

STUDENT LOAN DEBT

Ms. MIKULSKI. Mr. President, I am proud to rise today to support the Bank on Students Emergency Loan Refinancing Act. This bill would allow eligible students refinance their Federal loans, transfer private loans into Federal loans with better interest rates, and eliminates tax loopholes for millionaires and billionaires. This bill would help more than 25 million students in the United States, including 481,000 student borrowers in Maryland.

Middle-class families and their children deserve a fair shot at higher education. Students deserve fair, affordable loans to help them get the education they need to succeed, and the working women of America deserve a fair shot at fair pay with equal pay for equal work. Right now, millions of American students are graduating from college and universities, but as they are handed their diplomas, they are being handed a lifetime of debt. The average student debt for 2012 college graduates was \$29,400, and for the first time in U.S. history, student loan debt topped credit card debt at \$1 trillion. When you are fresh out of college and paying living expenses and investing in a 401(k), these loans add up and become burdensome.

This especially affects young women struggling to pay debts against a wage gap. College-educated women earn just 82 cents for every dollar a man makes, but they don't get an 18 percent wage gap discount on their student loans. How can we expect women to achieve their dream when they are burdened with crippling debt and fighting against a wage gap that continues to grow over time?

Recently, a Maryland woman wrote to me. She is a single mother and was on welfare for 9 months after giving birth to her son but said she did not want to become a statistic. She pursued higher education so she could improve her life. She got a bachelor's degree and a master's degree and graduated in the top 5 percent of her class. While attending school, she worked full time and raised her son. She enrolled in an income-based loan program and despite paying more than requested each month, her interest rate has increased. She cannot care for her son and pay off \$63,000 in student loans without assistance in refinancing her loans.

The women of America want more. Women make up almost half of the workforce and 40 percent are the sole breadwinners for families but still only make 77 cents for every dollar a man makes. African-American women earn 62 cents and Hispanic women earn 54 cents. Even if they have the same grades, degree, and job title, women are consistently paid less in their first job out of college. On average, women will lose more than \$431,000 over their lifetimes because of the wage gap. This doesn't just affect student loans; It affects their contributions to Social Security, pensions, and retirement security.

I am so proud of America's women. We have accomplished so much. We have gone to space, become CEOs of Fortune 500 Companies and even made it into the U.S. Senate. Today, women are graduating from higher education in record numbers. It is time to help them get a fair shot at achieving their dreams. That starts with equal pay.

Getting a college education is the core of the American dream. I am fighting to make sure that every student has access to that dream. Let's work together to make sure that when students graduate, their first mortgage isn't their student debt. Carrying the burden of student loans drags down young people's financial future, making it harder to buy a home, start a family, or save for retirement. I support Senator WARREN's bill because it reduces debt and fights for American families. It lowers interest rates, giving everyone a fair shot at repaying their loans for a more secure financial future because women deserve a fair shot at getting equal pay for equal work.

I have said this often, but we in this country enjoy many freedoms: the freedom of speech, the freedom of the press, the freedom of religion. But there is an implicit freedom our constitution doesn't lay out in writing, but its promise has excited the passions, hopes, and dreams of people in this country since its founding. The freedom to take whatever talents God has given you, to fill whatever passion is in your heart, to learn so you can earn and make a contribution—the freedom to achieve.

When I was a young girl at a Catholic all-girls school, my Mom and Dad made it clear they wanted me to go to college. But right around graduation my family was going through a rough time because my Dad's grocery store had suffered a terrible fire. I offered to put off college and work at the grocery store until the business got back on its feet. My Dad said, "Barb, you have to go. Your mother and I will find a way, because no matter what happens to you, no one can ever take that degree away from you. The best way I can protect you is to make sure you can earn a living all of your life." My father gave me the freedom to achieve. And this legislation will give millions of Americans that same freedom without adding a dime to the deficit.

Senator WARREN's legislation should be passed in a swift, expeditious, and uncluttered way. It gives our students access to the American dream. It gives our young people access to the freedom to achieve, to be able to follow their talents, and to be able to achieve higher education in whatever field they will be able to serve this country.

While our work isn't done when it comes to ensuring access to affordable higher education, this bill helps us get there. While these bills will fix the problem today, I will continue to work with my colleagues to figure out a longer-term solution.

Mr. JOHNSON of South Dakota. Mr. President, I wish to discuss the Bank on Students Emergency Loan Refinancing Act (S. 2432). Student loans in this country are at an unprecedented \$1.2 trillion and now exceed credit card debt as the largest consumer debt market after mortgages. Unfortunately, unlike mortgages, student borrowers are unable to take advantage of the low interest rate environment and many borrowers are stuck in high fixed-rate loans for 20 or more years. This means that these borrowers must delay, or put off permanently, other financial decisions such as buying a home, saving for retirement, or starting a small business. This is not just a "young American" issue—recent data shows that individuals of every demographic have increasing student debt burden, and the impact of those with student debt being unable to fully participate in the economy will affect all Americans for years to come.

This issue is particularly important to me, as South Dakota has the highest proportion in the country of residents with student loan debt. That is why I have signed on to co-sponsor Senator WARREN's bill to refinance student loans, and why, as chairman of the Banking Committee, which has jurisdiction over student loans made by private lenders, I will work to consider all actions that can be taken to address both existing and future student debt.

RELEASE OF CRIMINAL ALIENS

Mr. GRASSLEY. Mr. President, in the last few weeks, startling data from the Obama Administration has revealed that the Department of Homeland Security has released over 36,000 aliens with criminal convictions into the United States.

According to responses to some Members of Congress, Secretary Johnson has acknowledged that 36,007 convicted criminal aliens were released from Immigration and Customs Enforcement custody in fiscal year 2013. Many of these aliens had multiple convictions. In fact, among the 36,007 aliens released, they had nearly 88,000 convictions.

Data prepared by ICE, and reported by the Center for Immigration Studies, shows that among the criminally convicted aliens released into American communities were: 193 homicide convictions, including one willful killing of a public official with a gun, 426 sexual assault convictions, 303 kidnapping convictions, 1,075 aggravated assault convictions, 1,160 stolen vehicle convictions, 9,187 dangerous drug convictions, and 16,070 drunk or drugged driving convictions.

I have repeatedly said that this administration has failed the American public by refusing to enforce the laws on the books. This administration has turned a blind eye to those who have broken the law and have irresponsibly exercised their executive authority to find a way to allow people here unlawfully to remain in the country.

In failing to enforce the immigration laws, the administration has betrayed its responsibility to protect the public safety of the American people.

President Obama's administration has continually stated that they are focused on enforcement against the worst of the worst convicted criminals. Yet they are releasing thousands of aliens every year with serious and, in many cases, violent criminal convictions.

ICE has responded to criticism by declaring that many of the individuals released were under supervisory restrictions. These restrictions range from bond to ankle bracelets to a periodic telephone call to a designated ICE phone line. Some individuals, however, are issued an order of recognizance and therefore are under no supervision at all.

Is the American public supposed to feel safer because the same administration that released violent criminals into our communities claims to be monitoring them? Is the American public supposed to trust these aliens convicted of crimes and are here unlawfully to follow the terms of their release?

Despite requests, ICE has failed to specify the nature of the release conditions placed upon these violent criminal aliens. In the interest of public safety, we should all demand to know the release conditions of those aliens released who have been convicted of violent crimes.

The administration is also claiming that many of the individuals they released in 2013 were due to the 2001 U.S. Supreme Court decision in *Zadvydas v. Davis*. This decision limited the Federal Government's ability to detain aliens who have been ordered removed.

This case sets the pitiful precedent that aliens subject to final orders of removal, including ones convicted of a crime, cannot be held longer than 6 months and will be released in the United States if their home country refuses to take them back or their home country simply delays the U.S. government's request for a travel document. Other countries know that—because of the ruling in *Zadvydas*—they can simply run out the clock on issuing travel documents for the criminally convicted individual. Therefore, we have aliens, with no legal right to be in the United States, unwanted by their own country, being released into the country by our own administration.

This Supreme Court decision has had a detrimental effect on our ability to obtain travel documents from foreign countries and effectuate removal orders. Many countries refuse to take back their criminal aliens, leaving us no choice but to release them into our own communities.

This precedent needs to be corrected. The administration has relied upon the ruling in *Zadvydas* to release thousands of criminally convicted aliens. However, they have refused to help fix it. In fact, the Senate immigration re-

form bill that they supported does not include a fix to the 2001 Supreme Court decision. They have not asked Congress to extend the length of time they are allowed to detain foreign nationals with final orders of removal.

That is why I am cosponsoring the "Keeping Our Communities Safe Act" being introduced today by the Senator from Oklahoma. His bill would close the legal loophole that requires ICE to release dangerous criminals onto the streets of America. It would allow ICE to detain non-removable immigrants beyond six months if the alien is a national security threat or is a threat to the safety of the community and has a past violent crime conviction.

In addition to hiding behind the Supreme Court decision, the administration has refused to use the tools at its disposal to get countries to cooperate. Federal law allows the Secretary of State to discontinue granting visas to all residents of a country that refuses or unreasonably delays taking back its aliens facing deportation from the United States.

Secretary Johnson, at a House Judiciary 2 weeks ago, acknowledged that in his capacity as Secretary, his department has never asked the Department of State to use this authority. This visa sanction authority has only been invoked one time, in 2011 against Guayana, within 2 months Guayana issued travel documents for 112 of 113 aliens ordered removed from the United States to Guayana. This tactic has been proven effective and Secretary Johnson should be employing this measure.

Of the 36,000 persons released in 2013, ICE claims that 3,652 were due to the 2001 Supreme Court decision. So, only a small portion of those released were mandatorily released under *Zadvydas*.

While thousands of criminally convicted aliens have been released into the United States, both at ICE's discretion and due to bad Supreme Court precedent, President Obama has called for a reduction of immigration detention capacity by 10 percent.

The simplicity of this idea seriously calls into question this administration's management capabilities. The fact that thousands of people are being released from detention clearly suggests that ICE needs more beds, not less, in order to avoid releasing more criminally convicted aliens into America.

This administration is knowingly putting the safety of the American people at risk. Releasing violent criminals into the American population should cause great doubt about this administration's ability to enforce current immigration laws.

ICE needs to provide the American people with more information about the criminal aliens it releases. ICE needs to tell the American people what terms of release are given to what criminal offenses. ICE needs to tell the American people what types of criminal offenses it deems appropriate to release at their own discretion.

ICE needs to tell the American people how many of these criminally convicted aliens comply with the terms of their release. ICE needs to tell the American people how many of these criminally convicted aliens commit further crimes after being released. ICE needs to tell the American people how many of these criminally convicted aliens who are released become fugitives.

This administration tells us to trust them. They say they are removing more people than ever before. They claim the immigration bill passed by this body will solve our problems. Yet they have failed us and the American people. They continue to turn a blind eye to lawbreakers and refuse to take this matter seriously.

There should be more outrage about the news coming from this administration. Releasing 36,000 criminal aliens is a serious matter and one that better be fixed soon for the sake of the American public.

LAUCK NOMINATION

Mr. WARNER. Mr. President, I wish to speak in support of a fellow Virginian as President Obama's nominee to the U.S. District Court for the Eastern District of Virginia, Judge Hannah Lauck. When confirmed, Hannah will become the first woman judge on the Federal trial bench in Richmond, VA.

Hannah is exceptionally well qualified to carry out the duties and responsibilities of a Federal district judge.

Hannah earned her bachelor's degree, magna cum laude, in 1986 from Wellesley College, where she was also elected to Phi Beta Kappa.

She went on to receive her J.D. from Yale Law School in 1991. While in law school she directed the Homelessness Clinic and served on the board of the Initiative for Public Interest Law.

Hannah began her legal career in the Eastern District of Virginia serving as a clerk for Judge James Spencer. Judge Spencer—a Reagan appointee to the bench—is extremely well-regarded in Richmond for his legal acumen, honest nature, and service to the community and will be taking senior status this year.

Coming full circle, Hannah has now been selected to fill the seat of Judge Spencer, her mentor and for whom she clerked right out of law school.

From 1994 to 2004, she served as an assistant U.S. attorney in the Eastern District of Virginia where she handled both civil defense matters as well as criminal prosecutions.

Following a brief stint in the private sector, Hannah became a U.S. Magistrate judge in the Eastern District of Virginia, where she has served since 2005.

As a magistrate judge, she helped begin one of the first Federal reentry courts, which is designed to reduce recidivism of individuals released from prison who have serious addictions. These reentry courts are crucial to our