[Rollcall Vote No. 237 Ex.]

YEAS—100

Alexander	Gillibrand	Murphy
Ayotte	Graham	Murray
Baldwin	Grassley	Nelson
Barrasso	Hagan	Paul
Begich	Harkin	Portman
Bennet	Hatch	Pryor
Blumenthal	Heinrich	Reed
Blunt	Heitkamp	Reid
Booker	Heller	Risch
Boozman	Hirono	Roberts
Boxer	Hoeven	Rockefeller
Brown	Inhofe	Rubio
Burr	Isakson	Sanders
Cantwell	Johanns	Schatz
Cardin	Johnson (SD)	Schumer
Carper	Johnson (WI)	Scott
Casey	Kaine	Sessions
Chambliss	King	Shaheen
Coats	Kirk	Shelby
Coburn	Klobuchar	Stabenow
Cochran	Landrieu	Tester
Collins	Leahy	Thune
Coons	Lee	Toomey
Corker	Levin	Udall (CO)
Cornyn	Manchin	Udall (NM)
Crapo	Markey	Vitter
Cruz	McCain	Walsh
Donnelly	McCaskill	Warner
Durbin	McConnell	Warren
Enzi	Menendez	Whitehouse
Feinstein	Merkley	Wicker
Fischer	Mikulski	Wyden
Flake	Moran	
Franken	Murkowski	

The nomination was confirmed.

NOMINATION OF ROBIN L. ROSENBERG TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF FLORIDA—Continued

The PRESIDING OFFICER. There is now 2 minutes equally divided prior to a vote on the Rosenberg nomination.

The Senator from Florida.

Mr. NELSON. Madam President, just to remind the Senate, Senator RUBIO and I have the nonpartisan process of the Judicial Nomination Commission for our Federal district judges. Robin Rosenberg is a product of that. So I commend to the Senate this bipartisan nominee from the two of us.

Judge Robin Rosenberg is from West Palm Beach, FL. She is a circuit judge for the Fifteenth Judicial Circuit of Florida where she has served since 2007. Prior to her service on the bench, she was a partner at the law firm Rosenberg & McAuliffe from 2001 to 2006.

She worked as an attorney in many capacities including private practice at Holland and Knight, an assistant city attorney for the City of West Palm Beach and as a trial attorney in the Civil Rights Division of the Justice Department. Judge Rosenberg began her legal career as a law clerk for Judge James C. Paine of the U.S. District Court for the Southern District of Florida. She received her juris doctor and a master's degree in 1989 from Duke University and her B.A. in 1983 from Princeton University.

Judge Robin Rosenberg has the support of Senator RUBIO and myself, and was found to be unanimously qualified by the American Bar Association.

Mr. REID. Mr. President, I yield back all time.

The PRESIDING OFFICER. Without objection, all time is yielded back.

The question is, Will the Senate advise and consent to the nomination of Robin L. Rosenberg, of Florida, to be United States District Judge for the Southern District of Florida.

Mr. WICKER. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

The result was announced—yeas 100, nays 0, as follows:

[Rollcall Vote No. 238 Ex.]

YEAS—100

Alexander	Gillibrand	Murphy
Ayotte	Graham	Murray
Baldwin	Grassley	Nelson
Barrasso	Hagan	Paul
Begich	Harkin	Portman
Bennet	Hatch	Pryor
Blumenthal	Heinrich	Reed
Blunt	Heitkamp	Reid
Booker	Heller	Risch
Boozman	Hirono	Roberts
Boxer	Hoeven	Rockefeller
Brown	Inhofe	Rubio
Burr	Isakson	Sanders
Cantwell	Johanns	Schatz
Cardin	Johnson (SD)	Schumer
Carper	Johnson (WI)	Scott
Casey	Kaine	Sessions
Chambliss	King	Shaheen
Coats	Kirk	Shelby
Coburn	Klobuchar	Stabenow
Cochran	Landrieu	Tester
Collins	Leahy	Thune
Coons	Lee	Toomey
Corker	Levin	Udall (CO)
Cornyn	Manchin	Udall (NM)
Crapo	Markey	Vitter
Cruz	McCain	Walsh
Donnelly	McCaskill	Warner
Durbin	McConnell	Warren
Enzi	Menendez	Whitehouse
Feinstein	Merkley	Wicker
Fischer	Mikulski	Wyden
Flake	Moran	
Franken	Murkowski	

The nomination was confirmed.

NOMINATION OF JOHN W. DEGRAVELLES TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF LOUISIANA—Continued

The PRESIDING OFFICER. There will now be 2 minutes of debate equally divided prior to a vote on the deGravelles nomination.

Without objection, all time is yielded back.

The question is, Will the Senate advise and consent to the nomination of John W. deGravelles, of Louisiana, to be United States District Judge for the Middle District of Louisiana?

Mr. BLUNT. 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.

The result was announced—yeas 100, nays 0, as follows:

[Rollcall Vote No. 239 Ex.]

YEAS—100

Alexander	Gillibrand	Murphy
Ayotte	Graham	Murray
Baldwin	Grassley	Nelson
Barrasso	Hagan	Paul
Begich	Harkin	Portman
Bennet	Hatch	Pryor
Blumenthal	Heinrich	Reed
Blunt	Heitkamp	Reid
Booker	Heller	Risch
Boozman	Hirono	Roberts
Boxer	Hoeven	Rockefeller
Brown	Inhofe	Rubio
Burr	Isakson	Sanders
Cantwell	Johanns	Schatz
Cardin	Johnson (SD)	Schumer
Carper	Johnson (WI)	Scott
Casey	Kaine	Sessions
Chambliss	King	Shaheen
Coats	Kirk	Shelby
Coburn	Klobuchar	Stabenow
Cochran	Landrieu	Tester
Collins	Leahy	Thune
Coons	Lee	Toomey
Corker	Levin	Udall (CO)
Cornyn	Manchin	Udall (NM)
Crapo	Markey	Vitter
Cruz	McCain	Walsh
Donnelly	McCaskill	Warner
Durbin	McConnell	Warren
Enzi	Menendez	Whitehouse
Feinstein	Merkley	Wicker
Fischer	Mikulski	Wyden
Flake	Moran	
Franken	Murkowski	

The nomination was confirmed.

The PRESIDING OFFICER (Mr. MANCHIN). 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 action.

LEGISLATIVE SESSION

BRING JOBS HOME ACT—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. The Senate will resume legislative session.

The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, I see several other colleagues on the floor. I wish to speak for about 3 minutes on behalf of the nominee who was just confirmed.

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

DEGRAVELLES NOMINATION

Ms. LANDRIEU. Mr. President, it is truly my distinct privilege to be able to speak on behalf of John Weadon deGravelles, a nominee for the Middle District Court in Louisiana. I am very gratified that my colleagues gave him a very strong vote of approval—a unanimous vote—just a few minutes ago. President Obama nominated Mr. deGravelles earlier this year, and I am very pleased I was joined by Senator VITTER, my colleague from Louisiana, in recommending him for his confirmation today.

He is affectionately known to his friends and family as Johnny. He has the support of a wide cross section of community leaders in Louisiana, and that support is based on an extraordinarily impressive scholarship he received to attend college at Louisiana State University, where he majored in sociology and received his juris doctorate from the law school. He excelled

academically and has practiced law now for decades but is still fondly remembered as an extraordinary student.

After graduating from LSU, he served as a clerk at the firm Due & Dodson in Baton Rouge and would later become a partner in that firm. He is now practicing under his own name at deGravelles, Palmintier, Holthaus & Fruge.

As a partner in his well-established firm in Baton Rouge, he has honed his skills as one of the region's most capable litigators in both Federal and State court.

In addition to his work as a lawyer, respected by a broad cross section of leaders, he also taught for 20 years at both Tulane Law School and Louisiana State University. He is very popular, I understand, as a teacher. He is always open to students and his advice is sought after on a regular basis.

He is a very active member of a variety of bar associations, including the American Bar Association, the Federal Bar Association, and the Louisiana State Bar. He was admitted to practice, of course, in the U.S. District Courts for the Western, Middle, and Eastern Districts of Louisiana, the Southern District of Texas, the Fifth, Sixth, and Eleventh U.S. Circuit Courts of Appeals, and the U.S. Supreme Court. He has practiced for literally decades in front of the Federal bench.

He has also been recognized for his outstanding leadership by very distinguished organizations, including the Louisiana Trial Bar, the Louisiana Trial Lawyers Association, and the Council for a Better Louisiana.

He has written dozens and dozens of articles for legal publication. He is a sought-after speaker for seminars throughout the country.

Our former chief justice of the Supreme Court of Louisiana—also the first woman chief justice—Kitty Kimball described Johnny as ''an exceptional lawyer who enjoys the respect of both bench and bar.''

I think one of the most important aspects of his background is that after the devastating storms of Rita and Katrina in 2005, Mr. deGravelles was one of the real champions in helping to set up the Louisiana Association for Justice Hurricane Relief Committee which assisted many displaced attorneys who had no place to practice, clients who were distributed all over the country, and courthouses that were closed—to help the wheels of justice move forward during that very difficult time of upheaval and destruction.

I have every confidence Mr. deGravelles will serve the people of the Middle District as a fair, wise, and very experienced lawyer who will serve as a judge.

I am very proud that this body voted so overwhelmingly in favor of his confirmation today. I know his wife Jan is extremely proud of him, and he and Jan are proud of both children who followed in their father's footsteps. Kate and Neil are both practicing attorneys in Louisiana.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. UDALL of Colorado. Mr. President, I rise today to speak about a piece of commonsense legislation the Senate is preparing to consider this week. The bill, which is called the Bring Jobs Home Act, sets out to do just what that name implies—bring good-paying jobs back to America.

Our Tax Code has a fundamental flaw. Right now a U.S. company can decide to cut American jobs, move them overseas, and then claim those expenses as a tax deduction, thereby lowering the amount of taxes the company pays.

If a company decides to move 75 good-paying U.S. manufacturing jobs overseas, not only do we lose good American jobs, but taxpayers in Colorado and West Virginia and throughout the country are footing the bill for the cost of killing those jobs. American taxpayers literally get billed for the cost of shipping jobs overseas.

I don't think it is right to reward companies for cutting American jobs, and I don't think it is right to ask taxpayers to subsidize the cost of moving those jobs overseas. That is why I am cosponsoring the Bring Jobs Home Act in an effort to provide better incentives for U.S. businesses to bring good-paying jobs back to our country and keep them here. Our country is at its best when we produce here in America.

Simply put, the Bring Jobs Home Act is about looking out for the best interest of Coloradans and not the bottom lines of corporations that want to ship their jobs to places such as China and India.

What is best about this legislation is that not only would it end taxpayer subsidies for outsourcing, it would take the money that is saved and invest it in America by offering a 20-percent tax credit for businesses that decide to bring jobs back to the United States.

This legislation is one piece of a larger conversation Congress ought to have about what the Tax Code should look like in the 21st century economy. What are the values it should reflect? What are the incentives it should provide? These are important questions we need to answer, and the Bring Jobs Home Act is an initial step to achieve fair and reasonable reform.

I have been a long-time proponent of tax reform to streamline and simplify the Federal Tax Code because I am convinced—as I believe the Presiding Officer is—that the certainty and predictability it will create will lead to job growth in our country.

Last week Colorado reported that its unemployment rate was 5.5 percent, the lowest since 2008. But we can do more, and this bill is one of the best places to start.

So let's join together and support this commonsense legislation so that we can reward companies that restore and create made-in-America jobs—jobs that shore up our economy and bolster our global competitiveness.

Thank you, Mr. President. I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I ask unanimous consent to make my statement.

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

SENATE DYSFUNCTION

Mr. HATCH. Mr. President, I rise today to speak about the unique and essential role of the Senate in our constitutional system of government. In doing so, I am of course addressing the American people whom we all serve, but my message today is intended especially for my colleagues in this body.

I had the honor of serving here for more than three decades with one of my closest and dearest friends, the late Ted Kennedy. Our friendship inevitably invited others to describe us as the Senate's odd couple given the vast differences in our backgrounds and our outlooks and because of the many fights we had on the floor as well as the many successes we had together. But my friendship with Teddy flourished, as did our legislative partnerships. Even with polar-opposite political philosophies, we were able to find significant areas of mutual agreement, and we both maintained a great affection for the Senate—an institution to which we had each devoted most of our adult lives.

Toward the end of his life, as Teddy suffered through the terrible affliction that eventually took him from us, he watched his beloved Senate with growing concern. He observed a growing dysfunction beginning to overcome this body. He believed this institution, which he loved so dearly, was breaking down. The man rightly described as the liberal lion of the Senate concluded that this body was no longer working as it must.

My friend Teddy was right, and the Senate has only gotten worse since he diagnosed its ills several years ago. The Senate is more dysfunctional today than at any other point during my nearly four decades as a Member of this body.

I am not alone in this assessment. Former colleagues from both political parties—from Chris Dodd to Olympia Snowe—have spoken out with great passion about the breakdown of the Senate as an institution. It would be hard to find a current Member of this body who, in moments of honest reflection, did not feel as if the Senate is in many respects broken.

Most importantly, the American public has lost faith in this body and largely views the Senate as an institution characterized by dysfunction. To say that today Congress is held in low esteem is an understatement. Our approval rating ranges from the teens to the single digits. One survey found that the public has a higher opinion of

brussel sprouts, root canals, and used car salesmen than of Congress. In many respects, this popular assessment is justified. Throughout my 38 years of service in this body, I have never seen it this bad.

For the sake of our country and the well-being of our fellow citizens, we must restore order and function to the Senate so we can fulfill our constitutional responsibilities and once again conduct the people's business.

In reflecting on the past four decades in the Senate, I have come to realize that I possess an increasingly unique perspective. I have been in the majority for a total of 16 years and in the minority for a total of 22 years. I have served in this body with eight different majority leaders, four Republicans and four Democrats. By contrast, the majority of my colleagues—56, to be precise—have served in the Senate only during the tenure of the current majority leader. Nearly as many have served alongside only the current President. These numbers will increase in the coming months with the retirement of six of our senior colleagues and the potential electoral defeat of others.

To my colleagues who as a matter of firsthand experience don't know anything different, let me say this: The Senate has not always been as dysfunctional as it is today. Quite the opposite. Until recently, this Chamber often lived up to its reputation as the world's greatest deliberative body. We regularly worked together in an orderly and constructive fashion to advance the common good, and we routinely defended our institutional prerogatives against executive encroachment. Unfortunately, none of that is true of the Senate today.

I intend to speak in greater detail later this week about what I believe ails the Senate and how we can restore the health and dignity of this venerable institution. But to understand where we have come from and just how far we have strayed, we must begin at the beginning.

Remarking on the deliberations of the Constitutional Convention, James Madison wisely observed that in determining the form the Senate should take, it was necessary to consider the purposes it would serve. The Framers were clear about these objectives. The Senate was to serve as a necessary fence against what they described as the fickleness and passion that drives popular pressure for hasty and ill-considered lawmaking—what Edward Randolph called ''the turbulence and follies of democracy.'' In fulfilling this purpose, the Senate was to be a place of thoughtful deliberation, an assembly dedicated to careful scrutiny, and a body with great concern for the sovereign States and the individual liberties of all Americans. These were to be the purpose of the Senate. Its institutional design followed directly from these principles.

The relatively small membership of the Senate would amplify the importance of each individual Senator as opposed to Chamber leaders or large voting blocs. Unlike in the House of Representatives, where robust participation by individual Members would be impossibly cumbersome, in this body each Senator could become intimately involved in all aspects of the Chamber's deliberation and debate. Longer terms would allow Senators to resist initially popular but ultimately unwise legislation and allow for vindication of this more measured approach prior to facing reelection. Staggered terms would create a continuing body that could temper unwieldy swings of public passion. Statewide constituencies would require appealing to a broader set of interests than more narrow and homogenous House districts.

In addition, the Senate's authority to determine its own rules would allow the gradual development of traditions and precedents unique to this body and essential to its ends. Building upon the Constitution's defining institutional contours, these historic rules and traditions have shaped the Senate into a body that Gladstone called ''the most remarkable of all of the inventions of modern politics.''

The Senate's most characteristic operating procedure became unanimous consent, which requires the agreement of not just a majority or even a supermajority but of all Senators.

As Senate Parliamentarian emeritus Robert Dove testified before the Rules Committee in April of 2010, the two key features that have come to define to Senate through its history are ''the right of its members to unlimited debate and the right to offer amendments practically without limit.'' With these historic rules and defining modes of operation—unlimited debate and amendments—the Senate rightfully earned the title of the world's greatest deliberative body.

In his 1897 farewell address, the first Adlai Stevenson, then Vice President, captured the essence of the Senate:

> In this Chamber alone are preserved without restraint two essentials of wise legislation and good government: the right of amendment and of debate. Great evils often result from hasty legislation; [but] rarely from the delay which follows full discussion and deliberation.

Stevenson went on to locate in the Senate's time-honored rules and traditions the very foundation of our Republic:

> The historic Senate—preserving the unrestricted right of amendment and debate, maintaining intact the time-honored parliamentary methods and amenities which unfailingly secure action after deliberation—possesses in our scheme of government a value which cannot be measured by words.

In keeping with its institutional design and longstanding traditions throughout most of its history, the Senate has engaged in robust discussion and meaningful debate rather than being dominated by partisan grandstanding and cheap political theater; the Senate has sought to chart a path toward the common good rather than simply messaging to particular interests or serving narrow constituencies; the Senate has acted to cultivate common cause and has enabled constructive compromises and accommodations to advance national priorities even during times of great ideological division; and throughout the Senate's history, individual Members have worked to develop meaningful and enduring partnerships with colleagues on both sides of the aisle rather than marching lockstep with their respective parties and simply heightening the divisions in society.

This institution has served the Nation well when adhering to its enduring principles and characteristic practices. Indeed, for most of the last four decades, as I have witnessed firsthand, the Senate's robust deliberation and open amendment process has facilitated and enabled some of the greatest legislative achievements of the modern era.

One of the most historic of such debates in which I took part occurred in my fifth year as a Senator. President Reagan took office in 1981 facing enormous challenges—stagflation, out-of-control spending, a crushing tax burden, and an underfunded military. His first legislative priority was to cut marginal tax rates, restrain Federal spending, and bolster our national defense. As part of the vanguard of the Reagan revolution in the Senate, I steadfastly supported these policies and campaigned tirelessly to enact these landmark reforms.

In the Democrat-controlled House, the drama unfolded predictably between party leadership and various voting blocs, with conservative Democrats eventually joining Republicans to support what became the Gramm-Latta budget. But in the Republican-majority Senate, while debate was equally passionate, our deliberation was of a very different sort. We discussed many of the legislative provisions at length and voted on dozens of amendments from Senators of both parties covering a wide range of subjects. Many were tough votes on heart-wrenching issues—from child nutrition to cost-of-living adjustments for seniors—but we took those tough votes and ultimately made the difficult choices necessary to usher in unprecedented economic growth.

By allowing numerous votes on minority amendments, Democrats received the hearing they deserved on the issues about which they cared most, and having had the opportunity to fight for their causes, many of these Senators rightly felt they had done everything possible to improve the underlying bill. So when it came to final passage, the Senate's budget passed overwhelmingly by a vote of 88 to 10.

Given the nature of the reforms, that margin was striking. It demonstrates that the opportunity for extended deliberation and an open amendment process tends to yield a final product that can win broad support by giving Members confidence that the ultimate

result represents the considered judgment of the whole Senate.

From the perspective of committed conservatives such as President Reagan and myself, the final amended Senate bill was far from ideal. In the end, while we won support for the tax cuts that spurred growth and for the defense buildup that helped win the Cold War, we could not convince Congress to make meaningful cuts to Federal spending or even to restrain the growth of Federal spending. But to have opposed the final package because it wasn't perfect, because it only achieved some of our goals, would have been madness. Absent passage of the final bill's reforms, the central accomplishments of the Reagan years would never have come to fruition.

In reflecting on how the Senate can and should work, let me also commend the Balanced Budget Act of 1997. I am struck by the similarities between the 1996 election and the 2012 election when voters reelected a Democrat to the White House and a Republican majority to the House. Back then, both sides understood the voters' mandate to seek areas of agreement and develop consensus wherever possible—in short, to set aside partisanship and work together for the common good on the critical issues of the day.

Republicans wanted significant tax cuts and spending controls that many Democrats opposed. Democrats—led by my friend Senator Kennedy—had for years sought an expansion of health care to uninsured children who neither qualified for Medicaid nor had families who could afford health coverage. The debate that transpired over these measures seems almost foreign in today's Senate. Rather than being presented with a final bill as a fait accompli, we had a truly deliberative committee process, a meaningful floor debate, and the opportunity to vote on numerous amendments.

Ted Kennedy and I used the opportunity of an open process to make a key step toward consensus. Teddy was wise enough to realize that I shared his desire to provide health care for uninsured kids who were in need, and I recognized that he was open to innovative means of delivering that care and did not insist on an inflexible, big government bureaucracy to control it. Together, we crafted an amendment that created the State Children's Health Insurance Program—fully paid for, with flexible means of delivery and true State authority over the program. SCHIP is not beloved by ideological purists, especially on the right. But I believe its approach is fully compatible with my conservative principles and a model for a basic, efficient social safety net run by the States.

More importantly, our partnership on this issue demonstrates how the Senate ought to work. This Chamber provides a unique environment—its constructive character, its respect for individual Senators' participation in the legislative process, its forum for thoughtful deliberation, and its open amendment process. Without these, we could never have passed SCHIP and the larger 1997 budget—that was a budget compromise—of which it was a part.

The same is true of the Religious Freedom Restoration Act, which has since served to safeguard fundamental individual liberties, and the Antiterrorism and Effective Death Penalty Act, which is arguably the most important law enforcement measure of the last half century, and so many other landmark accomplishments of the Senate during my time here.

I am proud to have played a role in shaping each of these laws—as part of a constructive legislative process that was possible only as a direct result of the Senate's longstanding rules and traditions. Without this body's characteristic structure and mode of operation, which facilitates meaningful deliberation and ultimate cooperation between diverse viewpoints, such legislative achievements could never have occurred.

Throughout its history, the Senate has advanced the common good—not simply through refining public opinion and translating it into well-considered legislation but also because this body has defended its institutional prerogatives and essential role in our system of constitutional government.

Senators of both political parties have often stood up to executive encroachment—not for partisan gain or political grandstanding but in defense of Congress as a coordinate and coequal branch of government with its own essential authorities and responsibilities.

Implicit in the constitutional design of separating the Federal Government's powers is the idea that each branch would have the incentive and authority to resist encroachments from the other branches, ensuring that unfettered power is not concentrated in any one set of hands.

The Founders recognized this as indispensable to preserving the individual liberty of all citizens. For as Madison counseled in Federalist 51: ''[T]he greatest security against a gradual concentration of the several powers in the same department consists in giving to those who administer each department the necessary constitutional means and personal motives to resist encroachments of the others.''

Senator Robert C. Byrd of West Virginia embodied this institutional ideal as much as anyone with whom I have served. Although he helped lead this body for more than a half century and left us just 4 short years ago, I was surprised and dismayed to learn that a full third of current Members never served alongside him.

Senator Byrd fiercely defended this body's prerogatives and independence against the encroachments of the executive branch. And he neither censored his criticisms nor weakened his defenses based on the President's political party. Even in his twilight years, when President Obama took office with extraordinarily high approval ratings, Senator Byrd was willing to hold the new President's feet to the fire to defend the Senate's right to give advice and consent to nominees.

He publicly chastised the new White House for its excessive reliance on czars, observing that unconfirmed policy chieftains ''can threaten the Constitutional system of checks and balances. At the worst, White House staff have taken direction and control of programmatic areas that are the statutory responsibility of Senate-confirmed officials.''

In addition to defending the Senate against executive encroachments, Senator Byrd was a stalwart defender of the Senate's most characteristic and historic features. He regularly spoke to newly elected Senators, admonishing each of us before we even took office to learn about the body to which we had been elected and in which we would serve. Senator Byrd was as good as anyone I have ever known at explaining the direct connection between the design of the Senate and the liberty that all Americans cherish.

In November 1996, for example, when speaking to the incoming freshman Senators, he stressed the two most critical and distinguishing features of the Senate's operation. Like so many other students of the Senate, he steadfastly maintained that ''as long as the Senate retains the power to amend and the power of unlimited debate, the liberties of the people will remain secure.'' That was Robert C. Byrd, one of the leading Democrats of all time. Throughout his time in this body, Senator Byrd never abandoned this message. He stood up for the Senate's defining characteristics, no matter which party was in the majority and no matter who occupied the Oval Office. He even took on his own President from time to time.

A few months before his death in 2010, he wrote to his colleagues identifying the right to amend and the right to debate as ''essential to the protection of the liberties of a free people.''

We need a renewed dedication to the special role of the Senate and its institutional prerogatives that Senator Byrd exemplified so well. He was right to counsel incoming colleagues to ''study the Senate in its institutional context, because that is the best way to understand your personal role as a United States Senator . . . [Y]ou must find the time to reflect, to study, to read, and, especially, to understand the absolutely critically important institutional role of the Senate.''

Many of my colleagues—even those with whom I rarely agree—have the potential to be great Senators and statesmen: worthy stewards of this institution, zealous guardians of its prerogatives, and true defenders of its role in our constitutional system of government.

But, sadly, whether blinded by partisan loyalty to the President or too inexperienced to understand the Senate

from any other perspective than having a like-minded Senate majority and President, too many of my colleagues on the other side of the aisle have allowed—even facilitated—the breakdown of the Senate's vital institutions and role.

From our right to debate and amend through regular order, to our role giving advice and consent to the President's nominees, the Senate has emasculated itself. By doing so, we only abandon our responsibilities, discard our authorities, and lay ourselves prostrate before a politically destructive President.

It is past time to restore the Senate's rightful place in our constitutional order. I urge my colleagues—both Democrats and Republicans—to join me, to stand and fight for the greatness of this body and start standing for the rights and the powers of the legislative branch. That is what we are here to do, in addition to enacting good laws. But you cannot enact really great laws without full and fair debate, without full and fair right to amendments. This is a great body, but it has gone downhill a long way over the last number of years. No President deserves total fealty by this body or by his or her party Members in this body.

All I can say is, it is time for us to start acting like the Senate. It is time for us to have full and fair debate. It is time for us to have open amendments. And that goes for Democrats and Republicans.

I thank the Presiding Officer.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Ms. STABENOW. Mr. President, I rise today to speak about something that I think we should all be able to agree on; that is, every American—every American worker—deserves a fair shot to get ahead. One of the great things about our country is that has been a fundamental value or belief, and we need to make sure that value still holds in America right now: If you work hard, you have a chance to have your fair shot to get ahead.

American workers are the best in the world. I can tell you that coming from Michigan, where we make things and grow things, and I am very proud of it. They can outcompete anyone and will win in a fair fight. Unfortunately, too often the fight is not fair today. We see a tax system that is really rigged against jobs in America too many times, and we need to fix that.

Right now our Tax Code contains a shocking loophole that forces taxpayers to foot the bill when companies move jobs overseas. I think most Americans would say: What? Say that again. Companies are packing up and leaving the country, and the Tax Code is rewarding it and we are paying for it?

Workers are forced to pay to ship their own jobs overseas to China or Mexico or other places around the world, and that is something that is very difficult to understand and believe.

Not only do you get laid off, but then you turn around and through your taxes, through tax writeoffs, you are forced to pay for sending your own job overseas. Communities see a factory close, and through their taxes they end up paying for that empty factory in the community. Of course, we have seen way too many in Michigan. Our country sees that.

This is outrageous. It is long past due to end. The good news is we have a chance to fix it tomorrow together on a bipartisan basis. I hope we will have 100 votes of people saying: We want to proceed to the Bring Jobs Home Act.

I want to thank Senator WALSH from Montana for taking the lead. He has very specific stories to tell about what has happened in Montana. Senator MARK PRYOR from Arkansas is the same—very passionate about this. I am very pleased to have the opportunity to join with them as we lead this effort to stand with American businesses that want to stay in America, and workers, families, and communities, and that we send a very strong message about what we think our Tax Code should incentivize by passing the Bring Jobs Home Act. We will have a chance to do that tomorrow.

It is very simple. It closes an outrageous tax loophole that forces taxpayers to foot the bill for companies that move job overseas and replaces it with a tax cut that rewards companies for coming home. In the great State of Michigan we make things. We have always done that. It is part of our identity and our source of pride. It is the backbone of who we are. It is the backbone of the middle class, quite frankly. I do not think we would have a middle class unless we made things and grew things, which is what we do in Michigan. I know that is done in West Virginia and around the country. It is certainly what has created the middle class of this country.

But here is what we have seen, because of a number of things. One of those is the Tax Code that does not make sense in terms of keeping jobs here. Between 2000 and 2009, in the last 10 years, 2.4 million jobs were shipped overseas. We have a lot of different ways we want to turn that around. In fact, it is being turned around for a number of reasons now. We are beginning to see them come back. But 2.4 million jobs shipped overseas.

To add insult to injury, the American taxpayers were asked to foot the bill. That is just the bottom line. So what you see is people who have worked all of their lives for a paycheck get a pink slip instead. They played by the rules, but they were left on the sidelines. The company takes the jobs overseas and gets a tax break for shipping jobs overseas.

When the Tax Code creates incentives to ship jobs overseas, it is a sign there is something seriously wrong. We have an opportunity to fix it. It starts tomorrow. Our Chair of the Finance Committee, Senator WYDEN from Oregon, believes this as fiercely as I do, that we need to fix this. I am so proud to be a part of his committee. I know he is committed to making our system more competitive in a global economy. We need to do that. But right now we can close a tax loophole. We have to close a tax loophole so we can stop the flow of jobs going overseas. That is the least we can do. In fact, we should be adding to this first step by stop paying for the move.

We ought to be closing the loophole that allows folks to act as though they are moving on paper, an inversion, when they do not actually move the plant. We ought to be focusing instead on how we are all in this ship together in America paying our fair share and moving the country forward, creating jobs, opportunity, strengthening the middle class.

We still have more jobs leaving than coming back, but we do have a number of companies that are doing the right thing. We need to support them. The smart thing they are doing is bringing jobs back. They are bringing them back to Michigan and to States all across the country. We say welcome back and we say thank you. We should reward these companies. For those companies that are still on the fence about whether to bring jobs back to America, we should help them make up their minds by giving them new tax incentives.

The Bring Jobs Home Act will not only end the practice of allowing companies to deduct the expenses of sending a job overseas, it will also allow companies coming back to deduct their expenses and give them an additional 20-percent tax credit for the cost of bringing jobs back.

This is very simple. Stop the subsidy that is paying for shipping our jobs overseas. Allow the tax writeoff to bring jobs back. Add to it an additional tax cut of 20 percent in order to be able to support our companies that are doing the right thing.

We have got a lot of examples of companies doing the right thing right now. For example, Whirlpool realized it needed to respond more quickly to customer requests in the United States and Canada, so they moved their washing machine manufacturing operations back from Mexico and Germany into Ohio.

GE used to make its hybrid water heater in China. The company needed to trim international shipping costs and wanted more control of the product. They brought manufacturing of appliances back to the United States.

But we are not just talking about manufacturing jobs, which of course

are so very important. Again, GE realized it needed the kind of IT engineering talent it could only find in Michigan. So work that was being done in India is now being done in Van Buren Township in Michigan, as they brought jobs home.

We know that because of the explosion in natural gas and the current low prices, this is an incentive. I want to thank the Presiding Officer for his understanding of that and the importance of supporting American manufacturing, American businesses. We have a number of advantages right now to bring jobs home, to create jobs in America, including not only low energy costs but the finest workers in the world.

We have creative minds with new ideas and hard work and innovation at university labs, and public research and public-private partnerships that are going on, forging technology, empowering world-class innovation. So there is a lot we can be proud of. Manufacturing is, in fact, coming back.

I am proud that part of that is we stood with our American automobile industry at a time when they needed America to be with them and keep manufacturing jobs.

More than 12 million Americans are working in manufacturing today. We created 7,000 new manufacturing jobs in Michigan last month alone. So we have the right policies. We can continue to keep that going. We are at such a tipping point. We are in a situation where we are saying: Okay, you can write off the move; hey, you do not even have to move; you can just change the paperwork, going through these changes of the inversion, and still get all of the benefits of America: the cleanest air and water, and our innovation, education, and roads, and all of the things that are great about America but you are allowed to just change the paperwork and avoid contributing as Americans, to strengthening and being a part of our country.

We are at a tipping point. We have to make some changes that make it very clear whose side we are on. If we want everybody to have a fair shot, part of that is starting with a Tax Code that actually incentivizes a fair shot, not a system that is rigged against the people going to work every day, working hard, trying to get ahead, playing by the rules, all of that which we have grown up believing was the right thing to do in America. We have to make sure the Tax Code reflects the right values and the right policies.

So we are at a point now where we need to put in place the Bring Jobs Home Act. That is going to nudge some of those companies. We need to make some other changes that are going to make it very clear that we want and are committed to jobs in America, manufacturing in America, IT innovation in America, all the other work we can do so well.

You know, if we do not speed this up, at the current rate of jobs coming home, it is going to take us 100 years to bring back all of the jobs we have lost throughout this time. We can do better than that. We have to do better than that. The good news is, we have the power to speed up this process by putting in place the right policies, giving the companies that want to do the right thing the right incentives, the incentives to bring jobs home.

It is time for our Tax Code to stop working against workers, families, communities, and the businesses that are in America, and start working for Americans, for the American middle class. It is smart tax policy we are talking about. I think it is plain old common sense. People in Michigan kind of look at this and go: Why are you even debating this? Why do you have to have a motion about proceeding to this bill? Why is that not something everyone agrees to on a voice vote? People cannot believe we are doing this in our Tax Code. So this is a very important step. We can do this on a bipartisan basis.

I know we have colleagues who are concerned about what is happening on both sides of the aisle. Now is the time to show we can come together and make sure we have the jobs we want for our children and our grandchildren, the next generation. I hope we see an overwhelming bipartisan vote tomorrow.

I cannot think of a single reason why anybody would be opposed to the Bring Jobs Home Act. Why would anyone be opposed to giving every American a fair shot, giving every worker a fair shot to a good job and the ability to care for their families and get ahead? A strong bipartisan vote would send a wonderful message that we can work together, that we get it, that this country will not succeed if it is just about a privileged few and everybody else losing ground, losing the grip to the middle class or having no chance to get into the middle class.

This is an opportunity, with our vote tomorrow, to not only bring jobs home but support the American middle class.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. REED. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

60TH ANNIVERSARY OF THE NEWPORT JAZZ FESTIVAL

Mr. REED. Mr. President, today I rise to recognize the 60th anniversary of a Rhode Island institution, the Newport Jazz Festival. At this time, I wish to yield to my colleague Senator WHITEHOUSE for his reflections on the Newport Jazz Festival. After he speaks, I will give my statement on this remarkable Rhode Island event. I yield now to my colleague.

Mr. WHITEHOUSE. I am delighted that Senator REED organized for the two of us to come down to the floor today.

Newport, RI, is a venue for many wonderful and remarkable events, from the America's Cup of the old day, to the Volvo Around the World ocean races now, to the Newport Folk Festival, and, of course, what we are here to celebrate today is the Newport Jazz Festival, celebrating its 60th anniversary.

Since 1954, this festival has provided generations of Rhode Islanders and visitors with the opportunity to experience some of the world's finest jazz music, and it has brought countless visitors to our Ocean State to witness these performances and enjoy our other great Rhode Island beaches and other amenities.

The Newport Jazz Festival began as the brainchild of Elaine and Lewis Lorillard, who financed the first festival as a way to bring some outdoor excitement and activity to Newport in the summer. In what would become a historic partnership, they reached out to George Wein, a Boston jazz club owner, to help them organize the event. Their creation became one of the first dedicated jazz festivals in the United States and ultimately came to shape the genre in ways they never could have anticipated.

The first festival was held on July 17 and 18, 1954, and included some of the finest performers ever to grace the stage, including Ella Fitzgerald, Billie Holiday, and Dizzy Gillespie. Held at the Newport Casino in Newport's Bellevue Avenue Historic District, that first festival included outdoor performances that allowed attendees to sit on the lawn and enjoy a beautiful Rhode Island summer day while reveling in the music. The event garnered national media attention, and it drew over 13,000 people to Newport on its very first start.

In the 60 years since that first festival, Newport has served as the backdrop for some of the most notable performances in the history of jazz. It was at the Newport Jazz Festival that Miles Davis first introduced the world to what would become known as hard bop jazz, mixing in sounds from the blues and gospel music. Duke Ellington's performance at the 1956 festival of ''Diminuendo and Crescendo in Blue'' is considered one of the greatest single performances in the history of jazz and revitalized Ellington's career. A number of performances at the festival have gone on to be released as independent albums, including acts from Ella Fitzgerald, Ray Charles, Nina Simone, and Miles Davis. The list of legendary performances goes on, with every year bringing a new crop of inventive jazz musicians to put their own mark on the festival's history and on their original art form.

Since his original partnering with the Lorillards in 1953, George Wein has gone on to replicate his success in Newport throughout the country, while maintaining Rhode Island's event as

the flagship in the industry. He will do so again this year, still going strong as he closes in on his 89th birthday.

Under his leadership, on Friday, August 1, Newport will welcome thousands of eager music lovers looking to hear the best performers in modern jazz. The ticket this year includes Wynton Marsalis, Trombone Shorty, David Sanborn, and many others.

Additionally, in commemoration of this 60th anniversary, the festival will for the first time run for 3 full days, with shows lasting through the weekend.

The festival no longer takes place at the Newport Casino, as it has outgrown that original home and it has expanded to three stages that are set up on Narragansett Bay at the historic Fort Adams State Park, looking out on the Newport Bridge and the East Passage, with the ships sailing by. However, the Newport Jazz Festival still provides guests with the same opportunity it did 60 years ago to come and enjoy the Rhode Island summer and hear up close some of the finest jazz in the world.

I join my senior colleague Senator REED in applauding the city of Newport for its outstanding commitment to the arts, and I thank so many dedicated individuals who have worked so hard over those 60 years to keep this wonderful tradition alive. I look forward to another 60 years of amazing jazz in Rhode Island. I once again thank my senior Senator for organizing us to be on the floor together for this recognition.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. I thank Senator WHITEHOUSE for his eloquent remarks about the jazz festival, which is a great Rhode Island institution. Indeed, it is a great American invention.

The Newport Jazz Festival owes its beginnings to the vision and financial backing of Elaine and Louis Lorillard, who in 1954 wanted to do something with jazz in their community in Newport. Through their collaboration with George Wein, a jazz pianist and club owner with a vision, the jazz festival was born. Today the festival has grown to be one of the largest and most well-known jazz festivals in the Nation—indeed, I would say the world—attracting a whole new generation of artists and music fans. It also helped pave the way for the creation of the Newport Folk Festival—another pillar of the music festival community.

George Wein, in producing the Newport Jazz Festival, did not set out to change the world; he set out to make great music. But, as history has shown, great music and great art can change the world. What George Wein did over many summers was produce something more than extraordinary festivals; he produced the soundtrack of freedom for a generation of Americans.

Since its founding, the Newport Jazz Festival has seen an eclectic range of performers—emerging and established—many at the peak of their art—all embellishing their credentials through their performances. From Duke Ellington, to Frank Sinatra, to Led Zeppelin, the Newport Jazz Festival has seen them all. Its ongoing mission is to celebrate jazz music and to make the case for its relevance.

The 60th anniversary festival stays true to its core mission. It will kick off on August 1, 2014, and is scheduled to feature a variety of talent over 3 days, including Wynton Marsalis playing with the Jazz at Lincoln Center Orchestra, Trombone Shorty, and Dr. John. It will also include one musician who played at the inaugural Newport Jazz Festival, Lee Konitz.

Newport continues to attract top-notch performers and is still a must-see event for jazz and music aficionados alike.

I would also like to recognize the impact the Newport Jazz Festival has had and continues to have in our great State of Rhode Island. Each year, the thousands who flock to Newport to witness the festival also have an opportunity to experience the treasure of a Rhode Island summer. In this way the Newport Jazz Festival has served as a major source of tourism—an important industry for our State—and should be viewed as a model for other communities to follow.

I am proud to call the Newport Jazz Festival a home State event. On this milestone anniversary, I wish to congratulate my dear friend George Wein, the festival board, and all those who have worked and those who continue to work to put this outstanding event forward each year. Best wishes on a successful 60th anniversary festival and for continued success in the future.

CONGRATULATING THE NEWPORT JAZZ FESTIVAL

Mr. REED. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 510, submitted earlier today by Senator WHITEHOUSE and me.

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

The bill clerk read as follows:

A resolution (S. Res. 510) congratulating the Newport Jazz Festival on its 60th anniversary.

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

Mr. REED. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 510) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. VITTER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

BORDER CRISIS

Mr. VITTER. Mr. President, today I wish to speak about a pressing issue—really, a crisis, and I don't use that word lightly—of some 52,000 unaccompanied alien children streaming across our southern border with Mexico, coming into our country, and that number is continuing to grow. In fact, the Obama administration itself says that number could reach 90,000 or more by the end of the fiscal year on October 1—in just a few months.

Again, this is a crisis on many levels. It is a border crises. It is a national security crisis. It is a humanitarian crisis. It is a fiscal issue for our country. It is a very serious situation.

I talked about it on the floor last week and laid out, broadly speaking, the policy response I think we need to have so this flow does not continue to grow. Today I come back to the floor, and I wish to speak about two things—specifics I have learned about how this crisis is specifically affecting Louisiana. I am really concerned about that. I am sure every Member here is concerned about the direct impact on their State.

No. 2, there is legislation I have introduced to directly respond to this crisis. Again, it is a real crisis.

In Louisiana, just in the last week or so, I have learned a number of specifics that are significant and continue to raise my concerns. I wrote the Secretary of Homeland Security asking a number of detailed questions some time ago, including about impacts on Louisiana. Unfortunately, I have heard nothing from the Department. I have received no response yet to that letter. I will follow up and get a response. In the meantime, these are specifics I am hearing from other reliable sources:

First of all, the Hirsch Memorial Coliseum in Shreveport, LA, has been apparently contacted by the Department of Homeland Security about locating space for the housing of illegal minors—setting up a camp, a facility specifically for that. No Member of our delegation was contacted. I had asked specific questions about any activity impacting Louisiana. I wasn't told, but they were contacted directly.

This isn't happening. It is impractical. It can't happen at the Hirsch Memorial Coliseum. They have many commitments and a lot of things they need to do there. So I don't think there is any chance of this sort of detention facility being set up there. But they were contacted.

In addition, there are thousands of new ICE cases regarding unaccompanied alien children. First of all, before the current crisis began there was a backlog of these UAC cases being sent to Louisiana with family members or sponsors. So there is a backlog of about 2,000 cases. Apparently, since

this crisis started developing in the last several months, we have 1,259 new juvenile cases for Louisiana alone. That is a significant number for a State the size of Louisiana.

We believe these are folks being sent through the Chicago detention facility to be united with family members or other sponsors in Louisiana. Again, this is exactly the sort of thing I had asked the Department of Homeland Security about. I haven't received any response to my letter. I haven't received any official formal response to my specific questions. We have had to learn this through other sources, talking to some ICE officials and others directly. This is really concerning. If this is going on in Louisiana, this is going on in every State of the country, and it underscores what a serious situation and in fact a crisis on many different levels this is.

That is why last week I introduced legislation to try to address this very serious situation, this border crisis. I introduced S. 2632 to address specifically the UAC issue. I will outline broadly what it will do.

Broadly speaking, it will make sure we detain these individuals, don't release them to relatives, family members, sponsors—don't release them out into society but detain them, and have a much quicker, more efficient process for deporting them and returning them to their home countries. Specifically, we would have mandatory detention of all unaccompanied alien children—UACs—upon apprehension.

No. 2, we would amend TVPRA to bring parity between UACs from contiguous and noncontiguous countries. As most Senators know, we have a more streamlined, workable process for unaccompanied alien children from contiguous countries—namely, Mexico as well as Canada—but it is much more of an issue with Mexico. We would bring noncontiguous countries—Central and South American countries apart from Mexico—into the same category and treat those aliens the same way.

Third, those UACs that do not voluntarily depart—which is part of the process dealing with Mexican UACs—will be immediately placed in a streamlined removal process and detained by the Department of Homeland Security. Currently, UACs are transferred to HHS and their Office of Refugee Resettlement, where they, quite frankly, disappear into the United States. They are reunited with parents or sponsors living in the United States, often illegally. What that means as a practical matter is they essentially disappear into our country.

Fourth, anyone with gang affiliations, whether those affiliations are renounced or not, will be immediately placed in expedited removal proceedings under INA 235(b). Therefore, that would make them ineligible for asylum status.

Fifth, we would raise the standard for asylum determinations, from a standard where it is now ''credible fear,'' which is extremely subjective and, quite frankly, a standard that is too easy for these folks to meet, simply by repeating the right magic words which they learn about as they come here. We would raise that standard from ''credible fear'' to ''substantiated fear of persecution.''

Sixth, within 72 hours of an initial screening, all UACs found not to have a claim for asylum will be given a final removal order and placed on the next available flight to their home country, subject to determinations of cost, feasibility, and any repatriation agreements with their home country.

Seventh, a final order of removal is not subject to review and sets, as a minimum, a 10-year bar to reentry.

Eighth, upon apprehension, biometric data—including, but not limited to, photographs and fingerprints—will be collected for future enforcement use.

Ninth, and finally, the Department of Homeland Security will report annually to Congress on the number of apprehensions, the number of removals, the number of voluntary departures, et cetera. And specifically, in no event shall a voluntary departure be counted as a deportation.

Now, what does all this mean? It is a very detailed bill. We put great time and effort into the specifics of the legislation. We need to get the specifics right. But what does it mean? It means we are stopping catch and release. It means we are stopping simply releasing these folks out into the country, to family members or to sponsors, where they are usually never heard from again. They don't show up for court dates and they don't respond to any enforcement actions. Catch and release is a complete failure because it essentially means being released in the country for an extended period of time, and it means we retain control and detention and then have a quick, efficient process for removing them from the country. That is the only way we will stem this increasing flow—still increasing. The number of unaccompanied alien children is still mounting and mounting and mounting.

I called this a crisis at the beginning of my remarks, and it is. It is a crisis on many different levels. It is a border crisis, it is a law enforcement crisis, and it is a fiscal issue. As many folks have correctly said—particularly on the left—it is a humanitarian crisis.

The biggest threat to these individuals in humanitarian terms is the fact that they are entrusted and put in the hands of outright criminal gangs, often drug lords and drug gangs, coyotes—folks who do not have their best interests in mind, and very often in that process they are abused in multiple ways. That is a humanitarian travesty and it is a humanitarian crisis.

The problem is we have a policy right now that encourages that treatment and allows for those numbers to grow and not to be brought back down to zero. We need a different policy that discourages and stops that. Fundamentally, the way to do that is to apprehend these individuals, and instead of releasing them into the country—which means the illegal gang smuggling operation has been successful—quickly and efficiently deport them back to their home country. That is the only action which will reverse the message that has gone out far and wide in Central and South America, which is to send your minors because President Obama has an Executive order that says we won't prosecute them. That is the message that has been heard and the fundamental message we have to reverse, and you only reverse that message if you reverse the policy through specific actions such as what I have described.

This is a graph which very clearly shows that deportations of this class of illegal aliens have plummeted under President Obama. President Obama often points to a change in the law in 2008 that was part of that equation. He complained about that for weeks and weeks when this crisis first hit the front page of the paper. The problem is when it comes to his proposal which was sent to Congress about how to deal with the crisis, he didn't ask to change the law. He didn't ask for any new authority to expedite the removal process. All he asked for was $3.9 billion, largely for the housing and feeding of these aliens and not for expedited and effective removal. That is what we need to change. This trendline is what we need to change in order to address the problem and stop this mounting flow and crisis at our border.

I hope we act in a responsible way by adopting this sort of policy and catch and release and detain these folks. Of course we need to treat them humanely and provide what we need to provide for them in the limited period of time we have them detained, but don't release them into the country with family members and often other illegals or sponsors. Detain them and deport them to their home countries. That is the only appropriate response which will stop this crisis from continuing to grow and stop the abuses and humanitarian crisis from continuing to grow.

I encourage my colleagues to come around to this commonsense solution. The American people have already done that. Have a townhall meeting on this. I don't care what State you come from. Look at the polling on this issue. The American people have already reached this commonsense consensus. The question is, is Washington going to catch up and follow? Are we going to reach the same commonsense consensus and respond in a commonsense way that solves the problem rather than just growing it or throwing money at it?

I encourage all of us from both sides of the aisle to come around to this sort of consensus approach. Of course I favor the specific legislation I have filed, S. 2632, but it doesn't have to be exactly that vehicle. It does have to be

that general approach in order to stop this mounting flood of illegals at our southern border and to deal with this crisis—including the humanitarian crisis—effectively rather than continuing to deal with it in a way where the numbers, the burden, the crisis, and the abuses continue to grow.

In closing, I will say I am, again, very concerned, as I am sure every Member in this body is, about the specific impact to my State. I mentioned some of those impacts. I didn't get those details from the Department of Homeland Security even though I specifically asked for that from the Department. I have had no real cooperation or information from the Department. I had to search out that information from other reliable sources. I will continue to do that, and I will continue to get the word out to Louisianans because they deserve to know what our State and communities may be dealing with.

In the meantime I hope the Department of Homeland Security will actually answer my letter, answer my questions, and give us the details directly so we all know exactly what we are dealing with as a country and in our individual States.

I thank the Presiding Officer, yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. WARREN). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

SUPPORTING DISABILITY RIGHTS MILESTONES

Mr. HARKIN. Madam President, this is a very important week for Americans with disabilities. Just a few hours ago, at the White House, the President signed the Workforce Innovation and Opportunity Act which includes a reauthorization of the Rehabilitation Act. This will ensure that young people with disabilities have the skills and experiences to enter into competitive integrated work settings and will be ready to be economically self-sufficient—one of the key goals of the Americans with Disabilities Act.

This bill received extraordinary bipartisan support from an overwhelming majority of Democrats and Republicans. The final vote in the House was 415 to 6 and the final vote in the Senate was 95 to 3. This is a great testament to the bipartisan support in Congress for advancing the rights and opportunities of people with disabilities in the United States.

Also this week, on Saturday, July 26, we will celebrate the 24th anniversary of the signing of the Americans with Disabilities Act by then-President George Herbert Walker Bush. As the chief Senate sponsor of that law in 1990, I worked closely with Senate and House colleagues on both sides of the aisle to advance the bill. Again, we couldn't have succeeded without the strong and active support of a Republican President, George H.W. Bush, and key members of his cabinet.

When we passed the ADA, as it is known, 24 years ago, the vote was overwhelmingly bipartisan. In the Senate, we passed it by a vote of 91 to 6, and in the House it was 403 to 20. So not only were the votes bipartisan, the arduous work of crafting the ADA and getting it to that point was also bipartisan. I worked shoulder to shoulder with indispensable partners, including Boyden Gray, President Bush's White House Counsel; Richard Thornburgh, Attorney General of the United States at that time; and here in the Senate Senator Bob Dole, who was so key in helping us to move this legislation forward at that time.

Senator Dole was instrumental. In fact, I always remind my colleagues the first speech Senator Dole ever gave on the Senate floor when he was elected to the Senate—his maiden speech—was on that topic, the topic of people with disabilities and their rights and how there should be more opportunity for people with disabilities. It was a great speech.

I think it is also known that today is Senator Dole's birthday. So I, and I am sure my colleagues will join with me, am wishing Senator Dole a very happy birthday today and asking to recommit ourselves, as he did at that time, to work in a bipartisan fashion to make sure people with disabilities not only in this country but around the world have more opportunities to live a full and meaningful life. So happy birthday, Bob Dole. We worked together for a long time on these issues.

Today is another interesting day. Today, the Senate Foreign Relations Committee, on a bipartisan vote of 12 to 6, passed out of the committee the United Nations treaty on disabilities, formally known as the Convention on the Rights of Persons with Disabilities. A major part of my remarks today is about the United Nations treaty, now known as the Convention on the Rights of Persons with Disabilities—or the shorthand version is CRPD as it is known here and globally.

For most of our recent history, support for disability rights, as I have just mentioned, has been across the political spectrum. But now, as the full Senate looks ahead to the consideration of the Convention on the Rights of Persons with Disabilities, we are beginning to see an unfortunate erosion of the bipartisan support for disability policy.

Now, again, I wish to make clear that the Foreign Relations Committee reported the bill out this morning on a 12-to-6 vote. It was bipartisan. A couple things are in order: first, a recap of the history; and secondly, a very profound thank you to Senator BOB MENENDEZ, the chairman of the Foreign Relations Committee, for his tremendous leadership in crafting and getting this bill through this Congress in his committee. I have spoken with Senator MENENDEZ many times about this issue. He has been dogged in his pursuit of getting a bill and getting it through the committee and to the Senate floor. And it hasn't been easy, quite frankly. Again, I will recap a little bit of that history for the benefit of my fellow Senators who may not follow this as closely as I follow it.

Again, this convention came through the committee this morning. It is now awaiting a 24-hour layover before it can go on the executive calendar. As I said, there has been some erosion in the bipartisan support for disability policy, but it is limited because I think most Republicans and Democrats agree there is no objective reason for partisan discord when it comes to disability rights. Senator JOHN MCCAIN is a tremendous supporter of disability rights and was with us when we passed the ADA in 1990 and was, again, a strong supporter at that time. He has been a strong supporter of the Individuals with Disabilities Education Act and other legislation dealing with disability rights, including disability rights amendments we passed in 2008. So Senator MCCAIN has long been a strong supporter of enhancing and improving the rights of people with disabilities to have a full and meaningful life—to be able to have the opportunity to go to school, to learn, be educated, and to have people work and to live independently.

So here is what Senator MCCAIN said this morning in support of this disability treaty. He said: ''Ratifying this treaty affirms our leadership on disability rights and shows the rest of the world our leadership commitment continues.''

Senator MARK KIRK is not a member of the committee but he said this about the disability treaty:

> I want to say as a recently disabled American . . . how important it is to adopt this Convention . . . Too often we have a problem of thinking of our veterans as victims. They are victors. . . . This convention allows people to become victors instead of victims.

And again, one of the true giants of the Senate, former Senator Bob Dole, who, as I mentioned, celebrates a birthday today—had this to say about this disability treaty:

> U.S. ratification of the CRPD will increase the ability of the United States to improve physical, technological, and communication access in other countries, thereby helping to ensure that Americans—particularly, many thousands of disabled American veterans—have equal opportunities to live, work, and travel abroad.

The fact is this treaty is supported by many respected, thoughtful, conservative Republican leaders. I can cite many more statements from colleagues and other Republicans. The simple truth is that Republican leaders who care deeply about our Nation's sovereignty are equally impassioned in their support of this disability treaty.

So the Convention on the Rights of Persons with Disabilities does not need to be and should not be a partisan issue, despite the misguided efforts of

some to make it so. It is deeply unfortunate that narrowly focused opposition from groups with special interests that are far afield of the bipartisan consensus in support of disability rights have tried to drag this treaty into partisan warfare. These groups have spread fear about some imaginary, hypothetical, unreal loss of U.S. sovereignty. They try to scare parents into thinking they are going to lose control of the education of their children or that they won't be able to home school their children or they have raised the issue of abortion, which has nothing whatsoever to do with this treaty. None of these things are relevant to or are embedded in the treaty.

What we are seeing here is an action by some narrow special interest groups to advance their intentions by making utterly unfounded claims about the disability treaty.

So, again, this is rhetoric we should not be listening to. We should listen to the voices of the better angels of our nature. This is an important convention, an important treaty.

Even as recently as this morning I heard that in the Foreign Relations Committee someone raised the issue of sovereignty. Well, we passed a lot of treaties here in the past—lots of treaties over the lifetime of our Nation. Are we less sovereign today than we were 10 years ago? Are we less sovereign than we were 30, 50, 100 years ago? I would have to have someone prove to me how we have lost our sovereignty. We haven't—not at all. And in every treaty that we have signed in the past, there is always a clause in the reservations, understandings, and declarations that attaches to the resolution we pass here on the treaty. There is always one clause that is attached and I will read it to my colleagues. It says:

> Supremacy of Constitution. Nothing in the Convention requires or authorizes legislation or other action by the United States of America that is prohibited by the Constitution of the United States, as interpreted by the United States.

That is it. That goes on every treaty we sign. It says, look, we are signing the treaty, but our Constitution is supreme.

Continuing:

> Nothing in this treaty requires or authorizes any action by the United States prohibited by the Constitution as interpreted by the United States of America.

Who interprets the Constitution? The Supreme Court. But then we can always pass amendments and change it—by the United States of America.

So we have offered that this is the same language we ought to attach to this convention—the Convention on the Rights of Persons with Disabilities.

Someone said: We don't know what the United Nations is going to do in the future. We don't know how they might want to change it.

It makes no difference. It makes no difference what the U.N. does in the future. Our Constitution is still supreme, and this is the clause we put on there to say so. We do it on every treaty.

We just passed a treaty here in 1999 that I was involved in—a treaty on the convention on the worst forms of child labor. It has that clause in it. We didn't give up any of our sovereignty by agreeing to that convention on child labor, and we won't give up any of our sovereignty here. So for anyone who is saying they are concerned about our sovereignty on this convention, we can put that clause in, as we have with every other treaty.

There are some Senators here who were here when we passed that treaty in 1999, and they didn't say anything about sovereignty or that they were concerned about sovereignty. But now some are saying they are concerned about sovereignty when it deals with people with disabilities. Why? Why? Why?

In 1999 we passed a convention dealing with the worst forms of child labor—a good treaty, by the way. No one here raised the issue of sovereignty. Today—what, 15 years later—we have a Convention on the Rights of Persons with Disabilities, and a number of people say: Oh, no, we are worried about sovereignty.

Someone please explain this to me. It is not about sovereignty. Anyone who is hiding behind that issue does not want to vote for this treaty for some other reason, but it cannot be the reason of sovereignty.

Now, again, we have to look a little bit at the history of this treaty. The drafters of the convention modeled it after the Americans with Disabilities Act. In fact, if you read it, and you look at the ADA, we informed the United Nations—and I talked to people who have been involved in this in the U.N.—we, our laws, informed the U.N. as to what they ought to do in drafting this convention. Why shouldn't we then be a part of it, take the expertise we have and apply it globally?

So it was drafted. It was sent out to the nations for their adoption. It was sent to our President. Under our system, the President sends this proposed treaty out to all of the Departments of the executive branch, including the Office of Management and Budget to see what budget impact it will have, and their charge is to see what laws do we have to change in order to comply with this treaty or what budget impact does it have.

Well, it takes about a year to get this through all the Departments and agencies. But then, when it came back to the President, guess what: We do not have to change one law—not one—to conform to this treaty because the treaty is based on, basically, the Americans with Disabilities Act. So we do not have to change any laws. And, secondly, there is no budget impact.

So then the President sent it down to the Senate for ratification under our Constitution. Then Senator Kerry, who was the chair of the Foreign Relations Committee, had hearings. In fact, the two leadoff witnesses were Senator JOHN MCCAIN and me. Well, then there were other witnesses from the business community, from the disability community—from all over.

The treaty was reported out of the committee, I believe, in July of 2012. We were not able to get it on the floor until December 2012. Thirty-eight Republican Senators had signed a letter saying we should not vote on a treaty—on a treaty—in a lameduck session. Then there were some other things that came up about home schooling and stuff like that.

To make a long story short, when we brought it on the floor, and we thought we had the votes, we fell six votes short. We had 61 votes. We needed 67. We fell six votes short. A lot of Senators told me at that time we should not be voting on this in a lameduck session. In fact, if you check the RECORD, you will see remarks made by a lot of Members on the Republican side saying we should not vote on this in a lameduck session.

Well, OK. That Congress dies. We now have a new Congress starting in 2013. Then Chairman Kerry becomes Secretary of State and our new chairman is Senator BOB MENENDEZ of New Jersey. So we started working to bring it back. Now again, it all has to come right back from the White House. It has to go back through the hurdles. It has to go back to the committee.

I talked a couple times with the ranking member of the Foreign Relations Committee, and he wanted to have some more hearings. So I talked to Senator MENENDEZ about it. Senator MENENDEZ agreed, and he held more hearings on it in this Congress—in this Congress—and a lot of voices were heard. A lot of people testified on it.

Then it has to work its way through the committee. The committee has been very busy on a lot of things, but Senator MENENDEZ never gave up, and so this morning, as I stated earlier, the Senate Foreign Relations Committee reported out the treaty. I am so grateful to Senator MENENDEZ for not giving up, for being dogged in providing that kind of leadership to get this treaty through. So now it is ready for us to bring up here.

Well, guess what. We are not in a lameduck session, so that excuse has gone by the wayside. And we have answered, I believe, the questions on sovereignty and other issues. Now we have to look at who supports this.

Well, I know some people were kind of nervous about the treaty and voting for it because they were concerned, quite frankly, for their political life. I guess some people in the tea party were making this sort of a litmus test, which I thought was kind of interesting. Why? Why this, of all things?

So what we did was we wanted to see how broad the support was out there. It is immense. The support for this treaty cuts across all lines. The U.S. Chamber of Commerce—Tom Donohue—are strong supporters of it,

wrote a very strong letter and has been contacting Senators about the Chamber of Commerce's support for this treaty.

I spoke a couple months ago with former Governor John Engler, who is now the head of the Business Roundtable, and informed him about it. He said they would look at it, they would consider it. He took it to his Business Roundtable about a little over a month ago, I believe, if I am not mistaken, and the Business Roundtable wrote a very strong letter of support.

So two of the leading business groups in America are supporting this strongly. Every veterans group supports it. The American Legion, the VFW, the PVA—you name it—the Iraq and Afghanistan war veterans all support this. Every major religious group supports it. All the disability groups support it.

So what are we afraid of? Some people say, well, they are concerned about this sovereignty issue again. Are you telling me that former President George H.W. Bush is not concerned about our sovereignty? Are you telling me that former President George W. Bush is not concerned about our sovereignty? Are you trying to tell me that the Chamber of Commerce and the Business Roundtable are not concerned about our sovereignty or that Tom Ridge, former Governor of Pennsylvania, the first Director of Homeland Security, who strongly supports this treaty—are you telling me he does not care about our sovereignty?

Are there just a few people on this side of the aisle who know what sovereignty means? Of course not. Former President George H.W. Bush, former President George W. Bush, former Attorney General Dick Thornburgh, Boyden Gray, former counsel of the President—Steve Bartlett, former Congressman, a Republican from Dallas, a mayor of Dallas, came back and ran the Financial Services Roundtable, is a strong supporter—strong supporter—of this. Are you telling me Steve does not care about our sovereignty? I would like you to tell Steve that. He cares very much about our sovereignty. That is why it is a phony issue—a fraudulent phony issue.

We have it within our power now to join the rest of the world. I think 148 nations—148 countries—have now signed this.

I was recently in China, and I was meeting with disability groups there. China signed the convention. I met with some disability groups that are not governmental, NGOs, which is interesting. This is now springing up in China.

I also met with a person who is the head of the federation of disability groups in China. Madam Zhang, Haidi Zhang, is a very prominent woman in China, known all over the country because she is a famous author. She now heads this federation. They all told me they want the United States to be a part of this because it would strengthen them in working to change in their country, to make their country better and more supportive of disability rights.

I questioned that because some people said to me here: Well, we do not need to join this treaty. We can work with countries one-on-one. You are going to work with 100 countries one-on-one? I do not think we have the personnel to do that.

But here is what someone said to me who brought it home to me. They said: Look, if you come to our country and you want to discuss disability policy from the standpoint of your laws—the Americans with Disabilities Act—and we are a part of the CRPD, then we are talking two different languages. But if you are a part of the Convention on the Rights of Persons with Disabilities, we speak the same language. Then we can start talking about how we work together to enhance the rights and opportunities of people with disabilities, not just in China but in Africa.

Earlier this year, 21 countries met in Malawi on this issue. I was asked to come to speak. I could not because I was here in the Senate. They desperately want the Americans—us—to be a part of this, to lend our expertise, our leadership—not as a single country but with other countries—to, again, advance the cause of the rights of people with disabilities in accommodations, accessibility.

This spring I was in Colombia—Cartagena—on a trip with other Senators, Congressmen, and I remember our colleague Senator JOHNSON from South Dakota and his wife were there. I remember Mrs. Johnson—Barbara—saying: Boy, I can't wait to get back to the United States because it is hard for Tim using his wheelchair to get around anywhere.

This is what I mean. We have to start working with these other countries to help them change their systems, their accessibility.

I have talked to many veterans who would like to travel with their families or maybe even work overseas. They cannot do it. They are not accessible. I have talked to students who got a Fulbright scholarship or one of those things to go to another country, but since they were disabled, they could not take advantage of it because there were not accessible places for them to live or to get around.

So if we are proud—and we should be—proud of the work we have done as a nation, bipartisanly—there has never been a partisan hint to anything we have ever done with disability policy in this country. So if we are proud of what we have done in this country to enhance the well-being of people with disabilities, to make sure they have a full and meaningful life, that they contribute to the best of their ability, to get them out of institutions, living in the community, working in jobs—not subminimum-wage, dead-end jobs, but I mean real jobs; and we have come a long way—so if we are proud of it, why shouldn't we be proud enough to join with the rest of the world in saying: Let's work together. Let's work together to provide in other countries that same kind of support and accessibility for people with disabilities?

It is not going to happen overnight. I understand that. Sometimes these things take a long time. This weekend will be the 24th anniversary of the signing of the Americans with Disabilities Act.

As I travel around, one thing that always catches my eye—when I see new buildings, new housing, and stuff—is it accessible? I just saw some this weekend—new housing, multifamily housing—not accessible. Well, someone said to me: Well, you know, maybe people with disabilities can't live here, but there are plenty of other places. I said: Well, that is not the point. What if I want to live there and I want to invite my nephew who is a paraplegic to come visit me and have dinner? He can't even get in the door. Oh, well, that kind of puts a different color on it. I cannot even associate with people with disabilities because they cannot even come over to my house.

So while we have come a long way, we have things we have to do. But we have to, again, be a part of this global effort to advance the cause of people with disabilities. Other countries are starting to catch on. They are starting to do things—some countries more than others. This treaty, and our joining it, means that we join with them in common effort—in common effort—to make sure people with disabilities are not shunted aside any longer.

I think it is beneath us as Senators, beneath us as a nation, to somehow not accede to this treaty because of phony issues such as sovereignty.

We can take care of that, as we have in other treaties. Or homeschooling or abortion. We can take care of that. We can say our laws are supreme. If someone says, ''Well, the U.N. might change it in the future,'' so what? It does not make any difference what they change. It does not affect our sovereignty whatsoever. So I think it is beneath us if we do not adopt this treaty, if we do not become a part of this global effort.

Ronald Reagan referred to America as the ''shining city on a hill.'' Well, I think it is. Nowhere is America more of a shining city on a hill than in how we treat our citizens with disabilities. We have the gold standard. Now it is time to empower us to work throughout the world, to assist countries as they implement the treaty founded on the rights and principles embedded in the Americans with Disabilities Act.

It is time for us to reassert our global leadership in disability policy. So let's rise above partnership. Let's rise above some unknown fear that something might happen in the future. Let's rise above those narrow interests that say ''Well, we will lose our sovereignty'' or something like that or all of those other phony issues that are coming up because they want to undermine the treaty. We can rise above

that, just as we have done many times in the past, just as we did in 1999 when we became a part of a convention on the worst forms of child labor. We put reservations and we put understandings and declarations in that convention, by the way. So we spelled out how we were adapting that to our own Nation. We can do the same with this one too.

I have been told—I do not know if this is true—I have been told that some say: Well, it does not make any difference what we put in there; there are some people who will not vote for it, period.

Well, are those the same people who would not vote for the Americans With Disabilities Act if we were to bring it to the floor today? Would they say: No, we should not change our policies that people with disabilities had to be institutionalized; that they do not deserve to work in the workplace; that they do not deserve the freedom to travel on buses that are accessible and trains that are accessible or subways that are accessible; that we do not need curb cuts and we do not need widened doors. No, we do not need to do any of that stuff.

Would that be what they would say today if the Americans with Disabilities Act were on the floor? Any Senator who says: I like the Americans with Disabilities Act, and I think it has done a good thing for our country—anyone who says that ought to be voting for this treaty. That is what we intend. That is what we would do—reject that kind of fear and be a part of this global effort.

Again, I commend Senator MENENDEZ for his great leadership on this issue. I am hopeful that before we leave here next week, we might reach a time agreement with the other side to have a meaningful debate, have amendments. There is nothing wrong with having some amendments on this if people have amendments that are germane to the treaty. Let's debate those in a timely fashion and then have a vote on it. We need to do this. We need to do this to reassert America's leadership worldwide on disability policy.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Madam President, before I speak on a different topic, let me acknowledge my colleague and friend from Iowa and thank him for a lifetime of service in the House of Representatives and the Senate. He has announced his retirement at the end of this year. That is a loss for our great institution and for our country.

TOM HARKIN, more than any other Senator today, as much as any other Senator, has been a clarion voice for the disabled across generations and across country borders for decades. He has changed America and he has changed the world. There are not many people who serve in this Chamber who can say that. But when he joined with Bob Dole, a Republican World War II disabled veteran from Kansas—when this Democratic Senator from Iowa, a Navy veteran himself, joined with Bob Dole and passed the Americans with Disabilities Act, it held America to a higher standard. It guaranteed that our values we express so often would be values we live by.

Now he is calling on us to join a family of nations that have admired our leadership in disability rights and wonder why we have not approved this basic treaty or convention on disabilities. I was honored today to vote for that in the Foreign Relations Committee again. We had bipartisan support. We are going to continue to strive for it.

I thank the Senator for his unmatched contribution when it comes to speaking out for the disabled across America and around the world.

THE TAX CODE

Dickens wrote ''A Tale of Two Cities.'' I come to the Senate floor this evening to tell a tale of two Illinois corporations. One of them is a corporation which I visited recently called Wheatland Tube in Chicago. It is a division of JMC Steel. It employs about 2,000 people nationwide, 600 in Chicago, which I represent. JMC Steel is a good company. It is more than good; it is a great company. The average starting wage at Wheatland is $15 an hour. The company offers generous health care benefits with low deductibles. It offers various retirement benefits. Newer employees get a 401(k) with a company match up to 6 percent.

I tell this story because I want to salute a company that takes its mission seriously and treats its employees fairly. I believe a company such as JMC Steel and Wheatland should be encouraged and rewarded when it comes to our Tax Code and our laws.

We are hearing a lot from our Supreme Court across the street. They have come up with a new theory about businesses and corporations in America. Time and again they have told us that they now view corporations to be virtual flesh-and-blood citizens entitled to constitutional rights. They decided corporations have freedom of speech under the Bill of Rights and that corporations could spend unlimited amounts of money in an effort to elect or defeat candidates. They even went so far to say closely held corporations had religious freedoms that needed protection to the point where the owner of a closely held for-profit corporation could determine the contraception and birth control programs available to the employees of that company under their health insurance plans.

So we are told over and over by this Supreme Court that we should view corporations in a human context. Well, I am going to stick with that chain of thought for a moment and talk about another company that is much different from Wheatland Tube, which I have just described. It is a company known as AbbVie. That is the new name; it used to be known as Abbott Labs. It is roughly the eighth largest pharmaceutical company in America. It is headquartered in Illinois, in the city of North Chicago. AbbVie recently made the news because its board of directors sat down and made a decision about the future of this company.

First, let me tell you a little bit about AbbVie as a pharmaceutical company. AbbVie is a company which, like virtually every other pharmaceutical company, relies a great deal on our Federal Government. The National Institutes of Health—the leading biomedical research agency in the world—does basic research that our pharmaceutical companies use to develop new drugs and products. We pray that they will. When they find these drugs and products, pharmaceutical companies such as AbbVie go to the patent office run by our Federal Government to protect their property rights in their discoveries and their drugs. When they turn around to sell these drugs in America, after approval by a Federal agency, the Food and Drug Administration, they by and large sell them to programs such as Medicare and Medicaid—government-supported insurance programs.

The reason I tell this background is that AbbVie recently made a decision that they were going to renounce their American corporate citizenship and, in fact, at least on paper, move their corporate headquarters to an island off Ireland. Why would a great American corporation, the eighth largest pharmaceutical company, want to pick up and move to an island off Ireland? To avoid paying U.S. taxes. To avoid paying U.S. taxes, AbbVie is engaging in something known as inversion—in other words, relocating their corporate headquarter offices and declaring themselves to no longer be an American corporation. Does it not strike you as strange that a company that makes billions of dollars in profit based on America and the strength of our own system of government now is deserting America?

This inversion is not unique to AbbVie. We estimate that 50 or 60 corporations are doing the same. I think it is time for us as Members of Congress to put an end to this. These companies that are deserting America and heading overseas to avoid paying U.S. taxes have to be stopped.

Allan Sloan, whom I have heard a lot on radio and other places, is a writer for Fortune magazine. On July 7 he published an article in Fortune magazine entitled ''Positively un-American tax dodges.''

I ask unanimous consent that this article be printed in the RECORD after my remarks.

Let me quote one paragraph from Allan Sloan about these ''Positively un-American tax dodges,'' such as the inversion planned by AbbVie of North Chicago. Here is what Sloan writes:

Inverters don't hesitate to take advantage of the great things that make America

America: our deep financial markets, our democracy and rule of law, our military might, our intellectual and physical infrastructure, our national research programs, all the terrific places our country offers for employees and their families to live. But inverters do hesitate—totally—when it's time to ante up their fair share of financial support for our system.

Exhibit A: AbbVie, a company that has been profitable and made billions of dollars in America, now wants to lessen its American tax bill by moving overseas—on paper.

I think this has to come to an end. I think that when we sit down and make decisions about a tax code and tax policy, we need to be rewarding companies such as Wheatland Tube. Wheatland Tube, with 600 employees in Chicago, is an American corporation and proud of it. They are not planning on moving overseas. They are not trying to cut corners when it comes to their employees. They are treating them fairly. They are getting a good work product for it.

What I propose is called a patriot employer's tax. If you have a corporation that is, in my view, patriotic, with its headquarters in America, that has not moved employees overseas, that pays its employees at least $15 an hour—why did I pick $15? Because at $15 an hour, most American workers would not qualify for government benefits.

Perhaps the WIC program is one exception, but the only one I can think of. But these are employees who are paid enough in the workplace that they don't qualify for food stamps to supplement their income. So we chose $15 an hour. We said if the company goes on to provide good health insurance, a good retirement plan, where the employer contributes at least 5 percent of an employee's income toward retirement, and the company will give a preference to hiring veterans, I think that company is entitled to a patriot employer tax credit. Wheatland Tube isn't the only company in Illinois that would qualify nor the only company in this country.

So should we be bending our Tax Code today so AbbVie and the other corporate deserters get a break by moving overseas or should we be changing our Tax Code to encourage good companies, such as Wheatland Tube, to stay in America, to pay a fair wage, to make a good product and make us proud. It seems a pretty simple choice as far as I am concerned. We are going to start debating that on the floor of the Senate this week—at least we are going to try.

There is going to be a bill coming before us that has been offered by Senator JOHN WALSH of Montana and Senator DEBBIE STABENOW of Michigan called the Bring Jobs Home Act. It is a variation on the theme that I just spoke of, but the bottom line is the same—to create Tax Code incentives for companies to bring jobs back into the United States. I can't think of a higher priority than to create and keep good-paying jobs in America.

We are going to vote on moving forward on this bill, creating an incentive to bring jobs home.

Here is what it will do. If a company moves a production line, trade or business outside of the United States back into the United States, it is eligible for a tax credit under the Walsh-Stabenow bill—a credit for the cost of moving the jobs back home.

To pay for it, companies that ship jobs overseas—jobs going in the wrong direction—will no longer be allowed to deduct the costs associated with outsourcing U.S. jobs from their tax bill.

Why would we want to incentivize a company to ship American jobs overseas? Why would we want to create a deduction to make it easier and cheaper to do that? It defies common sense.

The Walsh-Stabenow bill reverses it and says we will no longer incentivize shipping jobs overseas; we are going to incentivize shipping jobs home from overseas. It is pretty simple.

I would like to take that basic question to any town meeting in any town in my State and ask the folks sitting there whether they think that makes sense. I am very confident they will agree that it does. This is a commonsense approach to reward companies that are doing the right thing and eliminate tax breaks for companies that are doing the wrong thing.

The patriot employer tax credit I hope I can offer as an amendment. I want to give a break to those companies that pay a good wage, keep the jobs in the United States, and don't ship their headquarters overseas. I think they deserve an incentive to stay.

I guess I am old-fashioned, but a lot of Americans are old-fashioned the same way.

I like walking into the store and seeing products that say ''Made in the U.S.A.'' Sure, I buy things made overseas. It is hard to avoid them. And I don't consciously avoid them. But given a choice, I would love to see the ''Made in the U.S.A.'' label on these products so I have a choice to make this country stronger. That is what the Walsh-Stabenow bill does. That is what the Patriot Employer Tax Credit Act does. And that is what we need to do when it comes to these inversions.

There was an article that was printed in Fortune magazine after Allan Sloan's article on July 15 the following week. It quoted a man whom I have come to know and once worked with in Chicago. His name is Jamie Dimon. Jamie Dimon is the CEO of JPMorgan Chase.

It turns out JPMorgan Chase is the investment adviser to AbbVie, the company I mentioned earlier. They have been advising them about moving overseas to avoid tax liability.

Mr. Dimon, in this Fortune magazine piece said: '' . . . it was inappropriate for anyone to moralize against deals in which U.S. companies seek lower tax rates through mergers.''

And then he went on to say ''an inversion.'' He characterized moving your corporate headquarters overseas to avoid taxes as basically saying it is an acknowledgment how bad our Tax Code is today. It is a way of protesting what the Tax Code is doing to corporations.

Our Tax Code today has resulted in the highest corporate profits in history. Our Tax Code today has resulted in paychecks for Mr. Dimon and other CEOs unparalleled in the history of the world. For Mr. Dimon and the corporate CEOs to argue about this unfair Tax Code as a reason or rationale for picking up and deserting America doesn't square with the reality of corporate compensation or corporate profits.

Some people critical of what I have spoken to today will say: Well, now, don't go picking winners and losers in the Tax Code.

I have news for you. The Tax Code is all about picking winners and losers. Sadly, the losers too many times are working families in this country and the winners are the people in higher-income categories and the largest corporations.

Look at what the Tax Code incentivizes. It incentivizes drilling for oil, building wind turbines. It incentivizes holding stock for a longer period rather than a shorter period. It incentivizes saving for your retirement. It incentivizes buying health insurance. The Tax Code is full of incentives.

So let's rewrite that Tax Code. Let's create an incentive to keep jobs in America. Let's create an incentive to make sure that companies which pay a fair wage and make sure their operations are good for working people get a tax break, and let's disincentivize the effort to move American jobs overseas and to move American corporate offices overseas.

That to me is a Tax Code with the right incentives for building not only a strong American economy with good-paying jobs here at home but building our middle class and our working Americans into a strong entity, a strong force for progress and economic growth.

I ask unanimous consent to have printed in the RECORD the articles I referred to earlier.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From @FortuneMagazine, July 7, 2014]

POSITIVELY UN-AMERICAN TAX DODGES

(By Allan Sloan)

Bigtime companies are moving their ''headquarters'' overseas to dodge billions in taxes . . . that means the rest of us pay their share.

Ah, July! What a great month for those of us who celebrate American exceptionalism. There's the lead-up to the Fourth, countrywide Independence Day celebrations including my town's local Revolutionary War reenactment and fireworks, the enjoyable days of high summer, and, for the fortunate, the prospect of some time at the beach.

Sorry, but this year, July isn't going to work for me. That's because of a new kind of

American corporate exceptionalism: companies that have decided to desert our country to avoid paying taxes but expect to keep receiving the full array of benefits that being American confers, and that everyone else is paying for.

Yes, leaving the country—a process that tax techies call inversion—is perfectly legal. A company does this by reincorporating in a place like Ireland, where the corporate tax rate is 12.5%, compared with 35% in the U.S. Inversion also makes it easier to divert what would normally be U.S. earnings to foreign, lower-tax locales. But being legal isn't the same as being right. If a few companies invert, it's irritating but no big deal for our society. But mass inversion is a whole other thing, and that's where we're heading.

We've also got a second, related problem, which I call the ''never-heres.'' They include formerly private companies like Accenture, a consulting firm that was spun off from Arthur Andersen, and disc-drive maker Seagate, which began as a U.S. company, went private in a 2000 buyout and was moved to the Cayman Islands, went public in 2002, then moved to Ireland from the Caymans in 2010. Firms like these can duck lots of U.S. taxes without being accused of having deserted our country because technically they were never here. So far, by Fortune's count, some 60 U.S. companies have chosen the never-here or the inversion route, and others are lining up to leave.

All of this threatens to undermine our tax base, with projected losses in the billions. It also threatens to undermine the American public's already shrinking respect for big corporations.

Inverters, of course, have a different view of things. It goes something like this: The U.S. tax rate is too high, and uncompetitive. Unlike many other countries, the U.S. taxes all profits worldwide, not just those earned here. A domicile abroad can offer a more competitive corporate tax rate. Fiduciary duty to shareholders requires that companies maximize returns.

My answer: Fight to fix the tax code, but don't desert the country. And I define ''fiduciary duty'' as the obligation to produce the best long-term results for shareholders, not ''get the stock price up today.'' Undermining the finances of the federal government by inverting helps undermine our economy. And that's a bad thing, in the long run, for companies that do business in America.

Finally, there's reputational risk. I wouldn't be surprised to see someone in Washington call public hearings and ask CEOs of inverters and would-be inverters why they think it's okay for them to remain U.S. citizens while their companies renounce citizenship. Imagine the reaction! And the punitive legislation it could spark.

WATCH: INVERSION: HOW SOME MAJOR U.S. COMPANIES ARE DODGING TAXES

Fortune contacted every company on our list of tax avoiders and asked why they incorporated overseas. Four of them—Carnival, Garmin, Invesco, and XL—said they were never U.S. companies. In other words, they are never-heres. Five more—Actavis, Allegion, Eaton, Ingersoll Rand, and Perrigo—said they inverted mainly for strategic purposes. The tenth, Nabors, refused to respond to our multiple requests.

Companies that have gone the inversion or never-here route but that act American include household names like Garmin, Michael Kors, Carnival, and Nielsen. Pfizer the giant pharmaceutical company, tried to invert this spring, but the deal fell through. Medtronic, the big medical-device company, is trying to invert, of which more later. Walgreen is talking about inverting too—it's easier to boost earnings by playing tax games than by fixing the way you run your stores.

Then there's the ''Can you believe this?'' factor. Carnival, a Panama-based company with headquarters in Miami, was happy to have the U.S. Coast Guard, for which it doesn't pay its fair share, help rescue its burning Carnival Triumph. (It later reimbursed Uncle Sam.) Alexander Cutler, chief executive of Eaton, a Cleveland company that he inverted to Ireland, told the City Club of Cleveland, without a trace of irony, that to fix our nation's budget problems, we need to close ''those loopholes in the tax system.'' Inversions, I guess, aren't loopholes.

Before we proceed, a brief confessional rant: The spectacle of American corporations deserting our country to dodge taxes while expecting to get the same benefits that good corporate citizens get makes me deeply angry. It's the same way that I felt when idiots and incompetents in Washington brought us to the brink of defaulting on our national debt in the summer of 2011, the last time that I wrote anything angry at remotely this length. (See ''American Idiots.'') Except that this is worse.

Inverters don't hesitate to take advantage of the great things that make America America: our deep financial markets, our democracy and rule of law, our military might, our intellectual and physical infrastructure, our national research programs, all the terrific places our country offers for employees and their families to live. But inverters do hesitate—totally—when it's time to ante up their fair share of financial support of our system.

Inverting a company, which is done in the name of ''shareholder value''—a euphemism for a higher stock price—is way more offensive to me than even the most disgusting (albeit not illegal) tax games that companies like Apple and GE play to siphon earnings out of the U.S. At least those companies remain American. It may be for technical reasons that I won't bore you with—but I don't care. What matters is the result. Apple and GE remain American. Inverters are deserters.

Even though I understand inversion intellectually, I have trouble dealing with it emotionally. Maybe it's because of my background: I'm the grandson of immigrants, and I'm profoundly grateful that this country took my family in. Watching companies walk out just to cut their taxes turns my stomach.

Okay, rant over.

The current poster child for inversion outrage is Medtronic Inc., the multinational Minnesota medical-device company that once exuded a cleaner-than-clean image but now proposes to move its nominal headquarters to Ireland by paying a fat premium price to purchase Covidien, itself a faux-Irish firm that is run from Massachusetts except for income-taxpaying purposes. For that, it's based in Dublin. That's where the new Medtronic PLC would be based, while its real headquarters would remain on Medtronic Parkway in Minneapolis. Of course, the company is unlikely to return any of the $484 million worth of contracts the federal government says it has awarded Medtronic over the past five years.

If the Medtronic deal goes through, which seems likely, it will open the floodgates. Congress could close them, as we'll see—but that would require our representatives and senators to get their act together. Good luck with that.

Now let's have a look at some of the more interesting aspects of the proposed Medtronic-Covidien marriage. I'm not trying to pick on Medtronic—but its decision to become the biggest company to invert makes it fair journalistic game.

Medtronic is one of those U.S. companies with a ton of cash offshore: something like $14 billion. That's money on which U.S. income tax hasn't been paid. Medtronic told me it would have to pay $3.5 billion to $4.2 billion to the IRS if it brought that money into the U.S.: That's the difference between the 35% U.S. tax rate and the 5% to 10% it has paid to other countries. Among other things, inverting would let Medtronic PLC use offshore cash to pay dividends without subjecting the money to U.S. corporate tax.

I especially love a little-noticed multimillion-dollar goody that Medtronic is giving its board members and top executives. Years ago, in order to discourage inversions, Congress imposed a 15% excise tax on the value of options and restricted stock owned by top officers and board members of inverting companies. Guess what? Medtronic says it's going to give the affected people enough money to pay the tax.

We're talking major money—major money that I'm glad to say isn't tax-deductible to Medtronic. The company wouldn't tell me how much this would cost its stockholders. So I did my own back-of-the-envelope math, starting with chief executive Omar Ishrak. Using numbers from Medtronic's 2014 proxy statement and adjusting for its stock price when I was writing this, I figure that his options and restricted shares are worth at least $40 million, and the ''equity incentive plan awards'' that he might get are worth another $23 million. Allow for the fact that Medtronic will ''gross up'' Ishrak et al. by giving them enough money to cover both the excise tax and the tax due on their excise tax subsidy, and you end up with $7.1 million to $11.2 million just for Ishrak. And something more than $60 million for Medtronic as a whole.

Why does Medtronic feel the need to shell out this money? The company's answer: ''Medtronic has agreed to indemnify directors and executive officers for such excise tax because they should not be discouraged from taking actions that they believe are in the best interests of Medtronic and its shareholders.''

But you know what, folks? These people are fiduciaries, who are legally required to put shareholders' interests ahead of their own. If they believe that inverting is the right thing to do (which, it should be obvious by now, I don't) they ought to pay any expenses they incur out of their own pockets, not the shareholders'. It's not as if these people lack the means to pay—the directors get $220,000 a year (and up) in cash and stock for a part-time job, and Ishrak gets a typical hefty CEO package.

One more thing: Normally, a company's shareholders don't have to pay capital gains tax if their firm makes an acquisition. But because this is an inversion, Medtronic shareholders will be treated as if they've sold their shares and will owe taxes on their gains. However, the deal won't give them any cash with which to pay the tab.

The company asked me to mention that its executives and directors, like other holders, will be subject to gains tax on shares that they own outright, and Medtronic won't compensate them for it. Okay. Consider it mentioned.

Second, the company contends that this deal will be so good for shareholders that it will more than offset their tax cost triggered by the board's decision to invert. Well, we'll see.

A major barrier to inversion used to be that companies moving offshore were kicked out of the Standard & Poor's 500 index. Given that more than 10% (by my estimate) of the S&P 500 stocks are owned by indexers, getting tossed out of the index—or being added to it—makes a big, short-term difference in share price. In 2008 and 2009, S&P, which has a few never-heres, tossed nine companies off

the 500 for inverting. But four years ago, S&P changed course, for business reasons. Companies were angry at being excluded, and index investors wanted to own some of the excluded companies. Moreover, S&P feared that a competitor would set up a more inclusive, rival index.

So in June 2010, S&P changed its definition of American. Now all it takes to be in the S&P 500 is to trade on a U.S. market, be considered a U.S. filer by the Securities and Exchange Commission, and have a plurality of business and/or assets in the U.S.

The result: S&P now has 28 non-American companies in the 500.

How much money are we talking about inverters sucking out of the U.S. Treasury? There's no number available for the tax revenue losses caused by inverters and neverheres so far. But it's clearly in the billions. Congress's Joint Committee on Taxation projects that failing to limit inversions will cost the Treasury an additional $19.5 billion over 10 years—a number that seems way low, given the looming stampede. But even $19.5 billion—$2 billion a year—is a lot, if you look at it the right way. It's enough to cover what Uncle Sam spends on programs to help homeless veterans and to conduct research to create better prosthetic arms and legs for our wounded warriors.

Rep. Sandy Levin (D–Mich.) and his brother, Sen. Carl Levin (D–Mich.), have introduced legislation that would stop Medtronic in its tracks by making inversions harder. Under current law, adopted in 2004 as an inversion stopper, a U.S. company can invert only if it is doing significant business in its new domicile and shareholders of the foreign company it buys to do the inversion own at least 20% of the combined firm.

The Levins propose to require that foreign-firm shareholders own at least 50% of the combined company for it to be able to invert and also that the company's management change. This would really slow down inversions—but the chances of Congress passing the Levin legislation are somewhere between slim and none.

Conventional wisdom holds that companies are inverting now because they've despaired of getting clean-cut reform that would widen the tax base and lower rates. But John Buckley, former chief Democratic tax counsel for the House Ways and Means Committee, has a different view. Buckley thinks that we're seeing an inversion wave not because there's no prospect of tax reform but because there is a prospect of reform. If reform comes, he says, there will be winners and losers—and it's the likely losers-to-be that are inverting. ''Even minimal tax reform would hurt a lot of these companies badly,'' he says.

For example, Buckley says, a company that inverts before reform takes effect will be able to suck income out of the U.S. to lower-tax locales much more easily than if it were still a U.S. company. ''A revenue-neutral tax reform requires there to be winners and losers,'' Buckley says. ''But by inverting, the companies that would be losers are taking themselves out of the equation . . . They're taking advantage of both U.S. individual taxpayers and other corporations.''

If you're a typical CEO who has read this far, about now you're shaking your head and thinking, ''What a jerk! Just cut my tax rate and I'll stay.'' To which I say, ''I wouldn't bet on it.'' In the widely hailed 1986 tax reform act, Congress cut the corporate rate to 34% (now 35%) from 46%, and closed some loopholes. Corporate America was happy—for awhile. Now, with Ireland at 12.5% and Britain at 20% (or less, if you make a deal), 35% is intolerable. Let's say we cut the rate to 25%, the wished-for number I hear bandied about. Other countries are lower, and could go lower still in order to lure our companies. Is Corporate America willing to pay any corporate rate above zero? I wonder.

So what do we need? I'll offer you a bipartisan solution—no, I'm not kidding. For starters, we need to tighten inversion rules as proposed by Sandy and Carl Levin, who are both bigtime Democrats. That would buy time to erect a more rational corporate tax structure than we have now—bolstered, I hope, by input from tough-minded tax techies.

We also need loophole tighteners along the lines of proposals in the Republican-sponsored, dead-on-arrival Tax Reform Act of 2014. One part would have imposed a tax of 8.75% a year on cash and cash equivalents held offshore, and 3.5% a year on other retained offshore earnings.

Another thing we need to do—which the SEC or the Financial Accounting Standards Board could do in a heartbeat, but won't—is require publicly traded U.S. companies and U.S. subsidiaries of publicly traded foreign companies to disclose two numbers from the tax returns they file with the IRS: their U.S. taxable income for a given year, and how much income tax they owed. This would take perhaps one person-hour a year per company.

That way we would know what firms actually pay instead of having to guess at it. Then we could compare and contrast companies' income tax payments.

What we don't need is another one-time ''tax holiday,'' like the one being proposed by Sen. Harry Reid (D–Nev.), to let companies pay 9.5% rather than 35% to bring earnings held offshore into the U.S. It would be the second time in a decade we've done that, and would signal tax avoiders that they should keep sending tons of money offshore, then wait for a tax holiday—presumably not on the Fourth of July—to bring it back.

Until—and unless—we somehow get our act together on corporate tax reform, companies will keep leaving our country. Those that try to do the right thing and act like good American corporate citizens will come under increasing pressure to invert, if only to fend off possible attacks by corporate pirates—I'm sorry, ''activist investors''—who see inversion as a way to get a quick uptick in their targets' stock price.

Now, two brief rays of sunshine: one in England, one here.

Starbucks, embarrassed by a 2012 Reuters exposé showing that it paid little or no taxes in England despite telling shareholders it made big profits there, has recently apologized and now makes substantial British tax payments. And eBay, God bless it, decided to bring $9 billion of offshore cash into the U.S. and pay taxes on it.

So I'm feeling a bit better about July than when I started writing this. In any event, a happy summer to you and yours.

JAMIE DIMON: COMPANIES SHOULD FEEL FREE TO BAIL ON THE U.S.

(By Stephen Gandel)

The JPMorgan CEO gave a thumbs up to inversions, the growing practice where American companies buy smaller foreign companies to relocate overseas and avoid paying U.S. taxes.

JPMorgan Chase CEO Jamie Dimon says he's okay with companies using a hot tax dodge that could cost the U.S. tens of billions of dollars over the decade.

Dimon's public thumbs up for inversions—the growing practice where American companies buy smaller foreign companies to relocate overseas and avoid paying U.S. taxes—came in response to a question from Fortune on a media conference call after JPMorgan JPM 0.74% released its second quarter results. He said the real problem was the tax code, not CEOs trying to shirk their responsibilities.

''You want the choice to be able to go to Wal-Mart to get the lowest prices,'' Dimon said on a conference call with reporters on Tuesday morning. ''Companies should be able to make that choice as well.''

Dimon did not elaborate on the difference between choosing where to buy your underwear and where a corporation calls home. In a recent cover story for Fortune, Allan Sloan argued that U.S. companies are ''positively unpatriotic'' when they move their corporate headquarters overseas to pay lower taxes because of the benefits they receive by being (except for tax purposes) American companies. What's more, Sloan argued undermining the U.S. tax base will be bad for all shareholders in the long run.

Dimon seemed to brush aside those concerns. He said it was inappropriate for anyone to moralize against deals in which U.S. companies seek lower tax rates through mergers. No large U.S. bank has proposed an inversion deal. Since the financial crisis, there has been a debate about the size of the subsidizes that large banks like JPMorgan receive from U.S. taxpayers.

At least for now, inversions are good for Dimon and his shareholders. The firm has been an advisor on 19 inversion deals that have been announced since last year. The bank is advising drug maker AbbVie on its $53 billion bid for Dublin-based Shire, which was announced on Monday.

''I love America. I'm just as patriotic as anyone,'' said Dimon. ''But we have a flawed corporate tax code that is driving U.S. companies overseas.''

Mr. DURBIN. I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

TAX REFORM

Mr. PORTMAN. Madam President, I was listening to my colleague from Illinois talking about the need for us to have economic patriotism and to keep people from moving jobs offshore.

I couldn't agree more, but the way to do it is to fix a broken Tax Code. It is frustrating to me that we have the President of the United States, we have Members of Congress on both sides of the aisle who have talked and talked and talked about the fact that we need to lower our tax rate and come up with a more competitive international tax system, and yet we do nothing about it. Instead, we are for these one-off political debates that we are going to have on the floor this week, apparently, that unfortunately aren't going to make any difference to the workers in America who are seeing this erosion of their wages, of their benefits, and often of their jobs because Washington is abdicating its responsibility. Washington is not doing what it has to do in order to meet its fiduciary responsibilities.

There is a lot of talk about that with these corporations. Our responsibility is to the people—to have the right tax system in place so that people can succeed so that if they work hard and play by the rules, the Tax Code is actually going to reward them and American companies can be competitive. That is simply not what is happening now. We need to do a lot of things too, such as to be sure we have a regulatory system that works, to have an international trading system that works for the workers of America, and to be sure we deal with our debt, deficit, and other issues.

But because the discussion of taxes is on the floor this week, I thought it would be helpful to talk just generally about where we are. We had a hearing today in the Finance Committee on this topic. We had experts in from across the spectrum. Although they disagreed on some of the specifics about what we ought to do today, they all agreed with one thing, which is that our Tax Code is broken. It is not working.

By the way, the Congressional Budget Office, which is the nonpartisan group that advises us on the economic impact of things, has looked at the Tax Code and said if you did deal with our high tax rates in this country and improved the corporate code, who benefits? It is the workers, and it is in terms of higher wages, better benefits, a job. This Congress has let the American people down, and it is time for us to deal with this issue and to deal with it in a way that can be nonpartisan.

We have, again, both sides of the aisle agreeing this is broken, and yet we can't seem to find that common ground to fix it. I would suggest there is common ground out there if we just get off the politics and start working on how we actually help people to be able to get ahead.

The issue that has come to the attention of all of us in Congress in the past few months the most is companies that are—what they call—inverting. These inversions are when a company in the United States buys a company overseas, merges with it, and then it becomes an overseas company. Often these companies they are buying are smaller than the U.S. company, and they become a foreign company because they are trying to get as far away from our Tax Code as they can. They want to become domiciled—they want to have their headquarters—in a foreign country because that country has a better Tax Code for a corporation to be able to succeed.

Again, there have been discussions on the floor recently about fiduciary responsibility. People do, if you are in corporate America, have a fiduciary responsibility to the shareholders. So they are making these decisions, and Washington sits by the sidelines and lets it happen.

I think the answer is to reform the Tax Code. I think we know what we have to do. I think we have to get busy on it.

Last week we saw another example of this. It was a Chicago drug company called AbbVie. Their bid to acquire a company called Shire looks like it is going to go through, and their combined company is going to move its tax headquarters to the UK, to England. This is hardly the first company to do this, and it won't be the last unless we change the code.

In fact, according to the Congressional Research Service, 35 companies have inverted in the past 5 years alone. I think the United States is still the best place to do business.

Despite our bad Tax Code, we have the most productive workforce; we have the best infrastructure; we have the rule of law; we have some great research institutions; we have a lot going for us; and we can compete and attract business from around the world.

So why are these companies going to England? Why are they going to the UK? Well, it turns out they have a tax code that was designed for this century, this decade—unlike here in America, where our international Tax Code was actually developed back in the 1960s. Things were a lot different then.

Our Tax Code itself and the rates of taxation were established in 1986. That is 25 years ago. The international system back to the 1960s, the rate we paid back to 1986—in 1986, ''Top Gun'' was the top at the box office. People still communicated by telegraph. The Mets were World Series champions. Pete Rose was playing for my hometown team, the Cincinnati Reds. That is how long ago it was.

A lot has changed since then. The world has changed. The global economy is far more competitive. It is very difficult for us in the United States of America to have a policy that is not affected by that global economy. And yet while every other one of our global competitors has reformed their tax code, we have not. They all have.

By the way, after the reform, the United Kingdom has a 21-percent corporate tax rate and they have a so-called territorial tax system. That basically means it taxes income in the UK if it is made in the UK, but otherwise it is taxed in the country where it is done. That means they have a competitive global tax system. By the way, about 93 percent of the companies that American companies compete with have that kind of more competitive international system. We have the old-style system.

We also have a higher rate. So we have a deadly combination—a higher rate, 39-percent tax rate, which is now the highest among all the developed countries in the world—not a No. 1 you want to be—but we have also got this international system that is not competitive.

So it is not a mystery why companies are leaving. When we look at the side-by-side, they are making decisions based on what is best for their shareholders. When we look at the changes in the tax rate since the 1990s and 2000s, we can see the United States is falling further behind.

Here is an interesting chart. This shows, just in 2004, what the tax rates were and now what they are in 2014. That is just 10 years ago. The United States is the same, 39 percent. And that 39 percent includes the Federal rate plus the State rate.

People say, well, the effective rate is less than that. Yes, it is less than that because people do take advantage of some of the so-called tax preferences. But even so, our rate is higher than these other countries.

We go from 39 percent to 39 percent; the UK, 30 to 21; Canada, 34.4 to 26, and they are going even lower at the Federal level; Netherlands, 34.5 to 25 percent; Ireland, 12.5; Switzerland, 24 to 21. And they have gone to these territorial tax systems that we talked about.

What has happened? Well, these are the companies that have left the United States of America to go to these countries. We mentioned Abbvi. That is the latest one last week. Medtronic, that was a couple weeks ago. On and on. There are companies in here from the State of Ohio. There is a company listed there from my home State of Ohio that chose to incorporate somewhere else because of the Tax Code. Guess what. They are going to save about $160 million on their tax bill this year. That is a pretty darned good savings, and that is wrong. We have to reform this Tax Code.

In 1960, 17 of the world's largest 20 companies were U.S.-headquartered. By 2010, only six were headquartered in the United States. In 2012 alone, our global 500 companies, the bigger companies' share fell from 36 percent to 26 percent.

I am not saying it is all due to taxes, but a lot of it is. If we talk to these companies, we find that out.

Again, I don't think anyone in the Senate—or in the White House, for that matter—disputes that tax reform is needed. I don't think so. Yet we aren't seeing it. Instead, again, we are hearing about these one-offsies, these small things that seem politically popular but aren't going to make a difference in terms of truly bringing the jobs back and attracting more jobs—attracting companies that want to headquarter here in the United States of America.

It is an admission that the United States is no longer the best place in the world to invest if we say we are going to require companies to do certain things so they can't follow the Tax Code. I think it is a futile effort to try to keep companies here with these new requirements, because ultimately if we do that and make it more disadvantageous to be an American company—so you have companies competing not just with one hand tied behind their back but with two hands tied behind their in a global economy—what will they do? Well, they will probably sell, because foreign companies can come in and buy them. And that has happened and is happening.

If you are a beer drinker, like I am, try to find an American beer these days. The largest share is probably Sam Adams, with about 1.4 percent market share. The rest are all foreign-owned. Yuengling is up there too at about 1.4 percent. But all of them. And foreign companies have come in here and bought these companies because they can pay a premium for them, because their aftertax profits are greater because their tax code in their country is more advantageous. Who does that hurt? It hurts American workers.

I am not saying they don't have facilities here. They do. But when they move their corporate headquarters out of the United States, the tax headquarters out of the United States, the history is, when you look at this, that jobs follow—including the higher paid executive jobs.

Also, an intangible but really important thing to American communities is, when you have a U.S. company headquartered here, they tend to invest in the communities. So think of the nonprofits involved with charities we help out with. There are probably some companies that help out there too and probably it is an American company.

So of course we have to keep up with the times, and we aren't doing that. If we don't, we are going to see more and more companies leave our shores. I don't think these companies want to leave our shores. I think they are doing it because Washington is letting them down.

Let's imagine for a second that a company did decide not to do one of these inversions because we did some one-off things, including to say: You ought to stay here. You ought to not take advantage of a company with a $160 million a year benefit.

I think what is going to happen is we will see more and more companies become foreign companies. American workers and American jobs are going to be lost because we are going to see foreign companies come in and buy these U.S. companies.

If we are truly patriots, economic patriots, we need to look at tax reform, and we need it as soon as possible. This can't, by the way, be just a Republican or Democrat priority. It needs to be an American priority. And it should be, because as far as I can tell in talking to people, the consensus is that it is broken. We have a pretty good sense of what we ought to do to try to fix it.

One, I think we have a pretty good sense that we ought to reduce the rate. So the corporate rate ought to be reduced. I think it has to get down to at least 25 percent for us to be competitive. Back when we last did this in 1986, we purposefully lowered the rate under Ronald Reagan to get it down to 34 percent so it would be below the average of the other developed countries of the world. That is what we have to do again. So, at least 25 percent.

And we need to do this, by the way, at the same time we eliminate some of these preferences, the deductions, the credits, the exclusions. I know that is tough, and some people are going to say: Well, gosh, I am going to lose my special preference or this is going to hurt my company. If they get a lower rate, one, they get a benefit. But, second, it helps the whole economy to have a lower rate.

Economists who look at this all agree, this will generate economic growth and will result, by the way, in more revenues coming in through growth as well. So we broaden the base by getting rid of a lot of the preferences, take those savings to lower the rate.

Then, finally, we need to do something about this international side. If we don't, we are not going to be able to be competitive. Even if we have a low tax rate, if we don't figure out a way to ensure we go to a system that is more like these other countries have all gone to—about 93 percent of the companies that we compete with have this what is called territorial system where you tax income where it is earned. If we don't do that, then I think we are going to end up making this problem worse, not better, by some of these proposals that say let's just kick the can down the road and immediately do something to create a requirement on companies to do this or that.

With regard to the anti-inversion rules, we are going to talk about that now. Let's not reform the Tax Code; let's just do something on inversions to make it harder to invert. We did that back in 2004. We enacted anti-inversion rules that were supposed to stop companies from moving overseas. As we saw in the first chart, that didn't work. Companies did anyway. And I don't think it is going to work today. In fact, I think it could make the problem worse, again, because those companies could then be targeted for foreign acquisition.

So if businesses are more valuable overseas than the United States and businesses can't move under the U.S. themselves, I think the foreign corporations will step in and buy them.

The Bring Jobs Home Act is a great title, and that is legislation we are going to consider here on the floor tomorrow. I think we ought to have a debate on it, so I am going to vote to proceed to have that debate. It is a great title, but I don't think there is anything in the legislation that is going to help to actually bring jobs back. I don't think anything in this legislation is going to address the fact that we have this high tax rate. I don't think there is anything in this legislation that is going to address the fact that we have a worldwide system that is way out of step with all our competitors.

It claims to remove deductions and tax credits and incentivize companies to move overseas. Unfortunately, that is not as easy as it sounds because, according to the Joint Committee on Taxes, which is the group here that advises us, under present law there are no targeted tax credits or disallowance of deductions related to relocating business units inside or outside the United States. There aren't any. So it is sort of tough to say we are going to do something with regard to credits or disallowances of deductions when there are none that relate directly to that.

There have been claims to the contrary that the media, looking at it routinely, says that is just false or misleading.

Finally, when it comes to proposed deductions for bringing jobs back to our shores, the proposal would likely pose some really serious administrative difficulties for an Internal Revenue Service that already has plenty of problems. The legislation, as I read it, gives the IRS authority to subjectively judge whether the IRS thinks that business deductions were made specifically for the purpose of bringing jobs to the United States or moving jobs overseas. Because there are no specific targeted tax deductions for this, the IRS would have to somehow subjectively determine whether that was true. That is going to be tough, because multinational businesses create and close businesses around the globe every day, most times because it is the most economically efficient thing to do from a business perspective. They start a company, close a company, move them around. Asking the IRS to determine whether those decisions were made specifically to move jobs to the United States or to move jobs overseas I think is going to be impossible. That is why this legislation, if passed, is not going anywhere.

I do appreciate my colleagues' hard work in trying to come up with real legislation to address the problem. Senator WYDEN, who is the Democratic Chair of the Finance Committee, has been working on that, as have others. But this particular one is just not going to help. It is just not going to help. That fact should serve as a stark reminder that the only way we are going to stop these so-called inversions, the only way we are going to stop people from saying I would rather be a foreign company than a U.S. company is to make it more attractive to be here—to do what we should have done over the last couple decades—and the rest of the world has; all of our competitors have—which is to reform our Tax Code so that it is good for American workers and good for American investors. If we do that, I think America's best days are ahead of us. I really do.

There are a lot of things we need to do, as we talked about earlier, to make this country more competitive and to be sure we are creating the best jobs and the greatest opportunities here for everybody. But one thing we can do that will give the economy a shot in the arm right away is this comprehensive tax reform. When people have analyzed this from a macroeconomic basis, they say: If we did this—lower the rate by broadening the base, go to this competitive international system—we would generate a lot more investment and business in America. That would in turn generate a lot more investments, a lot more business here in America. That would in turn generate more revenue.

So it is growth revenues, which is exactly what we want to see. We want to see more jobs, and we want to see us being able to have the kind of growth and prosperity so we can help to get out of this debt and deficit, which is a real problem. And, going forward, it is

a problem we are going to have to deal with, both because it affects the economy and because it affects what we are doing to future generations.

As legislators, it is our job to fix this problem. That is what we were hired to do. I know it is not easy. I know corporate tax reform is tough to do, because we would take away benefits from one company or another by lowering that rate. But, by the way, when we do this—when we do lower that rate and get rid of some of these preferences to do so, guess what. Everybody has to pay taxes.

People talk about it is unfair that some American companies in some years, because they get a tax break, don't pay taxes. Well, if they can't be as creative because there aren't all these deductions and credits and exemptions to be able to use, they are going to have to pay taxes. Everyone will pay. There will be a lower rate and they will be more competitive, and they won't be having this incentive to move offshore. But everybody will be paying taxes. And I think that is part of what we ought to be doing.

To be able to compete and to succeed and to help American workers, it is time for us to make tax reform a reality. Let's not do things that might feel good politically and do some of these one-offs and half steps that in the end could inadvertently actually make it worse, not better—because, again, if we make it even more difficult to be an American company, we are just not going to have as many American companies because they will be bought by foreign companies that can pay more for them and pay a premium. Let's instead get busy doing what we were elected to do, which is to work across the aisle to come up with sensible tax reform, lowering that rate, a competitive international system, and ensuring that we do create more opportunities for American workers to be able to compete—not just survive but thrive in the global economy.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. BALDWIN). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. CHAMBLISS. I ask unanimous consent to speak for up to 10 minutes as in morning business.

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

MALAYSIAN AIRLINE FLIGHT 17

Mr. CHAMBLISS. Madam President, I rise to talk about the deteriorating situation in Syria and in Iraq. However, before I address the situation in the Middle East, I wish to speak briefly about Russia and the downing of the Malaysian Airline flight 17.

Last week we all watched in horror as news came in of the almost 300 civilians who were callously murdered. I have seen the intelligence on this attack, and it is very clear Russia bears the responsibility for the death of these civilians. Vladimir Putin should be held accountable, regardless of whether it was a Russian soldier or a Russian-sponsored separatist who pulled the trigger. Russia either shot down the plane itself or directly gave separatists the order and the ability to do so.

Russia and its proxy separatists in eastern Ukraine are well armed, as was clearly demonstrated last week, and they are also very irresponsible. President Putin continues to flout the international community by sending heavy weapons and fighters into eastern Ukraine. In addition, Russia is supporting Bashar al-Assad's regime in Syria and failing to comply with some of its international arms control obligations.

The limited sanctions put in place so far have done little to deter Putin. In addition to simply increasing sanctions, President Obama must show strength and leadership and rally the international community to secure the crash site, conduct a thorough investigation, and hold the Russians, and particularly Putin, accountable for this unthinkable attack. Now is not the time for half measures. Swift and decisive action is needed to deal with this situation.

THE MIDDLE EAST

With regard to the Middle East, the rise of the al-Nusra Front and ISIL—the Islamic State of Iraq and the Levant—presents a serious and credible threat to the security of the region, to the United States of America, and to our allies. Yet despite repeated requests from me and other Members of this body on both sides of the aisle, the administration has yet to present a compelling plan to counter this growing threat. The administration seems determined to keep its head in the sand, but this threat simply cannot be ignored. This same wait-and-see mentality is just more of what got us into this mess with Syria in the first place.

ISIL is gaining strength, capturing arms and equipment, and closing in on Baghdad. ISIL in recent weeks has purportedly garnered hundreds of millions of dollars, thousands of fighters, and countless weapons. We have seen ISIL parade around with 4 U.S.-made howitzers and MRAPs. In the absence of resistance from MRAPs and other forces, ISIL is able to consolidate its gains, redistribute its captured material, and recruit additional fighters. As ISIL has taken territory, it has also ransacked several prisons, providing it with an even larger fighting force, all of this in preparation for an assault on Baghdad.

ISIL is clearly preparing to attack Baghdad, which will inevitably include terrorist attacks against Western interests and possibly including the international airport and the U.S. Embassy. ISIL fighters have plotted and conducted terrorist attacks in Baghdad over the past decade and it is naive to think they will not continue. We can wait for ISIL to descend on Baghdad with its newly acquired weaponry or we can take the fight to them before they reach the Capitol.

In addition to closing in on Baghdad, ISIL has its sights set on Jordan, Lebanon, Israel, and other parts of the region. On June 25 of this year, we saw an ISIL suicide bomber detonate himself in a Beirut hotel after being discovered by security forces. This is not the only attack we have seen outside of Iraq and Syria. Lebanon in recent months has been besieged by violence linked to the conflict in Iraq and Syria, and it is only a matter of time before these attacks spread to Jordan as well as to Israel.

ISIL not only represents a credible threat to the region but to Europe and the United States as well. Earlier this year we witnessed an armed attack on a Jewish Museum in Brussels. The attacker, a 29-year-old French national, had returned from fighting in Syria and was arrested with an ISIL flag wrapped around his rifle. Alarmingly, the cell's leader had been arrested in Afghanistan in 2001 and was also a former Guantanamo Bay detainee. Individuals linked to ISIL and Syrian extremist groups have been arrested in other parts of Europe, including Germany and France.

ISIL's aspirations don't end in Europe but extend to the United States. The group's leader, Abu Bakr al-Baghdadi, has been clear about the group's ultimate goal of confronting the United States, and as a country we must be prepared for this threat. Many of ISIL's leaders have threatened the United States for years under the banner of Al Qaeda and Iraq. These fighters have been planning attacks against Baghdad and are responsible for the deaths of many U.S. servicemembers over the last decade.

One of the biggest lessons we learned from the September 11 attacks was that we cannot give terrorists a sanctuary from which to plan attacks against us. Arguably, ISIL now has control of the largest territory ever held by a terrorist group. This safe haven provides ISIL with the time and space they need to train fighters and plan operations. It also has provided them with access to weapons and a network that can be used to support external operations. We knew about the threat we faced from Al Qaeda prior to 9/11, but we failed to act. I just hope we don't make the same mistake again.

ISIL isn't the only threat we face in Iraq and Syria. Experienced fighters and jihadists have flocked to Syria, forming several groups that could threaten the United States, including the Al Qaeda-affiliated al-Nusra Front. Several U.S. citizens and legal permanent residents have traveled to Syria to join the al-Nusra Front and other groups. In May we witnessed Moner Mohammad Abusalha, the first American suicide bomber in Syria, carry out

an attack that is believed to have killed almost 40 Syrian personnel.

A Florida native, Abusalha was eulogized by a recruitment video featuring images of the September 11 attack on the World Trade Center and a burning American flag.

The White House recently announced plans to increase support for the Syrian opposition, including a $500 million plan to train and equip vetted elements of the Syrian opposition. Despite the announcement, few details are available on how this training would actually take place, and it may be quite some time before this program begins. It is also unclear how this new program to train Syrian opposition fighters will actually help counter the growing terrorist threat in Syria as opposed to simply countering the Assad regime. It is clear the administration has not prepared any plan that will fit into a cohesive and compelling foreign policy in the region.

The Middle East over the last 3 years has been besieged by a resurgence of instability, violence, and terrorism. The administration, unfortunately, has done little to stop it. Instead of focusing on countering rising groups in Iraq and Syria, the administration has been focused on ending the wars in Iraq and Afghanistan, which appears to have had the unfortunate consequence of letting America's enemies grow stronger.

Al Qaeda, its affiliates, and other terrorist groups are determined to attack the United States. We constantly face new plots and operatives looking for ways to murder Americans, such as the foiled May 2012 AQAP plot to put another IED on a U.S.-bound commercial aircraft. Thankfully, this plot and others have not materialized, but we are not going to always be so fortunate. Just this month TSA was forced to institute new security measures to mitigate the terrorist threat to commercial aviation. The administration must come to grips with the terrorist threats we face and put policies in place that will effectively counter them. I would encourage the administration to act immediately before another act of terrorism against our country occurs.

I yield the floor and 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. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. Madam President, I ask unanimous consent, notwithstanding rule XXII, that following the vote on the motion to invoke cloture on the motion to proceed to S. 2569 on Wednesday, July 23, the Senate proceed to executive session to consider Calendar Nos. 802, 786, and 599; that there be 2 minutes for debate equally divided between the two leaders or their designees prior to each vote; that upon the use or yielding back of that time, the Senate proceed to vote with no intervening action or debate on the nominations in the order listed; that any rollcall votes following the first in the series be 10 minutes in length; that if any nomination is confirmed, the motion to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order to the nominations; that any statements related to the nominations be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session; further, that if cloture is invoked on the motion to proceed to S. 2569, all time consumed while in executive session under the terms of this agreement count postcloture.

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

Mr. REID. Madam President, for the information of all Senators, we expect the nominations to be considered in this agreement to be confirmed by voice vote.

EXECUTIVE SESSION

NOMINATION OF PAMELA HARRIS TO BE UNITED STATES CIRCUIT JUDGE FOR THE FOURTH CIRCUIT

Mr. REID. Madam President, I move to proceed to executive session to consider Calendar No. 929.

The PRESIDING OFFICER. The question is on agreeing to the motion to proceed.

The motion was agreed to.

CLOTURE MOTION

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

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The 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 Pamela Harris, of Maryland, to be United States Circuit Judge for the Fourth Circuit.

Harry Reid, Patrick J. Leahy, Barbara A. Mikulski, Benjamin L. Cardin, Thomas R. Carper, Sheldon Whitehouse, Christopher A. Coons, Bernard Sanders, Dianne Feinstein, Mazie K. Hirono, Richard Blumenthal, Amy Klobuchar, Edward J. Markey, Tom Harkin, Kirsten E. Gillibrand, Christopher Murphy, Cory A. Booker.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk reported the nomination of Pamela Harris, of Maryland, to be United States Circuit Judge for the Fourth Circuit.

Mr. REID. Madam President, I ask unanimous consent 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 to proceed.

The motion was agreed to.

MORNING BUSINESS

Mr. REID. Madam President, I ask unanimous consent the Senate proceed to a period of morning business with Senators permitted to speak therein for up to 10 minutes each.

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

RECOGNIZING THE HONORABLE BRENT T. ADAMS

Mr. REID. Madam President, I rise today to recognize the career of the Honorable Brent T. Adams, who is retiring from the Second Judicial District Court of the State of Nevada.

For more than 25 years, Judge Adams has been the presiding judge in Department Six of the district court. Since being appointed to the distinctive position by Governor Bob Miller on July 4, 1989, his consistent leadership and responsiveness to the public and the court have not gone unnoticed, as he successfully won four elections to maintain his seat. Judge Adams' dedication to his profession was reflected in the Washoe County Bar Association's biennial surveys, where he consistently received exceptional judicial performance evaluations and high retention ratings.

Beyond his remarkable career at the district court, Judge Adams has had a tremendous impact on the entire legal community. He has served as a faculty member of the National Judicial College for 20 years, where he conducts national and international legal and judicial training on a wide array of topics. Judge Adams initiated the Washoe County drug court, the court services program, and the Washoe County Criminal Justice Advisory Committee, which he chaired from 1993 to 2002. He is also an active member of the Nevada Board of Continuing Legal Education and has served on the Nevada Commission on Judicial Discipline, the Judicial Assessment Commission, the Nevada Supreme Court Alternative Dispute Resolution Committee, and the Washoe County Law Library Board.

In addition to his impressive work in the legal community, he has worked to serve the greater Reno community by serving on the University of Nevada, Reno College of Liberal Arts Advisory Council, and the Reno Diocese Review Board of the Roman Catholic Church.