

only has Sylvia Mathews Burwell discharged very well, she has won additional plaudits for her bipartisan work, as I have indicated today.

She is going to respond to the biggest and the big challenges in a way that I believe brings Americans together. That is what Senators have said throughout the process, and they have said it whether you have a D or an R next to your name. What the country needs, in short, is somebody who is a true agent of bipartisanship.

I conclude my remarks by saying I have gotten to know Sylvia Mathews Burwell well in the past few years. She is the right choice for the right time, and I strongly urge my colleagues on both sides of the aisle to join me this afternoon in supporting her nomination.

I yield the floor.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### EXECUTIVE SESSION

#### NOMINATION OF SYLVIA MATHEWS BURWELL TO BE SECRETARY OF HEALTH AND HUMAN SERVICES

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The assistant legislative clerk read the nomination of Sylvia Mathews Burwell, of West Virginia, to be Secretary of Health and Human Services.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Sylvia Mathews Burwell, of West Virginia, to be Secretary of Health and Human Services?

Mr. MORAN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Missouri (Mrs. MCCASKILL) is necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Arkansas (Mr. BOOZMAN), the Senator from Mississippi (Mr. COCHRAN), the Senator from Utah (Mr. LEE), and the Senator from South Carolina (Mr. SCOTT).

Further, if present and voting, the Senator from Arkansas (Mr. BOOZMAN) would have voted "yea" and the Senator from Utah (Mr. LEE) would have voted "nay."

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

The result was announced—yeas 78, nays 17, as follows:

[Rollcall Vote No. 175 Ex.]

YEAS—78

Alexander	Flake	Merkley
Baldwin	Franken	Mikulski
Barrasso	Gillibrand	Murkowski
Begich	Graham	Murphy
Bennet	Grassley	Murray
Blumenthal	Hagan	Nelson
Booker	Harkin	Portman
Boxer	Hatch	Pryor
Brown	Heinrich	Reed
Burr	Heitkamp	Reid
Cantwell	Hirono	Rockefeller
Cardin	Hoeven	Sanders
Carper	Isakson	Schatz
Casey	Johanns	Schumer
Chambliss	Johnson (SD)	Shaheen
Coats	Johnson (WI)	Stabenow
Coburn	Kaine	Tester
Collins	King	Toomey
Coons	Klobuchar	Udall (CO)
Corker	Landrieu	Udall (NM)
Crapo	Leahy	Walsh
Donnelly	Levin	Warner
Durbin	Manchin	Warren
Enzi	Markey	Whitehouse
Feinstein	McCain	Wicker
Fischer	Menendez	Wyden

NAYS—17

Ayotte	Kirk	Rubio
Blunt	McConnell	Sessions
Cornyn	Moran	Shelby
Cruz	Paul	Thune
Heller	Risch	Vitter
Inhofe	Roberts	

NOT VOTING—5

Boozman	Lee	Scott
Cochran	McCaskill	

The nomination was confirmed.

#### NOMINATION OF CAROLYN HESSLER-RADELET TO BE DIRECTOR OF THE PEACE CORPS

The PRESIDING OFFICER (Mr. KAINE). Under the previous order, the Senate will proceed to the consideration of the following nomination, which the clerk will report.

The legislative clerk read the nomination of Carolyn Hessler-Radelet, of Virginia, to be Director of the Peace Corps.

Mr. GRASSLEY. Mr. President, I will vote to confirm the President's nominee for Director of the Peace Corps. However, I want explain why I objected to any unanimous consent request relating to this nomination in March and why I have withdrawn my objection. I objected because I was informed by the Peace Corps inspector general that she was having difficulty accessing records from the agency. The nominee is the acting director of the agency. The records relate to sexual assaults reported by Peace Corps volunteers.

The inspector general is entitled to access these records under the Inspector General Act and the Kate Puzey Act. Both acts reinforce the principle that agency operations should be monitored by an independent and objective inspector general. The Kate Puzey Act requires the agency to better respond to volunteers who report sexual assault and implement certain protections for victims of sexual assault. To ensure that these protections are actually implemented, it also requires the inspector general to conduct "a case review

of a statistically significant number of cases" of sexual assaults reported by volunteers.

However, the agency has gone out of its way to interpret the Kate Puzey Act as conflicting with the Inspector General Act. In fact, the agency repeatedly stated that certain provisions of the Kate Puzey Act override the Inspector General Act. That was never the intent of Congress. But the Peace Corps withheld most of the information that the inspector general requested from the agency.

Fortunately, the Peace Corps and the inspector general recently agreed on a memorandum of understanding, MOU. This MOU was agreed to only after I placed a hold on the Acting Director's nomination, and only after I sent three letters to the agency about the dispute, along with several other Members. Under the MOU, the Peace Corps has agreed to provide the inspector general with more information than before. For the time being, the inspector general believes that the MOU will allow her to carry out her oversight duties.

However, the inspector general has made it clear to me that the MOU has many shortcomings. Most importantly, the Peace Corps still refuses to acknowledge the inspector general's legal right to access the records in question. In addition, the MOU can be terminated by either party at any time. So the inspector general believes that she would be back at square one if the parties ever disagree in the future on the amount of information she needs to independently evaluate how the agency handled a specific case of sexual assault.

Still, the MOU represents progress. So I am voting in favor of this nomination. The law says that the inspector general is entitled to full and timely access to the records in question. So I will monitor this situation closely. And I will count on the nominee to guide the agency into full compliance with the law.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Carolyn Hessler-Radelet, of Virginia, to be Director of the Peace Corps?

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid upon the table, and the President will be immediately notified of the Senate's actions.

The PRESIDING OFFICER. The Senator from Wyoming.

#### THE ENVIRONMENT

Mr. ENZI. I rise to talk about the new regulations President Obama proposed this week that are obviously aimed at the coal industry, but let's be frank, these regulations go far beyond the President's campaign to put coal out of business. These regulations target energy to make it less affordable and less abundant. Once again we are seeing how consumers, students, and low-income families are getting priced

out of the economy because of government policy. The more the government dictates and promotes a one-size-fits-all solution, the more it hits folks in their pocketbooks.

I don't think I have ever met a single person who said they were anti-environment. I cannot think of a single person who likes dirty water or polluted skies, but if we listen to my colleagues on the other side of the aisle, we would assume Republicans have made it their life's work to kill the planet. It makes for great sound bites and it can help rally their base; it does not, however, contribute much to the discussion at hand or make much of a difference.

Actions have consequences and these proposed regulations will have a real, tangible, measurable impact on the economy at a time when job creation should be our focus. The truth is coal powers America. Almost 70 percent of all energy produced in this country came from the ground and most of it was coal.

Even electric cars are powered by coal, but sadly you won't see that on a bumper sticker. That is what I call an inconvenient truth. If we were to shut down our coal facilities for even a single day, I think even my colleagues from the other side of the aisle would quickly be calling for these plants to be turned back on.

In my State coal is one of our largest employers. It provides high-paying jobs to our residents, as it does to folks all across the country. The revenue from energy production even provides scholarships for our students to get an education. For our State coal is not just an energy source, it is a livelihood.

The President may want us to run from coal, but I think we should be running toward it. George Washington Carver developed over 100 products from peanuts. Think what we could do with coal if we spent more time and resources developing our most abundant resource instead of trying to destroy it. American ingenuity would lead to our next energy revolution. But that is not happening. Instead, a project that the University of Wyoming and the private sector were working on to produce cleaner energy from coal was canceled because of the President's efforts to kill coal. There is no future in selling the products that would be developed to enhance coal.

We have to trust American ingenuity. No one likes to sit in the dark, and I imagine most folks like being able to run their air-conditioner in the summer. States that rely on coal for their power see an average of 30 percent lower electricity costs than States that use other fuels. An increase of that size would be noticed by almost everyone regardless of political affiliation.

We could learn a thing or two from Germany. They are going back to coal after experimenting with alternative sources. They realized that coal is readily available and will help them bring down energy prices.

Incidentally, coal is the only energy source you can stockpile for emergencies.

The plain fact is that this President is proposing a cap-and-tax proposal that already failed in Congress. My colleagues then realized that it is an extremely expensive idea, and the increased costs would be passed along to consumers, who must pay to use more expensive energy sources. But the fact that Congress rejected this proposal seems to have encouraged the administration to yet again sidestep Congress and implement another costly backdoor regulation. Even some of my colleagues on the other side of the aisle say they are angry about this tax imposed on the people without approval from their representatives in Congress.

I have heard comments about how courageous the President is for finally going after coal. It is not as if the President ever hid his disdain for energy that comes from the ground. He has been targeting it with redtape his entire Presidency. These ideas are purely political and will have a heavy impact on the economy with little or no measurable impact on the environment.

The Wall Street Journal pointed out in a recent editorial that "based on the EPA's own carbon accounting, shutting down every single coal-fired power plant tomorrow and replacing them with zero-carbon sources would reduce the Earth's temperature by about one-twentieth of a degree Fahrenheit in a hundred years."

Let me repeat that. The Wall Street Journal pointed out in a recent editorial that "based on the EPA's own carbon accounting, shutting down every single coal-fired power plant tomorrow and replacing them with zero-carbon sources would reduce the Earth's temperature by about one-twentieth of a degree Fahrenheit in a hundred years."

When government tries to pick winners and losers in any part of the market, everyone loses. Just look at how great our health care system is doing.

If we as a body allow the President to get his way on this regulation, we will be looking at billions in annual economic losses. Hundreds of thousands of people will lose their jobs. We will burden our businesses with billions of dollars in costs, all of which will be passed on to the consumers in the form of double-digit energy price increases. If you are elderly, a low-income or even middle-class family or living on a fixed income, are you willing to pay this energy tax that won't make a dent in CO<sub>2</sub> emissions? I can't imagine you would be. These new regulations will only succeed in making the pocketbooks lighter and the country darker.

When we have affordable and abundant energy, America stays competitive with the rest of the world. Low-cost energy could help create more than 1 million jobs over the next decade, and it could lure more investment into American manufacturing. The

cost of energy is a big factor in manufacturing. We all say we need to put people back to work. Driving up costs to consumers and businesses doesn't seem to benefit anyone.

I hope my colleagues from the other side of the aisle will join me today and say enough is enough. The President is proposing to leave a permanent stain on our economy. We should not be putting people out of work or driving up energy prices.

I hope every American will call on their representatives to oppose this President's proposal. It is our constituents who keep us accountable.

The Republican leader has already introduced legislation to stop this reckless move by the EPA, and I am proud to join him in that effort. Our bill is simple. It requires that the President prove that this rule will not cause job losses, that it will not increase energy rates, and that it will not hurt our country's economic output. We know the President's regulations will put America at an economic disadvantage, but I worry we won't get a vote on this commonsense bill—or even done as an amendment—and that is a real shame because I think a majority of this body would support the bill and oppose the President's proposal.

I thank the Presiding Officer and yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

D-DAY

Mr. PORTMAN. Mr. President, a momentous occasion is occurring tomorrow; that is, the 70th anniversary of D-day. Seventy years ago tomorrow, as the American people slept in their beds, the greatest naval invasion in history was underway.

On D-day, June 6, 1944, tens of thousands of American soldiers, sailors, and airmen joined allies from around the free world to begin what General Eisenhower called a great crusade—one that sought to free a continent. They came by amphibious landing craft, and I think my colleague from Louisiana is going to talk more about that in a moment. They also came by gliders laden with men and materiel and by parachutes deployed deep behind enemy lines. At beaches called Omaha and Utah and at the cliffs of Pointe du Hoc, they struck a mortal blow to the Nazi regime. Thousands would give their lives that day for that noble cause.

Like many in this Chamber, I have seen the American cemetery over there with rows of white crosses and Stars of David. They are a stark reminder of the price those brave heroes paid for all of us. These men did not go into battle alone. General Eisenhower said to the Allied Expeditionary Force on the eve of the battle, "The hopes and prayers of liberty loving people everywhere march with you." Eisenhower was not exaggerating. As word of the invasion spread through the predawn hours of Tuesday morning, people gathered all over this country in churches, synagogues, meeting houses, public places

large and small, to seek God's blessing on men who were even then in harm's way.

As the battle raged on that day, President Franklin Roosevelt spoke to the Nation. He did not choose to address the American people with a speech; instead, he delivered words of prayer by radio address as the fate of Europe and, indeed, the entire free world hung in the balance. It is a very powerful prayer, transcending all faiths. It is a prayer that tells the story of why America fought and makes evident the sacrifices we were willing to make to see through to victory with God's help. It is a prayer that speaks to the horrors of war and the beauty of peace. It is a prayer that captures—perhaps better than anything else written since—the magnitude of what happened that day as we hit the beaches of Normandy.

I hope that prayer will never be forgotten, and that is why Senator LANDRIEU and I believe that prayer should be added as part of the World War II monument pursuant to bipartisan legislation we have been working on for a few years. I previously cosponsored it with Senator Lieberman and now with Senator LANDRIEU. It has gone through the Energy Committee twice with unanimous votes. It is called the World War II Memorial Prayer Act of 2013. This legislation also passed the House of Representatives by a significant vote, 286 to 26.

I would like to recite that prayer now with my colleague from Louisiana. I would like her to begin this prayer. After nearly 70 years, it still has the power to bring us together as a people and remind us that while we may have differences at times, there are so many things that do unite us.

Mr. President, I defer to my colleague from Louisiana.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, I thank my colleague for sharing this moment with me on the Senate floor and allowing me to work closely with him to present this bill to the Senate today. He has worked on this for several years, and I am pleased to join him for any number of reasons.

One thing I wish to mention before I share the reading of this prayer with him is that the official World War II museum happens to be located in New Orleans, LA. It was initiated by the great historian Stephen Ambrose. It has been promoted by an extraordinarily stellar group of civic and political leaders in our Nation. Former Senator Stevens and Senator Inouye joined arms together as brothers in the Senate and helped us to establish this official museum. It is almost complete.

On the eve of D-day, it is particularly striking that the two of us would be here to remember this prayer and to say to the country that this prayer, in our view, should be on the memorial here in DC.

I am also hoping, just as a suggestion, that it will be placed somewhere

significantly in this fabulous, extraordinary, beautifully designed and beautifully executed museum that tells the story of the war—not how it was won but why it was fought. Why it was fought is the most important lesson for our country and the people of the world to know. Some of that is expressed in this prayer. More of that is expressed in the museum itself.

The Senator from Ohio would want to know that hundreds of citizens from New Orleans and Louisiana are actually on their way by boat to Normandy, and, of course, many of our elected officials, including the President, will be celebrating the 70th anniversary.

The reason this museum is in New Orleans is because the Higgins boats were actually built in New Orleans, and it is unusual that such a small city would have contributed so much. Eisenhower himself said that without these landing craft, we never could have gotten to the Normandy beach. They were built by an entrepreneur who had a small factory at the time that then grew, with 43,000 people employed. Men, women, African-Americans, and disabled workers were all being paid the same.

There is a remarkable story about the boats themselves that landed at Normandy, but this effort today is about a memorial prayer that I think we should remember and be reminded of.

I will begin by reciting this prayer which was given by President Roosevelt, and he asked the American people on that day to join him in this prayer.

He said:

Almighty God: Our sons, pride of our nation, this day have set upon a mighty endeavor, a struggle to preserve our Republic, our religion, and our civilization, and to set free a suffering humanity.

Lead them straight and true; give strength to their arms, stoutness to their hearts, steadfastness in their faith.

They will need Thy blessings. Their road will be long and hard. For the enemy is strong. He may hurl back our forces. Success may not come with rushing speed, but we shall return again and again; and we know that by Thy grace, and by the righteousness of our cause, our sons will triumph.

They will be sore tried, by night and by day, without rest—until the victory is won. The darkness will be rent by noise and flame. Men's souls will be shaken with the violences of war.

For these men are lately drawn from the ways of peace. They fight not for the lust of conquest. They fight to end conquest. They fight to liberate. They fight to let justice arise, and tolerance and goodwill among all Thy people. They yearn but for the end of the battle, for their return to the haven of home. Some will never return. Embrace these, Father, and receive them, Thy heroic servants, into Thy kingdom.

Mr. PORTMAN. Mr. President, the prayer continues:

And for us at home—fathers, mothers, children, wives, sisters, and brothers of brave men overseas, whose thoughts and prayers are ever with them—help us, Almighty God, to rededicate ourselves in renewed faith in Thee in this hour of great sacrifice.

Many people have urged that I call the nation into a single day of special prayer. But because the road is long and the desire is great, I ask that our people devote themselves in a continuance of prayer. As we rise to each new day, and again when each day is spent, let words of prayer be on our lips, invoking Thy help to our efforts.

Give us strength, too—strength in our daily tasks, to redouble the contributions we make in the physical and the material support of our armed forces.

And let our hearts be stout, to wait out the long travail, to bear sorrows that may come, to impart our courage unto our sons wheresoever they may be.

And, O Lord, give us faith. Give us faith in Thee; faith in our sons; faith in each other; faith in our united crusade. Let not the keenness of our spirit ever be dulled. Let not the impacts of temporary events, of temporal matters of but fleeting moment—let not these deter us in our unconquerable purpose.

With Thy blessing, we shall prevail over the unholy forces of our enemy. Help us to conquer the apostles of greed and racial arrogances. Lead us to the saving of our country, and with our sister nations into a world unity that will spell a sure peace—a peace invulnerable to the schemings of unworthy men. And a peace that will let all of men live in freedom, reaping the just rewards of their honest toil.

Thy will be done, almighty God. Amen.

Ms. LANDRIEU. Amen.

Mr. PORTMAN. Mr. President, that was the prayer that Franklin Roosevelt gave on that fateful day. Of course, many of the men who fought that day have gone on to their eternal reward, and some of them will mark tomorrow with quiet remembrances with families and friends.

Senator LANDRIEU has noted that there will be people from Louisiana going over to the D-day celebrations—it sounds like some by boat—also from Ohio and from all over the country. Our President will be there. Some will go there to retrace their steps and to see where they were on those beaches. Others will go just to see the cemeteries and remember their fallen comrades. There is a 93-year-old gentleman from Ohio named Jim Martin. He will be there too. He will be jumping from an airplane at 93 years old and parachuting onto the same soil he took back from the Nazis 70 years ago. On behalf of all of us, I wish Jim Godspeed.

There is very little we can add to the legacy they have created for themselves, but we can honor it and we can remember it, and that is what this bipartisan legislation is all about. Again, I crafted it originally with then-Senator Joe Lieberman and now have joined with Senator LANDRIEU to introduce it in this Congress. It directs the Secretary of the Interior to install in the area of the World War II Memorial a plaque with the inscription of the prayer we have just read.

Last Congress, the House of Representatives passed this legislation with an overwhelming vote of 386 to 26, and after a hearing on May 29, they are moving forward with doing so again. Today, on the eve of this historic anniversary, it is time for the Senate to lead the way toward enshrining this

singular moment in the history of our great country.

Senator LANDRIEU and I intend to call up Calendar No. 339 later this afternoon, and we hope in doing so we will achieve unanimous consent to be able to have the Senate proceed to consideration of this legislation, and then ask unanimous consent for it to be passed by this body. This is legislation we have worked on carefully. It has gone through the process of working with the Department of the Interior. We have ensured that it is consistent not just with the Department of Interior but also specifically with the Commemorative Works Act. It is something that, again, has been bipartisan and something that helps to bring this Congress and this country together during a critical time.

I thank my colleague from Louisiana for working with me. I think it is an incredibly important opportunity for us, on the eve of the 70th anniversary, to pass this legislation here in the Senate, thereby doing something positive for the future by telling them the importance of the past. This prayer is certainly part of that.

I yield for my colleague from Louisiana.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, let me join my colleague in asking for unanimous consent for this particular individual bill to pass by unanimous consent. It would be lovely if we could do this today because of the timing of our D-day celebration tomorrow. For the information of our colleagues who have other bills pending that are called lands bills, we are still working on a smaller package in addition to this. But we felt that this has such significance and importance and it is so timely today that it would really be important for us to do this.

So I hope our staffs can clear this on both sides and we can get this done before close of business today.

I thank the Senator from Ohio.

Mr. PORTMAN. Mr. President, I thank the Senator from Louisiana and I look forward to being back on the floor shortly to propound the unanimous consent request to pass this legislation and to do so prior to this momentous 70th anniversary tomorrow.

I yield back my time, and I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SANDERS. 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 CARE

Mr. SANDERS. Mr. President, I believe every Member of this Senate and every American understands the very deep debt of gratitude we owe to the men and women who put their lives on the line to defend this country. That

should not be a political issue. It should not be a partisan issue. I think all of us have been appalled by what we read about in Phoenix and in other locations about people manipulating data, pretending veterans were getting care in a timely manner when that was not the case.

It is my strong belief, as chairman of the Senate Veterans' Affairs Committee, that every veteran in this country is entitled to high-quality medical care and that they should get that care in a timely manner. I am going to do everything I can to make that happen.

We live, as everybody knows, in a politically divided country and a divided Congress. Reaching agreements is not easy and, quite frankly, does not take place very often in the Senate. Unfortunately, for whatever reason—without casting blame—it just does not happen. The American people understand that and are not happy about that. So reaching a compromise among people who look at the world very differently is not easy, but in this process, Senator JOHN MCCAIN of Arizona and I have tried our best to come forward with an agreement. It is an agreement which I am sure he is not 100 percent happy about and I can fully assure you I am not 100 percent happy about. I would have written a very different bill. I thank Senator HARRY REID for his strong support for this process, and CHUCK SCHUMER, PATTY MURRAY, and DICK DURBIN for pushing this effort forward. I hope we will be back on the floor to continue the effort to deal with the many unmet needs of veterans, but right now we have a crisis on our hands and it is imperative we deal with that crisis.

To my mind, the essence of the crisis is that we have learned in many parts of this country—not all parts but in many parts of this country—veterans cannot get the timely care they need. They cannot walk into a VA facility and within a reasonable period of time get the treatment they need.

So this bill, in a significant way, begins to address that important issue. Let me very briefly tell you how it does that.

For a start, there are many locations around the country where we need new facilities, we need refurbished facilities, we need expanded facilities. In fact, there are 26 locations in 18 States where that is the case. This legislation would allow the construction of 26 major medical facility leases in 18 States around the country. I believe that will help us in many parts of the country in providing the quality, timely care our veterans deserve.

In my view, there are areas of the country where we simply do not have the doctors, the nurses, and the other staff we need to provide the care our veterans deserve. Many primary care physicians get burned out by working 12, 14 hours a day. They quit. The turnover rate is too high. It is my view that the VA, by and large—and this is

echoed by the views of the veterans community itself in independent studies—that when people get into the VA, the quality of care is good. But I will tell you, if we do not have the primary care physicians, the other physicians, the nurses we need to treat veterans, they are not going to get the care they need.

This legislation will target \$500 million in unobligated balances for the hiring of new VA doctors and nurses. I see that as a significant step forward.

One of the great embarrassments or shocks that all of us feel is that within the military we have seen in recent years horrendous accounts of sexual assault. What this legislation does is say to those women and men who were sexually assaulted in the military that when they get into the VA, there is going to be quality care for their needs.

This legislation also touches on a couple of issues that are not directly related to health care but have overwhelming support in the House and the Senate.

We have heard from many young veterans who are in college as a result of the post-9/11 GI bill who right now cannot afford it because they are not getting instate tuition. This legislation addresses that issue.

I have talked, as I know Senator MCCAIN has, to Gold Star Wives. These are the women who have lost their husbands in combat who, I think for not a sensible reason, are unable to take advantage of the post-9/11 GI bill. They want to get their lives together. They want to be able to go to college or whatever. This bill addresses that issue.

There is another provision which was strongly supported by Senator MCCAIN and other Republican leaders—and Senator MCCAIN, I am sure, will go into it at great length, but essentially what this provision does is say if someone is 40 miles or farther away from a VA health care facility—a medical center, a CBOC or whatever it may be—they will be able to go to the doctor of their choice, under the strict supervision of the VA.

What this will do is prevent people from, in some cases in very rural areas—I think this is mostly a bill for people in very rural areas who now have to travel long distances to get their health care—this will make their lives easier. This is a 2-year trial project. We will see how it turns out, but that is in the bill as well.

The last point I wish to make is I do not think there is any disagreement in the Senate nor among the American people that when we have incompetent people in the VA or worse—dishonest people in the VA—they should be removed from their jobs immediately and that the Secretary of the VA should have the power to get rid of them. I do not think there is any debate about that.

Where there has been some debate is that in my view those employees deserve due process. I say that because I

do not want to see a situation where a new President comes in and for political reasons fires 400 top executives because they are Democrats or because they are Republicans or whatever. I do not want to see a situation where somebody is fired because she is a woman or Black or Hispanic or maybe gay, and maybe that is the underlying motive and that person has no course of appeal.

So what we have done is developed a very expedited process in terms of dismissal. We say if someone is dismissed, they are off the payroll tomorrow, they are gone, but they are going to have a week to file an appeal, and the appropriate body will have 3 weeks to rule on their appeal. I think that makes sense. I think when you think about it, it does make sense.

There are a few other important provisions. It is important, in my view, for the Nation to take advantage of the expertise that is out there in the private sector. How do we develop information technology for people accessing the VA? We want to do that. We have a commission that would help us do that. We have another Presidential commission that will help us with construction, which has been an ongoing problem in the VA.

That is a brief overview of what is in the legislation. Does it solve all of the problems facing our veterans? Absolutely not. Should we come back and continue to deal with this issue? Absolutely. But I think, given the crises we have right now, this is an important step forward.

I thank Senator MCCAIN. Senator MCCAIN's views on many issues are not my views. We look at the world differently, but that is what democracy is about. Our job was to sit down and work out the best agreement. We did. I think from day one Senator MCCAIN showed absolute good faith in this, a desire to reach a compromise. I hope he feels I did the same. We are where we are today.

So with that I yield the floor for Senator MCCAIN and thank him very much for his efforts.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. I thank the Presiding Officer.

I would like to say to the Senator from Vermont that I respect a great deal the work he has done on this legislation. I respect his commitment and his leadership of the Veterans' Affairs Committee. I respect the fact that BERNIE SANDERS is known as a fighter, and it has been a pleasure to do combat with him.

But I also would like to say that at the end of the day with strongly held views on different aspects of this issue, we were able to come together in a way that will help to relieve this terrible tragedy that seems to have befallen our Nation's veterans. It started in Phoenix, AZ, as my colleagues know, but it has spread all over the country. It begins with the terrible story of per-

haps 40 veterans having literally died for lack of care.

I do not need to go through all of the different problems that have surfaced in the ensuing days since that began, but there should be no doubt in anyone's mind that we should accept the word of the inspector general who said these are systemic problems. This is not a scheduling problem. These are systemic problems that need to be addressed.

Our hope—as we concluded this legislation—was that perhaps we could put some of our other differences aside that have beset this body and move forward and address this legislation as quickly as possible and begin to repair the damage because we have, for all intents and purposes, in some ways betrayed the brave men and women who were willing to go out and sacrifice for the well-being and freedom of the rest of us.

So, again, I say to Senator SANDERS, I appreciate his leadership and I appreciate the fact that we both had to make some very tough compromises, but I have found in my experience that when tough compromises are made, usually that is a sign of bipartisanship and a sign that it is a good piece of legislation. I know that is not the popular thing to say nowadays in today's political environment, but I do not believe, if compromises had not been made, that we would be bringing to the floor of the Senate—and working with the House's chairman JEFF MILLER over there—that we would be doing what we are introducing today.

I would also like to say a word about two other individuals; that is, Senator BURR, the ranking member of the Veterans' Affairs Committee, whom I admire enormously—he has worked tirelessly on behalf of the veterans and he is a most respected member of our conference—and of course our most unique treasure, Dr. TOM COBURN, who had been my nominee to take over the Veterans' Administration, which almost destroyed a long and beautiful friendship, but Dr. COBURN is the conscience of our conference. He is the person whom we look up to and admire the most for his integrity, for his honesty, his intelligence. I thank both Senator BURR and Dr. COBURN for their enormous work. In some ways, I am sort of the spokesperson, when they did a great majority of the work.

As Senator SANDERS pointed out, I would like to just cover several aspects of this legislation and try to explain a little bit why some of these provisions are there.

Of course, a top priority for me for many years has been to give the veteran a choice. We ought to give the veteran a choice—the same choice as people who are Medicare recipients, those who have TRICARE; that is, the military health care program—where if they are outside of 40 miles from the nearest VA facility, if there is a wait time which is unacceptable, then they should be able to go to the health care

provider right near their home, not have to get in a van and ride for 2 or 3 hours for routine medical care.

I also want to emphasize what I hope my colleagues understand, that this is in no way a comment on the Veterans' Administration—I will leave that to others and other judgments—because there are things done in the veterans health care system that only the veterans health care system can handle: PTSD, traumatic brain injury, spinal cord injury, prosthesis, war wounds, that only the VA can do. None of this that we are saying in any way denigrates or does anything that is uncomplimentary to the outstanding men and women who work in this system. We are proud of their work. It is the system that needs to be fixed. So I do not want anybody who is associated with the Veterans' Administration to believe we are criticizing them.

We are talking about a system that must be fixed. It is urgent that it be fixed. Every single day that goes by a veteran is deprived of the care he or she has earned serving this country is wrong. That is why I urge my colleagues: If you have amendments, if you think you can make this bill better, we welcome it. We would be glad to discuss with you amendments to this legislation. We would be glad, if you know how to make it better.

But in the meantime, can we sort of pledge that we are committed to seeing this thing all the way through? I would urge my colleagues to do that. Again, I know I speak for Senator SANDERS when I say: If you have a way to make this bill, this legislation, better, come on in. But let's not get hung up on certain other aspects of our differences that have characterized what most people would view as gridlock in this body.

I urge my colleagues to look at this compromise. It is a compromise. If you think you can make it better, we welcome your input. But also, we would like to have your commitment to seeing this through to the President's desk. I know that over on the other side of the Capitol they are working hard on this issue too.

So we bring up, as I mentioned, veterans should have that card. That veteran should be able to go to a facility of his or her choice. Accountability. Senator RUBIO and others, Congressman MILLER and others, have introduced legislation. Senator SANDERS has improved on it. This calls for the immediate firing—an immediate firing if there is evidence of work that is not in keeping with the standards we expect of our employees.

During that period, under appeal, that person will not receive a salary. That person will have some due process: 7 days to appeal to the Merit Systems Protection Board and there are 21 days for that Merit Systems Protection Board to render a final decision. Yes, we should have, as many of our colleagues want, accountability. But that accountability also in this proposal allows for due process for someone to at least have their case heard.

There is expedited hiring authority for VA doctors and nurses, and additional authority to hire new providers. There are unobligated funds out there. We are going to use unobligated funds to hire more doctors and nurses where they are needed. But I would also point out, in some cases doctors and nurses have to work harder where they are. Also, there are now pending, over the years, administration requests for 26 major facility leases to be entered into.

This has been the President's request. This has been a bipartisan agreement on the need for these facilities. I believe we should proceed with it. I would also point out to my colleagues, this legislation has some expenses. But the major expense is to move forward with the construction of these major medical facilities all over America. In the view of all, it is necessary.

This improves the access to health care for individuals who are the victims of military sexual assault. Sexual assault is probably one of the most vexing issues we face in the military today outside of combat. We do not know exactly what causes some of this. We do know many times it is because of a lack of discipline. But there is no doubt this is a problem in the military that needs to be addressed; otherwise, mothers and fathers will be not agreeable—in fact reluctant—to have their sons and daughters serve in the military unless we address this issue of sexual assault.

There are many efforts going on, in the Defense authorization bill, in the military, many other areas where we are working on this issue. But I think this provision in the bill will be very helpful in attempting to address that issue.

A commission needs to be appointed on scheduling and care. We know one of the problems is scheduling, and this whole issue of phantom lists and waiting lists that disappeared. We have to get to the bottom of it. I think the smartest people in America could help us on that. There is another commission on capital planning. What are the needs of our veterans?

One of the things we do know is we have an aging veteran population from World War II, those who are, God bless them, still with us, Korea and Vietnam. That is an aging veterans population and requires a different kind of care than those of Iraq and Afghanistan. To be frank, a lot of that is geriatric care. To be frank, geriatric care is very expensive. But we have to understand who this population is and what their needs are, just as we have to understand the Iraqi and Afghanistan war veterans and what their needs are.

Very frankly, our planning so far has not been very impressive to me. We need to have—this is a pure Senator SANDERS initiative—a GI bill tuition, eligibility for surviving spouses of those who died in the line of duty. It seems to me that is only fair. And a provision also that in-State tuition will be provided for all veterans at public colleges and universities.

Again, finally I want to say thank you to Senator SANDERS. I also want to say to my colleagues again: This is not a perfect document. We are ready to see any changes that we would consider, and perhaps germane amendments. But I would also hope we could focus our attention on the bill and the efforts to help our veterans, as opposed to other issues which seem to be with us on a daily basis.

I yield the floor.

The PRESIDING OFFICER (Ms. WARREN). The Senator from Vermont.

Mr. SANDERS. Madam President, I thank Senator MCCAIN again. I think his remarks were right on in terms of describing what is in this legislation. I support his appeal.

Look, everybody has an issue. Every time a bill comes up, I have my pet concerns that I could bring forth amendments on, Senator MCCAIN has his. But what we are appealing to right now is if you have a way to improve this bill for our veterans, bring forth that amendment. But please, please, do not bring forward extraneous amendments. Let's focus on the needs of veterans. Let's not make them political footballs. I hope very much we can proceed in that direction.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. KAINÉ. Madam President, I rise to offer a few words about the colloquy that just was completed. I often find, when I am on the floor or presiding, that I feel sorry for the spectators in the Chamber. Either they are seeing the body not work as well as it should or sometimes they are watching a lot of silence, depending on when they are here. But I have been in the chair for the last hour. I think the spectators have been treated to what the Senate does when we do our best. First Senators PORTMAN and LANDRIEU put a bill on the floor dealing with a commemoration in connection with the 70th anniversary of D-day, which is tomorrow. It was a bill they are seeking unanimous consent for. It was a very worthy one.

But, second, I know many of us, all of us in the Chamber, have been very discouraged about the recent revelations and challenges within the VA. Many of us feared earlier this week that what we would get in this discussion were competing proposals or bills that would be partisan, where each side would fall short of doing what they wanted, and the veterans would not receive the kind of relief they should get.

What we have seen, with Senator SANDERS and Senator MCCAIN putting this bill on the floor just now, is exactly how this should work for the veterans, but in the legislative process more generally. So I am pleased to congratulate my colleagues for taking two different approaches to this veterans challenge and working it out so a bipartisan bill can be offered. I think we owe it to the veterans, and especially in light of these recent challenges, to show a unified face in trying to fix

these problems. I look forward to working with my colleagues to do so.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Madam President, I too want to join my colleague from Virginia in adding accolades to our Senators from Vermont and Arizona in putting together this proposal. I would like to make a few points here. First, the veterans should come first. These are people whom we sent overseas to risk their lives for us. When they come back injured, nothing should stand in the way of us giving them the best medical care possible.

Senators MCCAIN and SANDERS, of different political philosophies—if they each had to write their own bill would write different bills—came together, not for their ideology's sake, not for political advantage, but for the good of these veterans. That is the highest duty we have here.

The second point I would make is this: In a body that has been wracked by partisanship, I was hoping and praying that that partisanship would not stand in the way of us helping our veterans. Because of this good work of Vermont and Arizona's Senators, that has happened. That has happened. We are not home yet. We hope no one will be so selfish that they feel their own amendment or amendments have to be voted on if they are extraneous, because that could blow up the deal. We all know how fragile, even for our veterans, bipartisan agreements are in this body. This is a higher calling.

I talked at length over the last several days with Senator SANDERS. I know how heartfelt this is for him. As he said: If he wrote his own bill, he would have done a lot more. But each of us writing a bill and giving a speech about it is not going to help a single veteran. The way this body works is, we have to come together. There is no one on the other side of the aisle, perhaps no one in this Chamber, who better respects what veterans have gone through than Senator MCCAIN after what he went through himself as a prisoner of war. He was just the right person for the chairman of our Veterans Committee, BERNIE SANDERS, to reach out to. Because they both cared so much about veterans, they came together. It is now up to the rest of us, the other 98, to do the same, to come together, to pass this bill quickly. This does not mean this will be the last thing we will do for veterans. This is an issue we are going to have to revisit, given the sickness we have in parts of the Veterans Administration, given the long waiting lists, given the fact that while most veterans get very good care in our VA, not every veteran does. Our goal is to have every veteran get good care in our VA.

Hopefully this bill will pass. Hopefully maybe this will set a precedent that we can work together on important issues; we can each submerge some of our heartfelt feelings that it has to be our way and reach compromise with the other side. That is

what Senator SANDERS has done. That is what Senator McCAIN has done. I salute them for their patriotism, their good sense, and, frankly, their courage.

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.

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

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

#### EPA REGULATIONS

Ms. MURKOWSKI. Madam President, I come this afternoon to speak about the regulations proposed by the administration on Monday relating to the Environmental Protection Agency. This time the agency's target is a 30-percent reduction in greenhouse gas emissions from existing powerplants by the year 2030.

The regulation that has been announced, which has been the subject of a great deal of conversation this week, should not be confused with EPA rules for cooling water intake or for proposed powerplants or for cross-state air pollution or for boilers or for ozone or for incinerators or for regional haze or for fuel economy or for the waters of the United States or for renewable fuels or for cement kilns or for coal ash or for effluent limitations or for any other number of regulatory actions that the agency has taken or is expected to take.

This rule—and there have been so many of them, it almost feels like this should be EPA's rule of the week or rule of the month—is a unilateral effort to bypass Congress and to force into place policies that we in Congress have not approved. The goal is to push our electric supply away from coal and, I think, ultimately, away from natural gas as soon as possible.

As the ranking member on the energy committee, I can attest that energy is always the flip side of the environmental debate. If we have a discussion about energy, we always have a discussion about the environment.

I believe we should advance policies that make our energy abundant, affordable, clean, diverse, and secure. To that end, our environmental goals must be balanced with our energy needs.

Because of this, I have for years expressed concern that EPA's relentless onslaught will harm the affordability and the reliability of our electric supply. In fact, I even released a white paper on this matter earlier this year. We still do not have an accurate accounting of the cumulative costs associated with all of these EPA rules that I just gave in the laundry list, but we do know not to trust their math because EPA has dramatically underestimated the powerplant retirements in very recent past.

I will give you some examples. For the mercury and air toxic rules, EPA

estimated only 4.7 gigawatts of coal-fired capacity retirements by the year 2015. But then we see the contrast. The labor unions forecast that MATS alone would result in 55 gigawatts of coal plant retirements and the loss of some 250,000 jobs. Government experts have determined that approximately 10 to 20 percent of existing coal capacity could be retired by the middle of the next decade. This is a calculation that really dwarfs EPA's number and one that doesn't include the potential impact of the latest proposal.

Now, I know that the EPA has an important job to do, and I appreciate that, but I also recognize that it does not and cannot regulate in a vacuum. Baseload coal and the ancillary services that it provides account for almost 40 percent of our power. In many instances the EPA's regulations will render generating units uneconomic, with compliance requiring retrofitting, the use of best available technology, and downtime for installation. So I am concerned—greatly concerned—that the EPA's rules, particularly when you combine them with one another, will result in a grid that is less stable and less reliable. The cumulative effect of federal regulations on baseload capacity resources, whether they are coal or nuclear, which produce electricity on demand has to be looked at. We have to examine and appreciate the cumulative effect of this loss of production and not discount or ignore it.

Many this past winter got a taste of what life in Alaska is like in the wintertime when we experienced the polar vortex here in the lower 48. The polar vortex caused 50,000 megawatts of powerplant outages. For one key system 89 percent of the coal capacity that is scheduled for retirement next year because of an EPA rule was called upon to meet the rising demand.

So again, just think about that.

We had a tough winter. We had coal-fueled facilities that were able to step up and provide for that increased demand—89 percent of that capacity was utilized during this polar vortex. That is fine. But what happens when those facilities are now offline, when they are in retirement, when you do not have that backup?

The question we really need to be asking is, What happens when that capacity is gone? Hoping for a mild winter isn't a viable strategy. You cannot have a hope-and-prayer energy policy, hoping that the weather is not going to be so bad. Our Nation relies on installed dispatchable power generation during extreme weather, which is why we need to ensure grid reliability through a diversity of baseload capacity.

Today it is unclear how many plants will retrofit to comply with various EPA regulations—including this most recent one—as opposed to making a decision to just shut down. It is uncertain if there will be enough time—to say nothing of sufficient capital available for investment—to build these new fa-

cilities or other forms of generation needed to ensure the continued reliability of the grid.

I have been talking about grid reliability for a long while now, and I think it speaks to our system that while we may have been pushed to the edge of getting nervous, we have been able to meet that reliability requirement. Americans have just come to expect. They want to know that when they want to have the lights on or keep cool or keep warm, there is that availability. Reliability is key here. I am even more troubled that the EPA, which has conceded that a single rule may result in what they have called a "localized effect," has not sought from our grid regulators, FERC and NERC, an analysis of the cumulative impact its rules may have. Understanding the impacts of these rules by checking in with our grid regulators, FERC and NERC, as part of a formal process is an important part of what needs to go on. Yet we are not seeing that follow-through. Instead, EPA appears to be morphing into an industrial planning agency for the energy sector. That is not what they are designed to do. This latest rulemaking makes it even more important for FERC and the Department of Energy to step up, to really go toe-to-toe here with EPA to protect the reliability and the affordability of our power supply.

The current chairwoman of FERC, while she has not called for a formal official role for the commission—as many of us would like—is certainly up to the task in my view. But with that situation at play right now within the Federal Energy Regulatory Commission, it appears that the White House doesn't want to keep the acting chair in charge. Its nominee to serve as chairman is both short on energy experience and largely unaware of the electricity reliability implications of EPA's rules.

In response to a hearing question about grid reliability from Senator MANCHIN, the nominee conceded that he "has not been following the decisional process at EPA closely enough to know."

I find that response not only disturbing, but I think it raises the question of whether anyone within the administration is actually following the EPA process closely enough to know what will happen to our electric grid. I can tell you that I don't think the EPA knows the impact for my State of Alaska. The Agency readily admits that its proposal "fails to account for the expected costs and benefits for areas outside of the contiguous United States."

Alaska is one-fifth the size of the country, and we are part of the country. But the EPA, in advancing these proposed regulations, admits that "we don't know." We don't know the cost-benefit for Alaska. We don't know the cost-benefit for Hawaii. That does not mean that my State is exempt from this rule as some reports have led Alaskans to believe. Instead, without the

benefit of any analysis, EPA has directed Alaska to reduce our emissions by 26 percent and this while EPA ignores—totally ignores—the likely inflationary costs and increases inherent in requiring the revamping of so much power production likely within a single decade.

The EPA has recommended that States work together, work together to figure out how we are going to make these cuts. But again, when you are not part of the contiguous United States, it is a little more difficult for us in Alaska and our neighbors to the south in Hawaii if we are not part of an interstate electricity grid. Alaska is really in many ways on its own. Because of our constant need for Federal approvals or at best Federal cooperation that is too often slow to come, we are not even able to develop our clean hydro-power.

Some may ask: Well, I understand that you have about 25 percent of your power in the State of Alaska coming from hydro. That is correct. But because of other Federal policies—whether it is the roadless rule or other policies—we are truly hamstrung in our ability to build out more hydro. Based on more than 50 years of delay or broken Federal promises, there is no guarantee that we will be able to develop fully our abundant natural gas or even our vast renewable resource potential.

We have challenges and we acknowledge them. We are working on those challenges. We are working diligently because there is nobody who wants to get reliable, affordable, clean diverse energy supplies to our State more honestly and earnestly than myself. But it is challenging. So as we work towards that transition, we need that flexibility. We need that time.

Now the EPA has suggested a series of strategies for reducing greenhouse gas emissions. But of the five powerplants in Alaska that are directly impacted by this proposed rule, four are natural-gas-fired plants, and they are located near each other and Anchorage. So in the whole State of Alaska there are only five plants that are impacted by this regulation. Everything else is small enough or doesn't sell its power. So of the five, four of them are already natural gas. The fifth already has clean coal technology. The proposed strategies of switching to natural gas, dispatch changes or retiring plants are really just unworkable given the configuration we have in my State. Given that we live in this polar vortex every winter—everywhere is polar vortex in Alaska—many of our houses are well insulated to protect from the cold. So efficiency programs will provide comparatively small gains.

Having said that, I know that we can and must do more when it comes to efficiencies, and I will continue to push on that because that is an area where I think we can make a difference. But trying to get to this 26-percent reduction is a challenge. I am still canvassing my State, but it will be dif-

ficult for Alaska to reach our 26-percent emissions reduction without serious economic impact.

Electricity is already more expensive in Alaska than in most of the rest of the Nation. We have to reduce these prices, not engage in policies that will raise those prices even higher. In the lower 48 States, on average, an American family spends a little over 4 percent of their household budget towards their energy—keeping the lights on and keeping the house warm or cool—depending on the season. In many parts of my State of Alaska we have households that pay between 40 and 50 percent of their household budget to stay warm and to keep the lights on. So I am looking at this very, very critically. While I want to ensure that our air is clean, that we are working to reduce health risks, we don't have any room in Alaska to increase our energy costs. We have to be working aggressively with one another to reduce those costs.

So I look at the proposal that has come out from the EPA this week, and I am very concerned about how a State such as mine will achieve the level that the EPA has imposed on it without extraordinary increases to cost.

Some have labeled this recent EPA proposed regulation ObamaCare 2.0, and in many ways it is. The administration insists that there will be no cost increases associated with this rule. All we are missing here is an awful Web site and a pledge that if you like your current electricity bill, you can keep it. The President promises the electricity bills will shrink, but I am not buying that. The Wall Street Journal has rightly labeled this a huge tax on the poor and the middle class, and no one understands what will happen if States perhaps refuse to move forward with their own plans. Again, you have to ask the question: Does anybody really think that the EPA has the ability to impose its Federal will while simultaneously keeping the lights on and keeping power affordable to all 50 States?

Despite negative economic growth last quarter and despite far better approaches pending in Congress to promote energy efficiency and energy innovation, such as an energy efficiency bill that my colleague from Ohio has been working doggedly to try to advance—a measure that I think is smart and sound and built on good policy—to not only help States like mine but all across the country, we do have some good proposals out there. We have initiatives we can move forward. But instead the President has decided to push ahead and to propose sweeping new regulations on our still weak economy.

We must keep costs and reliability in mind as regulatory mandates push more and more baseload coal plants offline. FERC must be the unambiguous champion of reliability with a formal and a documented role with respect to EPA's rulemaking process. Powerful regulatory laws must be judi-

cially administered, and only Congress—not the EPA—should decide such consequential changes for our energy supply, our economy, and our people. I think anything less is unacceptable and could very well yield significant negative consequences for a wide variety of American families and our businesses.

I thank the Presiding Officer for her attention and the opportunity to discuss a very important issue for our entire country.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. MARKEY). The Senator from Ohio.

Mr. PORTMAN. Mr. President, I commend my colleague from Alaska, who is the ranking member, and thank her for her hard work. She mentioned the energy efficiency bill. I know she strongly supports that bill, and I hope it will come back to the floor. It is a more logical way to get at some of these issues.

I come to the floor to follow up on the conversation I had earlier with Senator LANDRIEU. She and I announced earlier this afternoon that we were going to offer unanimous consent in the Senate on bipartisan and non-controversial legislation. I had hoped Senator LANDRIEU would come back to the floor, but apparently she can't, so I will offer this on behalf of both of us.

DIRECTING THE SECRETARY OF THE INTERIOR TO INSTALL A WORLD WAR II MEMORIAL PLAQUE

Mr. PORTMAN. Mr. President, I ask unanimous consent, as if in legislative session, that the Senate proceed to the immediate consideration of Calendar No. 339, S. 1044.

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

The assistant legislative clerk read as follows:

A bill (S. 1044) to direct the Secretary of the Interior to install in the area of the World War II Memorial in the District of Columbia a suitable plaque or an inscription with the words that President Franklin D. Roosevelt prayed with the United States on D-day, June 6, 1944.

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

Mr. PORTMAN. Mr. President, 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.

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

The bill (S. 1044) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1044

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "World War II Memorial Prayer Act of 2013".

**SEC. 2. PLACEMENT OF PLAQUE OR INSCRIPTION AT WORLD WAR II MEMORIAL.**

The Secretary of the Interior—

(1) shall install in the area of the World War II Memorial in the District of Columbia a suitable plaque or an inscription with the words that President Franklin D. Roosevelt

prayed with the United States on June 6, 1944, the morning of D-Day;

(2) shall design, procure, prepare, and install the plaque or inscription referred to in paragraph (1); and

(3) may not use Federal funds to prepare or install the plaque or inscription referred to in paragraph (1), but may accept and expend private contributions for this purpose.

### SEC. 3. COMMEMORATIVE WORKS ACT.

Chapter 89 of title 40, United States Code (commonly known as the "Commemorative Works Act"), shall apply to the design and placement of the plaque within the area of the World War II Memorial.

#### D-DAY

Mr. PORTMAN. Mr. President, the clerk just read part of the description of this legislation, and I thank this body on both sides of the aisle for working with us.

Tomorrow we mark a momentous occasion. It is the 70th anniversary of D-day. It is a day, of course, that will go down in history as one of the greatest naval invasions in the history of our country but also a day when we lost many brave American soldiers and one where the country came together to pray for them and give them the strength they would need not just on that D-day but to go through Europe to ultimately vanquish the Nazis and liberate that continent.

On that day, 70 years ago tomorrow, Franklin D. Roosevelt decided not to give a speech at the White House but instead to give a prayer for the troops and for the Nation. This body has just passed legislation to make that prayer a part of the World War II Memorial. That prayer will help to give it some additional context and interpretation at a critical time. The prayer helps us look at our history and shows how our country came together at a critical time. It is a very powerful prayer. My dad was a World War II veteran, and I always found it to be one of the most moving prayers in our Nation's history.

I will mention a couple of aspects of this prayer. President Roosevelt explained—I thought in very powerful words—why America fought. When talking about the troops, he said:

They will be sore tried, by night and by day, without rest—until the victory is won. The darkness will be rent by noise and flame. Men's souls will be shaken with the violences of war.

For these men are lately drawn from the ways of peace. They fight not for the lust of conquest. They fight to end conquest. They fight to liberate. They fight to let justice arise, and tolerance and goodwill among all Thy people. They yearn but for the end of battle, for their return to the haven of home.

That is why we fight.

Again, I think that prayer is an important part of our history but also an important message for us even today.

The prayer also includes a number of other very powerful messages that brought the Nation together in a single day for prayer and thanksgiving. It asks for God's help in a number of ways, and one that I think is particularly poignant is where it asks God to give us the ability to deepen our faith.

It says:

And, O Lord, give us faith. Give us faith in Thee, faith in our sons; faith in each other . . .

Again, I appreciate the work of Senator LANDRIEU and, before her, Senator Lieberman, who was the original cosponsor with me on this legislation.

I thank my friends from Ohio, the Christian Alliance, and others who have brought this to my attention over the years.

I thank my colleagues in the House, who passed this legislation last year with a resounding vote. I hope they will take up this legislation and pass it again in the House this year so we can indeed move to have this inscription placed in the World War II Memorial in order to remind us of a day in our Nation's history where our country did come together and where we, as Americans—not as conquerors but as liberators—provided for the liberation of a continent and established this precedent for our country that with God so much is possible.

I yield back my time and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BROWN. 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 CARE

Mr. BROWN. Mr. President, there is good news for America's veterans this afternoon. Senator MCCAIN and Senator SANDERS, the chairman of the Veterans' Affairs Committee, have apparently come to a tentative agreement on what we should do to deal with some of the serious problems at the Veterans' Administration.

We know a couple of things. First of all, we know that health care in the veterans hospitals, in the VA system, in the community-based clinics in places such as Akron and Canton and Youngstown and Springfield and Mansfield and the care in the big hospitals, such as Wade Park and Dayton, is superb and there is overwhelming support among veterans for the care they have earned and deserve and are getting. The problem is getting access to that care in a number of cases. Too many veterans have waited too long, been forced to wait too long to get the medical care and the medical treatment they need.

That is a product, frankly, of a historically underfunded VA. We know a decade ago, when the President a decade ago—more than a decade ago—and the Senate and the House took the country to war the Veterans' Administration funding was put pretty flat. There was no real preparation by the Congress, by the President—then President Bush—and by the VA to scale up veterans' capacity, the VA capacity, veterans' health care—not enough nurses, not enough doctors, not enough

health care personnel, not enough capacity at the VA health care system to take care of the surging numbers of soldiers coming home, sailors coming home, marines coming home, air men and women coming home.

We also know at the same time what happened with Agent Orange, and the Agent Orange presumptive eligibility. As Vietnam veterans were beginning to get sicker, were beginning to show more and more symptoms, the government made the right decision, Congress made the right decision, if a soldier had boots on the ground, they were eligible. If a soldier had an illness defined by the law that was connected to Agent Orange, then they were presumed to be eligible. They didn't have to go back and prove they were actually exposed at a certain place at a certain time in Vietnam. All of those were good things, as our country, our government, our VA, embraced war, men and women, to get the VA care they earned.

The bad news was Congress and the President didn't prepare for it a decade ago as this surge of new people, the veterans coming home, veterans living here for a number of years after doing their service, that they could get the health care they needed. That is the reason we have had these long delays.

There are certainly issues of leadership within the VA. There are issues of administrators not doing their jobs. They should be held accountable. They should pay a price for that—sometimes termination, certainly disciplinary action if shown to have failed to live up to their responsibilities ethically and efficiently and correctly and responsibly.

It is clear this new agreement will take us forward. It will mean a couple of things. One, it means those administrators, those VA officials who didn't do their jobs, will be held accountable. Secondly, and most importantly, it will mean veterans who have had long delays or who live in rural areas and simply can't get the coverage, can't get to the VA clinic, the community-based outpatient clinic or the VA hospital, the VA center, if they can't get that health care treatment today, or soon, they can go to a private hospital, they can go to a community-based health clinic and get the coverage, get the care they need at no cost to the veteran.

The third thing is, to make up for the neglect of a decade ago that we have tried to remedy by almost doubling the VA budget over the last 5 years to take care of all these people who are now in the system who have suffered much more serious illness and disability than the veterans of a generation ago who might have died on the battlefield from these same injuries, that we scale up the training of doctors and nurses in these VA facilities.

There has been an agreement reached among a group of us on the veterans committee and both parties that we will fund a number of new facilities around the country as we train more

doctors and nurses and other health care personnel—physical therapists, occupational therapists, and others.

At a time of not particularly good news for veterans over the last few weeks and really over the last few months, this is good news. This will make for a better VA. We know the VA is a huge health care system, with 85 million veteran visits, patient visits to the VA over the last year and 8 million different veterans have used the VA over the last 12 months. We have to make sure we do our jobs as Senators and Members of Congress and in the White House to take care of our veterans. For those who served us, it is time we served our veterans.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

#### D-DAY ANNIVERSARY

Mr. THUNE. Mr. President, I rise today to honor the 70th anniversary of the heroic landings of D-day.

The incredible bravery exhibited on June 6 of 1944, in the first phase of Operation Overlord to liberate Western Europe from the clutches of Nazi Germany, is one of the defining moments of modern history.

The images of American GIs landing at Omaha Beach, Utah Beach, and Pointe du Hoc have come to represent not only the great sacrifices made during World War II, but the enduring cause of freedom for which the United States still stands.

I have had the humbling experience of visiting the American cemetery at Normandy that honors those who fell during the invasion. As I walked the peaceful fields of brilliant white headstones in perfect formation, it was hard to imagine the terrifying landscape that greeted those American and allied soldiers, many of them not yet 20 years old, when they lowered the ramps of their landing craft in the shallows off of Normandy. Yet they understood the importance of their mission, and they held fast against one of the greatest evils the world has ever faced, and they prevailed.

The men and women who answered the call to serve in World War II and those who supported them on the home front are often revered as the “greatest generation,” and deservedly so. They gave up their lives and their livelihoods and endured separation from their loved ones and fought in unspeakable conditions.

From the beaches of Normandy to the islands of the Pacific, where my father served as a Navy pilot, the United States and allied forces fought for freedom and for the dignity of mankind, and we owe them a tremendous debt of gratitude.

As we honor the memory of those who served before us, we honor their legacy by upholding the values for which they fought.

We are here today because of the immense burdens our men and women in uniform have carried on our behalf. May we never forget their sacrifices or

the solemn responsibility we have to all of those who have answered the call to serve.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. UDALL of New Mexico. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### TRIBUTE TO NAVAJO CODE TALKER CHESTER NEZ

Mr. UDALL of New Mexico. Mr. President, my State of New Mexico has a great tradition of military service. When the Nation has called, New Mexico has always answered. Today I wanted to say a few words to remember Chester Nez, the last of the original 29 Navajo code talkers of World War II.

Mr. Nez passed away Wednesday morning in Albuquerque, NM. We are forever indebted to him and his fellow warriors. They turned the Navajo language into an unbelievable code, using the language they were forbidden to speak in school, as a weapon to defend our freedoms in war, freedoms they themselves did not always enjoy. This is a great story of courage, of love of country, of tremendous sacrifice. In battle after battle in ferocious combat, the Navajo code saved countless lives and helped secure the allied victory. In 2001, the original code talkers received the Congressional Gold Medal, the highest honor the Congress can give.

Our former colleague, Senator Jeff Bingaman, fought hard for this. I was pleased to push for it in the House. It was richly deserved and long overdue. Mr. Nez was there for the ceremony, and the Presiding Officer, who was in the House with me, may remember we had that ceremony in the Capitol Rotunda. It was a great and uplifting day to finally see the Navajo code talkers receive their medals.

I said then what I continue to feel now: Their service can never be forgotten and can never be diminished. Chester Nez was modest in his own life but proud of the code talkers and proud of the Navajo traditions. In his later years, he visited schools and colleges all across the Nation to tell the story of those Navajo code talkers.

In his memoir, written with Judith Avila, he said:

I recommended myself that my Navajo people had always been warriors, protectors. In that there was honor. I would concentrate on being a warrior, on protecting my homeland.

As we mark Chester's passing, we honor his memory with a renewed dedication to preserve our Native languages, to keep alive the story of our code talkers, the heroic story of the Navajo, and also of other Native American tribes, their codes and their commitment forever unbroken.

Today we say goodbye to this great hero, this humble man who served our

country with such devotion. We say goodbye with sadness but also with appreciation for a debt that can never be fully repaid, for courage that will forever inspire, and for a life that truly made a difference.

Chester, you made a real difference in our lives. I would just say to Chester's family, we send them our heartfelt condolences.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. I ask unanimous consent that the order for the quorum call be rescinded.

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

#### FAREWELL TO PAGES

Mr. REID. As we leave for the week, I wanted to say something on the record regarding the pages. They are going to graduate tomorrow morning at 10 a.m. I look forward to these graduations every year. These are fine young men and women who come here and spend a semester of school with us.

This is a tradition we have been doing for a long time. Two of my grandchildren were pages, and even though my family has been involved in government through me for all these many years, they were never exposed to it like coming here and being pages. It really changed their lives, and I am sure some of these young men and women's lives have been changed also.

I can remember when I was about their age and I went to Boys State and the friends I made at that weeklong program—friends I still have. These young men and women—friends they make here, they will have for the rest of their lives.

These boys and girls are not the summer pages. We have two classes of summer pages, and they are here for a month, and that is it. These young men and women are here for a semester, and the school is hard. It is not some kind of a lark back in Washington. They studied hard. We look for good students, and that is what we get. They get up early in the morning, they go to school, and they come here and try to learn more about government. They really get to know us, personalities. Some of us are nicer to them than others. They recognize that.

I congratulate these pages because they are an integral part of what goes on around here. They really do things that are hard. We don't ask them to write dissertations, at least here in the Senate; for the school, they do that. But they run bills around the Capitol Complex, and they help us on some of the more mundane things we take for granted.

I really look forward to meeting them. I try to meet all the pages every year. Sometimes I don't get to meet all of the Republican pages, but I try. I want them to know that even though they won't hear from every one of us,

we all very much appreciate what they do.

Today is their last day here, as I mentioned. I thank them for their service, and I hope their slight glance into the government will be something that will cause them to be involved in government.

As for young men and women, the Presiding Officer in this body has had a great political career. She has held a number of statewide offices in the State of North Dakota. In all of what we do in life, there are disappointments that come. She would have been the Governor of the State of North Dakota, but she was stricken with breast cancer, which, I understand, messed up her campaign. But she came back and as a real underdog decided to run for the Senate, and she won. She has made a tremendous difference in this body. I hope each of you can look around here and see people, such as the Presiding Officer, whom you would like to be like someday.

When I first came to this body—I say to these young women especially—BARBARA MIKULSKI was a Senator from Maryland. I came with her to the Senate, and she was the woman. That was it. And now, I couldn't help but smile earlier this week because a number of women—seven or eight women—had congregated here, and one of the Senators said to me—a female Senator said: Look, many of us wore turquoise today. And it was so bright and the clothes looked so vibrant and added so much to this body.

So it used to be boys, that the Senators we had here, with rare exception, were men, but that is not the way it is anymore. And I can speak from experience—the Senate is a much better place because of the input of women. Men and women are different. They have different views and outlooks on life. As a result of that, this is a much better place.

I can remember a number of years ago when I looked here on the floor—I was whip at that time, taking care of the floor—it was stunning to me, on the military construction bill, appropriations bill, two women were running it. Kay Bailey Hutchison, a Republican from Texas, was the ranking member, and DIANNE FEINSTEIN from California was the chair of that committee, determining billions of dollars for construction of military facilities around the world. So things have changed a great deal. You have been part of watching this great change take place, young men and women. Thank you for your service here, and I hope someday some of you will be serving in this august body.

#### LEGISLATIVE SESSION

Mr. REID. I now move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

#### EXECUTIVE SESSION

#### NOMINATION OF M. HANNAH LAUCK TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF VIRGINIA

Mr. REID. I now move to proceed to executive session to consider Calendar No. 734.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The assistant legislative clerk read the nomination of M. Hannah Lauck, of Virginia, to be United States District Judge for the Eastern District of Virginia.

#### CLOTURE MOTION

Mr. REID. I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to report the motion.

The assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of M. Hannah Lauck, of Virginia, to be United States District Judge for the Eastern District of Virginia.

Harry Reid, Patrick J. Leahy, Christopher A. Coons, Sheldon Whitehouse, Christopher Murphy, Al Franken, Jon Tester, Richard Blumenthal, Jeff Merkley, Richard J. Durbin, Kirsten E. Gillibrand, Benjamin L. Cardin, Bill Nelson, Dianne Feinstein, Elizabeth Warren, Tom Harkin, Mazie K. Hirono.

Mr. REID. Madam President, I ask unanimous consent that the mandatory quorum under rule XXII be waived.

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

#### LEGISLATIVE SESSION

Mr. REID. I now move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

#### EXECUTIVE SESSION

#### NOMINATION OF LEO T. SOROKIN TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF MASSACHUSETTS

Mr. REID. Madam President, I move to proceed to executive session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The assistant legislative clerk read the nomination of Leo T. Sorokin, of Massachusetts, to be United States

District Judge for the District of Massachusetts.

#### CLOTURE MOTION

Mr. REID. I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Leo T. Sorokin, of Massachusetts, to be United States District Judge for the District of Massachusetts.

Harry Reid, Patrick J. Leahy, Christopher A. Coons, Sheldon Whitehouse, Christopher Murphy, Al Franken, Jon Tester, Richard Blumenthal, Jeff Merkley, Richard J. Durbin, Kirsten E. Gillibrand, Benjamin L. Cardin, Bill Nelson, Dianne Feinstein, Elizabeth Warren, Tom Harkin, Mazie K. Hirono.

Mr. REID. I ask unanimous consent that the mandatory quorum under rule XXII be waived.

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

#### LEGISLATIVE SESSION

Mr. REID. I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

#### EXECUTIVE SESSION

#### NOMINATION OF RICHARD FRANKLIN BOULWARE II, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEVADA

Mr. REID. I now move to proceed to executive session to consider Calendar No. 739.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The assistant legislative clerk read the nomination of Richard Franklin Boulware II, of Nevada, to be United States District Judge for the District of Nevada.

#### CLOTURE MOTION

Mr. REID. I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to report the motion.

The assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Richard Franklin Boulware II, of Nevada, to be United States District Judge for the District of Nevada.