk-based requirements under the Dodd-Frank Wall Street Reform and Consumer Protection Act.

SA 3230. Ms. STABENOW (for Mr. RUBIO) proposed an amendment to the resolution S. Res. 453, condemning the death sentence against Meriam Yahia Ibrahim Ishag, a Sudanese Christian woman accused of apostasy.

SA 3231. Ms. STABENOW (for Mr. RUBIO) proposed an amendment to the resolution S. Res. 453, *supra*.

**TEXT OF AMENDMENTS**

**SA 3229.** Ms. STABENOW (for Ms. COLLINS) proposed an amendment to the bill S. 2270, to clarify the application of certain leverage and risk-based requirements under the Dodd-Frank Wall Street Reform and Consumer Protection Act; as follows:

Strike all after the enacting clause and insert the following:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Insurance Capital Standards Clarification Act of 2014”.

**SEC. 2. CLARIFICATION OF APPLICATION OF LEVERAGE AND RISK-BASED CAPITAL REQUIREMENTS.**

Section 171 of the Dodd-Frank Wall Street Reform and Consumer Protection Act (12 U.S.C. 5371) is amended—

(1) in subsection (a), by adding at the end the following:

“(4) **BUSINESS OF INSURANCE.**—The term ‘business of insurance’ has the same meaning as in section 1002(3).

“(5) **PERSON REGULATED BY A STATE INSURANCE REGULATOR.**—The term ‘person regulated by a State insurance regulator’ has the same meaning as in section 1002(22).

“(6) **REGULATED FOREIGN SUBSIDIARY AND REGULATED FOREIGN AFFILIATE.**—The terms ‘regulated foreign subsidiary’ and ‘regulated foreign affiliate’ mean a person engaged in the business of insurance in a foreign country that is regulated by a foreign insurance regulatory authority that is a member of the International Association of Insurance Supervisors or other comparable foreign insurance regulatory authority as determined by the Board of Governors following consultation with the State insurance regulators, including the lead State insurance commissioner (or similar State official) of the insurance holding company system as determined by the procedures within the Financial Analysis Handbook adopted by the National Association of Insurance Commissioners, where the person, or its principal United States insurance affiliate, has its principal place of business or is domiciled, but only to the extent that—

“(A) such person acts in its capacity as a regulated insurance entity; and

“(B) the Board of Governors does not determine that the capital requirements in a specific foreign jurisdiction are inadequate.

“(7) **CAPACITY AS A REGULATED INSURANCE ENTITY.**—The term ‘capacity as a regulated insurance entity’—

“(A) includes any action or activity undertaken by a person regulated by a State insurance regulator or a regulated foreign subsidiary or regulated foreign affiliate of such person, as those actions relate to the provision of insurance, or other activities necessary to engage in the business of insurance; and

“(B) does not include any action or activity, including any financial activity, that is not regulated by a State insurance regulator or a foreign agency or authority and subject to State insurance capital requirements or, in the case of a regulated foreign subsidiary or regulated foreign affiliate, capital requirements imposed by a foreign insurance regulatory authority.”; and

(2) by adding at the end the following new subsection:

“(C) **CLARIFICATION.**—

“(1) **IN GENERAL.**—In establishing the minimum leverage capital requirements and minimum risk-based capital requirements on a consolidated basis for a depository institution holding company or a nonbank financial company supervised by the Board of Governors as required under paragraphs (1) and (2) of subsection (b), the appropriate Federal banking agencies shall not be required to include, for any purpose of this section (including in any determination of consolidation), a person regulated by a State insurance regulator or a regulated foreign subsidiary or a regulated foreign affiliate of such person engaged in the business of insurance, to the extent that such person acts in its capacity as a regulated insurance entity.

“(2) **RULE OF CONSTRUCTION ON BOARD’S AUTHORITY.**—This subsection shall not be construed to prohibit, modify, limit, or otherwise supersede any other provision of Federal law that provides the Board of Governors authority to issue regulations and orders relating to capital requirements for depository institution holding companies or nonbank financial companies supervised by the Board of Governors.

“(3) **RULE OF CONSTRUCTION ON ACCOUNTING PRINCIPLES.**—

“(A) **IN GENERAL.**—A depository institution holding company or nonbank financial company supervised by the Board of Governors of the Federal Reserve that is also a person regulated by a State insurance regulator that is engaged in the business of insurance that files financial statements with a State insurance regulator or the National Association of Insurance Commissioners utilizing only Statutory Accounting Principles in accordance with State law, shall not be required by the Board under the authority of this section or the authority of the Home Owners’ Loan Act to prepare such financial statements in accordance with Generally Accepted Accounting Principles.

“(B) **PRESERVATION OF AUTHORITY.**—Nothing in subparagraph (A) shall limit the authority of the Board under any other applicable provision of law to conduct any regulatory or supervisory activity of a depository institution holding company or non-bank financial company supervised by the Board of Governors, including the collection or reporting of any information on an entity or group-wide basis. Nothing in this paragraph shall excuse the Board from its obligations to comply with section 161(a) of the Dodd-Frank Wall Street Reform and Consumer Protection Act (12 U.S.C. 5361(a)) and section 10(b)(2) of the Home Owners’ Loan Act (12 U.S.C. 1467a(b)(2)), as appropriate.”.

**SA 3230.** Ms. STABENOW (for Mr. RUBIO) proposed an amendment to the resolution S. Res. 453, condemning the