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Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable JOHN E. WALSH, a Senator from the State of Montana.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Lord God, as we make the August exit, may we hear the words of the poet Longfellow when he said:

Art is long, time is fleeting and our hearts though stout and brave still like muffled drums are beating funeral marches to the grave.

May our lawmakers remember that history will not judge them so much on what they say as on what they accomplish. They will be known by their fruits. Teach them to number their days, that they may have hearts of wisdom. As the seasons come and go, may this wisdom keep them from majoring in minors and minoring in majors. Working together may they avoid the frivolous and reap a harvest worthy of their high calling.

Lord, we thank You for the service of our faithful pages.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, July 31, 2014.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JOHN E. WALSH, a Senator from the State of Montana, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Mr. WALSH thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

MAKING EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2014—MOTION TO PROCEED

Mr. REID. Mr. President, I move to proceed to Calendar No. 488, S. 2648.

The ACTING PRESIDENT pro tempore. The clerk will report the motion.

The assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 488, S. 2648, a bill making emergency supplemental appropriations for the fiscal year ending September 30, 2014, and for other purposes.

SCHEDULE

Mr. REID. Mr. President, following my remarks and those of the Republican leader, the Senate will resume consideration of the motion to proceed to S. 2648, the emergency supplemental appropriations bill, postcloture. The time until 10 a.m. will be equally divided between the two leaders or their designees. The ranking member of the Budget Committee, Senator SESSIONS, will control the time from 10 a.m. to 11 a.m. and the majority will control the time from 11 a.m. to 12 noon.

We will notify all Senators when votes are scheduled.

MEASURE PLACED ON THE CALENDAR—S. 2709

Mr. REID. Mr. President, I understand that S. 2709 is at the desk and due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the bill by title for the second time.

The assistant legislative clerk read as follows:

A bill (S. 2709) to extend and reauthorize the Export-Import Bank of the United States, and for other purposes.

Mr. REID. Mr. President, I would object to any further proceedings with respect to this bill.

The ACTING PRESIDENT pro tempore. Objection is heard. The bill will be placed on the calendar.

Mr. REID. Mr. President, I respect, admire, and applaud Senators CANTWELL and MANCHIN for the work they have done on this most important bill. We need to find a way forward on it.

There are some in the House of Representatives and a few over here who have made this very difficult to do, and it is so important to the economic stability of our country.

I met yesterday with the head of Boeing aircraft, and they have 800,000 jobs directly and indirectly connected to this—I shouldn't say "to this." But it is a significant part of what they do and need to do to get their finances in order. It would be a shame if we weren't able to renew this. It expires at the end of September.

SEPTEMBER WORK SCHEDULE

Before we finish our business and Senators return for the work period at home, I want everyone to know about what is going to happen when we come back.

Following the August recess, when we convene on September 8, we will be here for 1 week, 2 weeks, and 2 days. That is it. September 23 is our target date to adjourn until after the election. I hope we can do that. This leaves us little more than 2 weeks and 2 days. That is not a lot of time for the workload we have to do.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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We need to pass appropriations measures to keep the government from shutting down. We need to pass a temporary extension to the Internet Tax Freedom Act. We need to do something about the items I just mentioned about the Ex-Im Bank. We have to do the Defense authorization bill, which is extremely important for the fighting men and women of this country. We are going to address the Udall constitutional amendment on capping finance reform. And we are going to reconsider a number of issues: college affordability, minimum wage, Hobby Lobby, student debt.

We have a lot of work to do. So everyone needs to know that when we come back on September 8, there will be no weekends off. There are only 2 weeks until we go home, and everyone should not plan things on these weekends. So no one can say: You need to give us notice.

You have been given notice.

I had a chairmen's lunch yesterday. Every chairman there said we should work those two weekends. So everybody, this isn't me trying to dictate a schedule. At lunch yesterday, the chairmen of this institution said we should work those two weekends.

I just mentioned a few things we have to do. So again, Saturday, September 13; Sunday, September 14; Saturday, September 20; Sunday, September 21, we need to be here, including the Fridays that precede those dates that I gave. Every day between September 8 and September 30 is fair game. Friday, Saturday, Sunday, we need to be here.

I repeat for the third time here this morning: There is so much to do and so little time to do it. We have not had a productive Congress. We can't push everything back to the so-called lame-duck. Much of what we are able to accomplish in September depends on the Republicans in the House. Will they get their business done and pass legislation that is important for our country and including the economy?

Here we have lamented the fact that they refuse to take up and pass our comprehensive immigration reform. What a good piece of legislation, a bipartisan bill passed out of this body by an overwhelming margin, and Republicans refuse to take it up. Among other things, it will reduce the debt by \$1 trillion.

We have no extension of long-term unemployment benefits. I have talked about minimum wage and I have talked about student debt. I have talked about Hobby Lobby. I have talked about equal pay for women, getting paid equally for the work they do that is the same as men. But they have no interest in these issues. They certainly have no interest in getting corporate bosses out of health care for women.

No, they are busy turning the House floor into a theater. And it is a double feature like we used to go to when they had double features—at least I don't think they do anymore. It is a double feature.

House Republicans are, first of all, going to sue the President. And, above all, the Republicans in the House and the Senate—the most anti-trial-lawyer group of legislators in the history of the country—who are they going to? Trial lawyers. Who is going to pay those trial lawyers? The American taxpayers. And if that isn't enough, once their lawsuit gets going, they are going to try to impeach the President.

So that is what it is all about. We have a lot to do. A lot depends on the political theater in the House. If the House Republicans are serious and focus their time on legislation to help American families, then it could be a very productive month in September. If they keep up the sue-and-impeach show, we will stay right here working until they finally get serious about giving the American people a fair shot.

RESERVATION OF LEADERSHIP TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

Under the previous order, the time until 10 a.m. will be equally divided and controlled between the two leaders or their designees.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

BORDER CRISIS

Mr. McCONNELL. Mr. President, the ongoing humanitarian crisis at our Nation's southern border demands a solution. It really just boggles the mind that the President of the United States would rather fund raise in Hollywood than work with members of his own party to forge a legislative response to this tragic situation and to do something to prevent more young people from making the perilous and potentially life-threatening journey across the desert.

The President initially laid out reforms that, while modest, represented a step in the right direction. But evidently the politicians who increasingly have the President's ear these days couldn't go along with that, so the President stopped defending his own policy reforms. Instead, he demanded a blank check that would literally preserve the status quo, a blank check he knew wouldn't fix the problem, a blank check he knew couldn't pass Congress, and a blank check he knew members of his own party in Congress didn't even support.

Faced with a national crisis, he listened once again to his most partisan instincts instead of uniting Congress around a common solution so he could lay blame for that crisis on somebody else. Apparently no crisis is too big to be trumped by politics in the Obama White House. It is exasperating for those of us who want to work toward bipartisan solutions; it is confusing, I am sure, to the Democrats who share our desire to get something accomplished; and it is emboldening to Democrats who don't, including the Senate Democratic leadership.

When faced with a crisis, a President's job is to show Presidential leadership and to get his party on board with the reforms necessary to address it. Scuttling reform and prolonging the crisis is not part of the job description.

So what I am suggesting, Mr. President, is that you spend a little more time actually doing the job you were elected to do. Press "pause" on the nonstop photo-ops and start demonstrating some real leadership instead. The barbecue joints and the pool halls will still be there after we solve this problem.

Mr. President, it is a dangerous journey to the border. Children are suffering at the hands of some seriously bad actors down there. News reports suggest you even knew about this long before it started making national news. You could have intervened before this turned into a full-blown humanitarian crisis, but you didn't. You could have worked with us to get a bipartisan solution. You didn't.

Mr. President, you have a special responsibility to help us end this crisis in a humane and appropriate way. Congress cannot do it without your leadership or your engagement. It is literally impossible to do this without you. So pick up the phone you keep telling us about and call us. Call your fellow Democrats and lobby them to get on board. Work with us, and let's address this crisis.

FOREIGN POLICY

Recently I expressed deep concern that the President pursued a foreign policy based on withdrawing from America's forward presence and alliance commitments, hollowing out our Nation's conventional military forces, placing an overreliance upon personal diplomacy and international organizations, and literally abandoning the war on terror. I believe this will leave his successor to deal with a more dangerous world and with fewer tools to meet the threats.

Later this morning several Members of Congress charged with leading national security committees and policymaking will meet with the President to discuss national security. I don't expect the President to brief us on his plan for rebuilding the military, especially in a way that would allow us to meet our commitments in Europe and the Middle East or that would allow for an effective strategic pivot to Asia, nor do I expect the President to lay out for us his plans to provide the intelligence community with all the tools it will need to deal with the threat of international terrorism from Al Qaeda and its affiliated groups over the next decade. Those are strategic threats best addressed by integrating all the tools of our Nation's power, and, candidly, it would require the President to revisit the policy stances he took as a candidate back in 2008.

I do hope that at a minimum the President will discuss two near-term issues:

First, I hope he will explain his plan or efforts to assist the Israelis in demilitarizing Gaza and ensuring that Hamas is not left with the ability to launch indirect fire attacks against the civilian populace or to infiltrate Israel through tunnels. In coordination with Israel, we can assist the Palestinian Authority with any programs to assume responsibility for monitoring those access points into Gaza.

Absent any active efforts by the administration, I would at least like assurances that the President is not working to impose a cease-fire upon Israel that is harmful to the objectives of the current military campaign.

Second, earlier this month a group of Republican Senators wrote to the President imploring him to craft a plan for containing the threat posed to Iraq and Jordan by the Islamic State of Iraq and the Levant. Specifically, we asked the President to deploy an assessment team to Jordan to develop a plan to prevent the spread of ISIL in a way that threatened our ally Jordan.

Although Ambassador Susan Rice responded to our letter, her letter did not address how the administration intends to combat ISIL. Instead, Ambassador Rice renewed the administration's request for a new counterterrorism partnership fund. To this point, the administration has failed to provide the Congress with any plan for how this new counterterrorism fund would assist our ally, further our own interests, or train and equip a moderate opposition within Syria. That would be a good starting point for today's discussion with the President.

OPIATE ADDICTION IMPACTS

Prescription drug and heroin abuse have risen to epidemic levels in my home State of Kentucky. More Kentuckians now lose their lives to drug overdose—largely driven by painkillers—than to car crashes. It is a huge problem.

Earlier this year I convened a listening session in the Commonwealth to hear from those closest to the problem, from professionals across the medical, public health, and law enforcement spheres, as well as a brave young man who managed to break his heroin addiction after watching his own friends overdose. We discussed the extent of the problem, and one issue in particular that grabbed my attention was the increasing number of infants being born in Kentucky dependent on opiates. Researchers estimate that more than one baby every hour—one baby every hour—is now born dependent on drugs and suffering from withdrawal—a number that has increased in my home State by more than 3,000 percent since the year 2000. We have gone from 29 infants identified as suffering from drug withdrawal annually to more than 950. Experts believe there are even more cases that go unreported. This is heart-breaking. I say this especially as a father of three daughters. These children are the most innocent members of our society. We have to protect them.

Thankfully, the Commonwealth is taking this problem seriously. Both the Kentucky Perinatal Association and the Kentucky Perinatal Quality Initiative Collaborative have made as their primary focus reducing the number of infants born dependent on opiates and other drugs. I certainly commend their efforts, but there is more we can do at the Federal level.

Maternal addiction and infant opiate dependency are epidemics that can best be overcome by effective coordination between stakeholders at the State and Federal levels.

One bill that was recently introduced in the House, the CRIB Act, would help address the need for greater coordination between doctors, nurses, hospitals, and governments at the State and Federal level. I commend the sponsors of that legislation for their leadership.

Today in the Senate I will introduce the Protecting Our Infants Act, which seeks to address not only infants suffering from opiate withdrawal but maternal opiate addiction as well. It would help identify and disseminate recommendations for preventing and treating maternal addiction so that we can reduce the number of infants born dependent on opiates and other drugs.

My bill would also promote recommendations as to how to pinpoint those babies suffering from withdrawal and how best to treat them. Because I have heard from so many experts in Kentucky on the need for more research into infant withdrawal and its long-term effects, my bill would shine a light on those areas as well.

The Protecting Our Infants Act would also encourage the Centers for Disease Control and Prevention to work with States to improve the availability and quality of data so that they can respond more effectively to this public health crisis.

My legislation is certainly no silver bullet, but it is a step in the right direction, and it would help ensure that our public health system is better equipped to treat opiate addiction in mothers and in their newborn children. Together we can overcome this tragic problem. I am going to remain focused on it until we do.

The ACTING PRESIDENT pro tempore. The Senator from Nebraska.

FAMILY MEDICAL LEAVE

Mrs. FISCHER. I thank the Chair.

Mr. President, I rise today to discuss the need to strengthen American families and enhance workplace flexibility, and I am very pleased to be joined here on the floor of the Senate this morning by my good friend the junior Senator from Maine.

In Nebraska and all throughout the country, too many families continue to struggle in this weak economy. Even with moms and dads working two or three jobs, some families find it hard to get ahead. Household income has plummeted by more than \$3,300, and 3.7 million more women are in poverty. The average price for a gallon of gas has nearly doubled, and the labor force par-

ticipation rate has declined by 2.9 percentage points since 2009.

Many economists agree that the surest way to generate sustained economic growth and empower struggling families is to pass comprehensive tax reform. Addressing overregulation should also be a top priority. Moreover, it is a simple truth that less government spending means families will keep more of their own money. Agreement on how exactly to achieve these needed fiscal reforms remains elusive and, unfortunately, unlikely in a Capitol paralyzed with election fever. Nonetheless, there are reasonable policy changes we can all agree on, and those changes will make life easier for families.

I have been working on a number of commonsense measures—my Strong Families, Strong Communities plan—to empower working families, increase take-home pay, and ensure flexibility in the workplace. Today I would like to discuss part of that plan.

The Strong Families Act is a bipartisan proposal I introduced with Senator KING to address the challenge of paid leave. It is no secret that balancing responsibilities at home with duties at work is a common struggle for working parents. For an increasing number of Americans these pressures include raising young children while also caring for aging parents.

While I believe we must do more to help these working families, the usual Washington answers of one-size-fits-all Federal mandates and higher taxes are not a part of the solution we are proposing. Instead, I believe we should focus on a more balanced approach that respects both family obligations and the employer's costs of doing business. There are ways to increase the options for working adults without hurting existing employment arrangements or threatening job security.

The Family and Medical Leave Act—FMLA—of 1993 requires employers of 50 or more employees to provide up to 12 weeks of unpaid leave, which can be used for events such as the birth or adoption of children, serious medical issues, or providing care to close family members.

The problem for many families is that current law does not require paid time off. Unpaid leave is practically impossible for countless Americans, especially hourly workers who live paycheck to paycheck. Many employers voluntarily offer generous compensation packages that include paid parental or medical leave. A survey of more than 1,100 employers found that 68 percent of large employers provide paid parental leave. At the same time not all workers enjoy these options despite increasingly complex family demands. Again, this is especially true for low-wage workers. With more than half of women working as the primary breadwinners, workplace flexibility has become a necessity for our 21st-century families.

It is not just children who require personal care and attention; it is also

our aging parents. Nearly half of middle-aged adults have elderly parents, and they are still supporting their own children. Over 43 million Americans provide direct care to older family members, with women serving as 66 percent of all primary caregivers. As the baby boomer generation ages, the number of senior citizens requiring care will likely spike. Less take-home pay for these caregivers means tighter finances, more stress, and lost opportunities—all at a time when families are confronting health crises or dealing with unique challenges of starting a new family. With such events often coinciding with high medical bills, the last thing a stressed family needs is a smaller working budget.

Senator KING and I have offered a proposal that would enable working families to have continued access to pay while they are meeting necessary family obligations. Our plan would create a tax credit to encourage employers to voluntarily offer paid leave for workers. To be eligible for that tax credit, the employer must at a minimum offer 4 weeks of paid leave, but they could offer more. Paid leave would be available on an hourly basis and would be separate from the other vacation or sick leave. For each hour of paid leave provided, the employer would receive a 25-percent nonrefundable tax credit. The more pay the employer offers, the greater the tax credit. This tax credit will be available to any employer with qualified employees regardless of size. Importantly, our bill is reasonable. It is a balanced solution that can make a real difference in the lives of working families.

When we do this without new mandates or new taxes, it creates an incentive structure to encourage employers to offer that paid leave, specifically targeting those who hire lower income hourly paid workers. This should not be just another election-year issue. This is a middle-class issue and our bill takes the partisan politics out of it and offers a meaningful solution we can pass.

I wish to thank my friend from Maine, Senator KING, who joined me in offering this bill.

Once again, this now famous surf-and-turf caucus is working together on a commonsense proposal, and it is a proposal that can help American families. I am grateful for the Senator's input, his hard work and friendship, and I look forward to closely working with him in the future so we can advance this measure in the Senate.

I thank the Presiding Officer and yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Maine.

Mr. KING. Mr. President, I am delighted to join my colleague from Nebraska to introduce what I think is an important and commonsense and workable bill that could be passed in the next several weeks, and I think there will be broad agreement across the political spectrum.

The question we are answering is: What does Suriname, Papua-New Guinea, and the United States have in common? The answer is: They are the only three countries in the world that we have been able to turn up that don't have any provision for paid maternity leave. Every member of the industrialized world, except the United States, has some kind of coverage for paid maternity leave.

This chart gives the various levels. You will see in red is the United States, Suriname, Papua New Guinea, and that is it in the whole world. This is something we can do that will not affect our competitiveness, will not be a problem in our economic growth, and in fact I believe it will contribute to it.

Today a family who has a health crisis with an elderly parent, a child or has the joyful issue of a new child in their family has a terrible dilemma. The dilemma is: Do I stay home to take care of the child or the elderly parent in a health crisis or do I have to put food on the table by going to work because for every hour of work I miss I lose an hour of pay. That is a dilemma we should not put our people through.

As I have said, I believe this is a productivity issue. All of the discussions we have had in recent months about pay and gender inequity often come down to the issue of workplace flexibility, particularly in the case of women who are often the ones who are put in the dilemma I mentioned of having to choose between their earnings and family obligations. Women are the ones who are often trapped in this dilemma, and they are the ones who are asking for and seeking—quite reasonably—the same kind of flexibility that virtually every other working person in the world already enjoys.

I like this bill and agreed with my colleague from Nebraska to join in it because it is voluntary. It is not a mandate from Washington, it is not something that says every employer in the country has to do this, and there will be rules and bureaucracy and adjudications and all those kinds of things. No, this is a voluntary, incentive-based program that says every employer—not just those 50 and above or 100 and above or 500 and above—in the country will have this tax credit available to them that will allow them to offer paid leave to their employees.

I think this is the way we should approach this and not, as my colleague has said, with a one-size-fits-all mandate emanating from Washington. I think incentives are always better than mandates.

The other element that is important about this bill is it focuses on the people who are currently least likely to have some kind of paid leave available to them, and usually those are people who work on an hourly basis. That is whom this bill is focused on. The interesting aspect of the data is that as it goes up the income scale into salaried employees, more than two-thirds of American workers in this category al-

ready have a paid leave policy. It is when you get down into the working people—the hourly workers—that we have discovered the real problem lies. That is why I think this bill has an important focus on hourly workers, people who are covered by the Fair Labor Standards Act and people who otherwise are not going to have this kind of protection.

This is about flexibility. As I have talked to and listened to women's groups and advocacy groups, flexibility is always first on the agenda, and that is exactly what we are talking about, so people—men or women—don't have to make that agonizing decision, people who are living paycheck to paycheck don't have to make the agonizing decision between being able to put food on the table and pay the rent or staying home to take care of an ill child or an elderly parent or to stay home a reasonable period after the joyous occasion of the arrival of a new child.

It is also about productivity. I believe we will see an increase in productivity because people will not be preoccupied when they are at work. They know they are going to be there and they know they are going to have this protection and it takes away that agonizing worry and anxiety. It also—by giving people paid leave—will enable them to continue to contribute to the economy, and I believe it will actually be a positive stimulus to our economy.

Of course everybody says we are in competition with the rest of the world. Not on this. Every place else in the world provides this level of benefits so we are in a catchup situation, and I believe, as I said, I think we will see an increase in productivity and in economic activity.

Finally, it is about fairness. Frankly, to some extent it is about gender fairness. It is about fairness to working women who are expected in our culture to be the ones to take care of a sick child. That may not be fair, that may not be the wave of the future, but that is a fact today. It is about fairness to those working women who have to make a choice between putting food on the table or taking care of a sick child or taking the necessary time off after the birth of a child in order to have that event be a happy one and not an economic strain on the family.

I am delighted to join my colleague from Nebraska—the leader of the surf-and-turf caucus—on her brilliant bill that I believe is something we can come together on, on a bipartisan basis, and actually do something about and not just talk about the problem of income equality and not just talk about the problem of fairness and not just talk about the problem of flexibility in the workplace but actually do something about it in a practical and commonsense way that I think will have tremendous ramifications across the country.

I am delighted to be able to join her. I compliment the Senator from Nebraska for her work in bringing this

forward, and I look forward to what I hope will be an expeditious consideration of her bill in the Senate and in the Congress. This is a change we can make that will make a real difference in people's lives across America.

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

IMMIGRATION REFORM

Mr. SESSIONS. Mr. President, the people of the United States have truly begged and pleaded with their lawmakers for years to create a lawful system of immigration—one that works, one that is fair, one that serves the national interest, one that we can believe in. They have been justly and rightly convinced of that fact, and they have demanded it of their elected officeholders to secure their communities and protect the integrity of our national borders. Some say there is something wrong with that. I say there is absolutely nothing wrong with that. That is the right thing. That is the moral thing. That is the responsible thing. That is the decent thing. That is what any great nation should have—an immigration policy that serves its national interest and is fairly and lawfully conducted.

But these pleas have fallen on deaf ears. Our border is absolutely not secure. It is in a state of crisis. Our communities are not safe. Preventable crimes occur every day because our laws are not being enforced and our sovereignty, at its base level, is not being protected. And, we have a President planning to issue sweeping executive amnesty in violation of law, in ways in which he has no power, and threatens the constitutional separation of powers. Congress passes laws; the President must execute the laws. The President is not entitled to make laws, to conduct actions contrary to plain laws. The President simply cannot say Congress didn't act, so I have to act.

Well, Congress decided not to act in a way he wanted. They considered legislation, rejected it, and now he is going to—it appears from article after article—go forward and carry out an action anyway. It would be fundamentally wrong. This cannot stand. It will not stand.

My position has been and remains that Congress should not pass border legislation that does not foreclose the possibility of these unlawful Executive orders. As an institution, this Congress has a duty to protect this institution and our constituents.

Currently, the President has issued approximately half a million grants of administrative amnesty and work permits to individuals unlawfully present in the country up to 30 years of age.

Now the President wants to issue another 5 to 6 million work permits to illegal immigrants of any age, despite a clear prohibition in the Immigration and Nationality Act. He is not entitled to do that. Plain law says you cannot employ someone in the country unlawfully.

People think: Well, it is one thing to say you will not deport somebody. But, colleagues, what was done previously was to provide, under the DACA legislation, an ID card with the words "Work Permit" across the top, "Work Authorization" across the top.

So the President is providing, in violation of plain law, the ability of people in the country to work who are not entitled to work, who will be able to take jobs from any American today. We have a lot of Americans today struggling for work. At a time when millions of Americans are out of work, the President's plan is a direct affront to them—to every single unemployed American, to people around the world who have applied to come to the United States and have not been admitted, so they did not come unlawfully. What do we say to them when this happens?

It is particularly damaging to those in the poorest and most vulnerable communities in America. So who is speaking for them? Who will give them a voice in Congress? Will Members hear? Will we hear their pleas? I have been shocked that we have not seen a willingness in the Congress to resist more effectively than what we are seeing today.

So let's consider a bit more deeply for a moment what the President's Executive action would do to immigration enforcement in America. Let me say clearly, colleagues, we are not making this up. We are not having some idea that he might do something for 5 or 6 million more people. It has been repeatedly leaked from the White House—not leaked; they have discussed it. The President has promised it to activist groups like La Raza and the ACLU that he has been meeting with. He has told them he intends to do this. It is only a question of how and the time. The latest article yesterday in the Wall Street Journal—a big article—said it would happen shortly after Labor Day. Well, this is not something we are making up. It is a direct threat, a direct promise, a statement, it appears, from the White House.

I hope they will not go forward with it. Surely cooler heads in the White House will push back. Surely his Attorney General will say: Mr. President, you cannot do this. His legal counsel in the White House will say: Mr. President, do not do this. This is not lawful. The Department of Homeland Security needs to be saying: This would be devastating, Mr. President. How can we enforce any laws? Please do not do this.

I do not think it is absolutely certain to happen. But it seems to me that by every indication it is an absolute intention right now of the President to

go forward with this or they would not have had at least a half a dozen articles on it—the National Journal, Time magazine, and others.

I have spoken many times with a great American by the name of Chris Crane, a former marine. He is also an ICE officer and president of the officers' ICE Council—the Immigration and Customs Enforcement Council. He has explained how his officers are ordered not to do their job. They have even sued the Secretary of Homeland Security for blocking them from fulfilling their oath to enforce the laws of the United States of America. Can you imagine that? I was in Federal law enforcement for 15 years. I have never heard of a situation in which a group of law officers sue their supervisor saying, in Federal court: Mr. Judge, my supervisor is ordering me not to do what my duty and my oath requires on a daily basis.

That is a stunning development. Their morale for years has been one of the lowest in the Federal Government. Now I think it is the lowest because they have been demeaned and rejected in a duty they believe is worthwhile for them to carry out.

One of the things Mr. Crane explained is that the President's previous Executive amnesty for the so-called DREAMers basically halted enforcement for anyone who asserted protections under that new administration policy. Mr. Crane would report that ICE officers would come into contact with individuals unlawfully present in the country—individuals they would encounter in prisons and jails. They would be called by a local police department that they have arrested someone for a serious crime. They would tell the ICE officers. Routinely they are supposed to go and pick them up and deport them. They would encounter people in jail—that is one of the big jobs they have—and they would be forced to release them simply because they assert: I came here as a youth. Nobody is going to do any investigation on this. How do you investigate it? The effect is to demoralize and make it difficult, and almost impossible, to enforce the law.

Now imagine, then, what would happen if the President expands this administrative amnesty and work authorization program to cover millions of unlawful immigrants of all ages. Everyone ICE comes in contact with will assert these protections: I am qualified under the President's amnesty. And any who fail the application will say they are eligible for this amnesty.

So what then? Will the FBI open investigations, check when they entered the country or whom they entered the country with, and where they came from? They are not going to do that—of course not. The officers are going to be totally unable to resist false claims from applicants, who happen to be the people they have arrested. It is going to demoralize immigration enforcement officers. ICE officers will again be

issued orders basically to stand down. No enforcement is going to occur. It will be the effective end of immigration enforcement in America, in my opinion.

You cannot maintain an effective, lawful, consistent, fair immigration enforcement policy with these kinds of regulations occurring and these kinds of orders from the White House, who is the Chief Executive Officer of America, who is empowered and directed to ensure that the laws of the United States are carried out—not empowered to violate the laws of the United States.

We have also heard from officers who have processed immigration applications. These are people who receive applications to come to the United States in a lawful way. These dedicated folks at the U.S. Citizenship and Immigration Services are people who have to process all of these millions of applicants if the President issues his order.

So let me read at length from a statement from the President of the USCIS Council, who represents these CIS officers who have an awesome duty. He wrote last year—this is what he said:

USCIS adjudications officers are pressured to rubber stamp applications instead of conducting diligent case review and investigation.

This is the officers saying that their bosses are pressuring them to just rubber stamp applications right now—not to investigate, not to ask questions—just approve them. He goes on:

The culture at USCIS encourages all applications to be approved, discouraging proper investigation into red flags and discouraging the denial of any applications. USCIS has been turned into an “approval machine.”

That is what the top CIS officer said in a statement last fall. They have been turned into an approval machine. No wonder the American people are unhappy with what goes on here. Does anyone really know how serious this is? It is amazing that we would undermine the very integrity, really, of the entire process, and that is why they have protested. That is why they have come forward. It hurts them. They feel bad to see the great laws of the United States being routinely eviscerated.

He went on to say this:

USCIS has created an almost insurmountable bureaucracy which often prevents USCIS adjudications officers from contacting and coordinating with ICE agents—

Who know something about these people, perhaps—

and officers in cases that should have their involvement. USCIS officers are pressured to approve visa applications for many individuals ICE agents have determined should be placed into deportation proceedings.

That is a very serious charge, and that is happening. He is not making that up. It goes on:

The USCIS officers who identify illegal aliens that, in accordance with law should be placed into immigration removal proceedings before a federal judge, are prevented from exercising their authority and responsibility to issue Notices To Appear.

This is a notice to appear in court. They are being obstructed and told not to do it. He goes on to say:

The attitude of USCIS management is not that the Agency serves the American public or the laws of the United States, or public safety and national security, but instead that the agency serves illegal aliens and the attorneys which represent them. While we believe in treating all people with respect, we are concerned that this agency tasked with such a vital security mission is too greatly influenced by special interest groups—to the point that it no longer properly performs its mission.

What a devastating critique. Does anyone care? Has the President done one thing to respond to these allegations? Is the Senate bill that is offered by Senator REID and our Democratic colleagues, with the blessings of the President—does it do one thing to fix one of these problems? No. They have no intention of fixing these problems. They do not want to fix these problems. This is their policy: to foment more lawlessness and to see that the laws are undermined in such a way they cannot be effectively enforced.

It is just wrong, colleagues. Republicans and Democrats need to stand up to this. Don't we need to respond to the desires of the American people for a lawful system of immigration? Isn't that right and just and decent that they ask of us? Yet we go along in total ignorance and ignore these kinds of statements from our own enforcement officers, which anybody who looks at the border and sees what is happening could believe every bit of. And indeed it is true.

It goes on to say:

This agency is tasked with such a vital security mission is too greatly influenced by special interest groups—to the point that it no longer properly performs its mission.

In virtually every article we see the President is meeting with some group, such as La Raza, which has very extreme policies on immigration—basically an open borders policy. They have opposed every policy of lawfulness. Another similar group, the ACLU, was commenting recently on what they thought the President had told them he was going to do about not enforcing the law.

These are the kinds of groups he is meeting with. He is not meeting with the law officers. He never sat down with them to ask: Tell me what it is like on the border. Let's see if we fix this thing. Let's make this system work. He has never done that. That is very indicative. This legislation that would spend \$2.7 billion, proposed by the Democratic leadership in the Senate, and totally blessed by the President. This is the President's bill and it does nothing to fix any of the problems. It just asks for more money.

The President of the United States Citizenship and Immigration Services wrote last year:

DHS and USCIS leadership have intentionally established an application process for DACA—

That is his first amnesty for DREAMers that the President issued.

—that bypasses traditional in-person investigatory interviews with trained USCIS adjudications officers. These practices were put in place to stop proper screening and enforcement.—

He is saying that these practices were put in place to stop proper screening and enforcement.

—and guarantee that applications will be rubber-stamped for approval, a practice that virtually guarantees widespread fraud and places public safety at risk.

This is the head of the USCIS Officers Association. He is laying out event after event, action after action, that demonstrates we are dealing with an administration that does not want the law enforced. Can you believe these words?

The president of USCIS goes on to say:

U.S. taxpayers are currently tasked with absorbing the cost of over \$200 million worth of fee waivers bestowed on applicants for naturalization during the last fiscal year. This is in addition to the strain put on our Social Security system that has been depleted by an onslaught of refugees receiving SSI benefits as soon as their feet touch U.S. soil.

So the story that there are no Social Security benefits is not correct. The refugees who enter our asylum system through the refugee program are entitled to these benefits when they hit the soil.

He goes on to say:

Large swaths of the Immigration and Nationality Act are not effectively enforced for legal immigrants and visa holders, including laws regarding public charges as well as many other provisions as the USCIS lacks the resources to adequately screen and scrutinize legal immigrants and non-immigrants seeking status adjustment. There is also insufficient screening and monitoring of student visas.

These are breathtaking reports from our top officers, from the front lines of law enforcement, from people who screen and review applications every day for the United States of America.

Now think—just imagine what will happen to our system if the President goes forward with his executive action. It would overwhelm a system that is already buckling under the weight of massive illegality on our southern border.

We must end this lawlessness. We can end this. We can do so. Let me repeat. I know it can be done. But to do so, we must first stop doing more damage. We must prevent the President's massive executive amnesty from going forward. The public, once riled to these issues, will not be ignored this time, in my opinion. They will not let the representatives of either party acquiesce to lawlessness. That is why I have said that Congress as an institution must not support any border bill that come forward that does not expressly prohibit the President's executive amnesty ideas that he has been talking about, and would block him from spending any money to execute an unlawful plan of this kind.

How can we not take this position, colleagues? What basis do we have to

say we will not take any action when we were being told on a daily basis what the President plans to do? Are we ready to go to recess for August having done nothing, said nothing, offered nothing to oppose the stated intentions of the President in this way?

There is currently no legislation pending for a vote in either Chamber, House or Senate, which passes this test. Senator CRUZ has offered language, but they are not willing to allow it to come up for a vote. As a result, both the House and Senate packages should not be supported. Congress should not adjourn until it has firmly stood against the President's unconstitutional and dangerous action.

The American people are asking for us to help. They are pleading with us to help. We must answer their call. We must fight for the lawful and just system of immigration that we can be proud of. Let's put this into a bigger picture. Wages are down. Labor force participation is declining. The percentage of people in the working ages who are actually working has been declining steadily. Indeed, it has not reached a level this low since the 1970s.

Since 2000, the Federal Government has lawfully issued nearly 30 million immigrant and foreign work visas—for people to come to this country to work—almost 30 million visas to legally work in the United States or permanently reside in the United States. During this time, the number of Americans with jobs—Americans with jobs—declined on net. On net, fewer U.S.-born workers ages 16 to 65 had jobs in 2014 than in 2000. Amazing.

There are fewer people working today—even though the population has increased—than in 2000. The President's planned work permits for illegal immigrants is in addition then to the already huge flow of low-wage labor into the United States.

We have a problem, colleagues, with Americans needing jobs. We do not have too few workers. We have too few jobs. I would contend that that is pretty clear because wages are down.

If we had a shortage of workers, wages would be up. When you have a surplus of labor and surplus of workers, wages decline. According to the Wall Street Journal, in 2007, a family income of 4 would amount to about \$55,000, on average. It has now dropped to \$50,000. That represents a huge diminishment of the wealth of America. Is it not time we did something for American workers? Who do we represent? Do we not represent the people of this country? Do we not know we cannot—while we believe in immigration, we respect and admire and love immigrants, we ought to have a lawful system. The number of people who come ought not to be so large that it destabilizes our labor market. Is that not the right policy for a great country to pursue? The American people have begged and pleaded for this system. I believe we ought to give it to them.

Let me sum up one more time here. What we are seeing in the bill pre-

sented by the majority, and demanding that it pass the Senate today, is a bill that just provides money. It does not deal with any of the policy problems in any real way that would end the lawlessness and end the belief by people around the world that if they can just come to the United States, particularly if they come as a young person, they will be allowed to stay. We have not acted to end this belief in any effective way.

It could easily be done. We do not need a law to fix that. We have looked at it. Some legal changes could help. But, first of all, the President needs to act.

The House is putting up some money. They are saying it has got to be used for some of the things that would be beneficial to ending this flow. But even then, we have seen the President does not have to use it and does not have to comply with their vision to end immigration into America.

So the President has set this up. He issued his amnesty documents, his policies, and encouraged more people to come to America. If he does this new Executive order amnesty, it would encourage more adults to come to America. It just will. It will weaken the moral authority of all our immigration laws. You cannot take these kinds of actions—as somebody who has been in law enforcement for a long time, you cannot take these actions and think there are not ramifications on them, that there are not impacts throughout the entire world and throughout the entire law enforcement community, for our ICE officers and our USCIS officers working every day dealing with hundreds of these cases.

You have to have clarity. You have to have integrity. You have to have consistency. You have to mean what you say. You cannot say: I am for strong borders, and I am for legal immigration, and then present a bill that is going to do nothing to change the path we are on. It is something I hope our people will look at and pay attention to it.

This bill is going to go down. It is not going to pass. It should not pass. It will be blocked. It will have no chance to pass in the House if it were to get out of the Senate. What I want to say to colleagues is: It is indicative of the lack of seriousness from the majority party when they produce such a poor piece of legislation.

I wish to remind my colleagues of one more thing. The only way the administration can run out of money is if it refuses to spend the money that is currently available to it for the border disaster. There is no law, no regulation preventing the administration from spending money in the current fiscal year. Even the bill they submitted to us, when it was examined, showed it only asked for \$25 million for this fiscal year, through September 30. So it is not the kind of crisis we have to rush out and pass a bill today, tonight, or the country is going to shut down.

They can reallocate funds. But what we need is, and what Congress needs to do as a representative of the American people, is to say: We are prepared to provide some money, but we need to know, Mr. President, that you are serious. We need to know, Mr. President, you are going to let your officers do their duty and not block them from doing their duty. We need to know, Mr. President, you are not, in a few weeks, going to issue a massive administrative amnesty to millions of people who will be given work permits to compete in America for any job that is out there—any job.

We need to know where you stand on this. We represent our people. We cannot just throw money at this problem, which is what this legislation does.

Let me take a moment to go back and discuss how we got here. We have had the current law basically in effect for a number of years: 5, 6, 7 years. We did not see a spike in entries of young people until the President issued an Executive order basically legalizing people of youth—up to 30 years of age—who came to America. That was seen around the world as an invitation for young people to come. They have come in extraordinary numbers, overwhelming our system.

In 2011, it was 6,000. This year it is going to be 90,000. What a huge surge that is. It should never have happened. Now we are reduced to being here in the Congress and having the President come to us demanding billions of dollars to fund this program and deal with the crisis his policies created. Because it is true, and has been true, the young people who come to America turn themselves in to the immigration officers, who then take them to the Health and Human Services officers and turn them over to them. They go out and find housing. That is why we have seen this all over the country. Find housing for them. Months go by, or, if anyone comes to pick them up, they are turned over to them. They do not inquire if they are legally here, those who come to pick them up. They expect no proof that they are related to the child.

Maybe it is a 17-year-old. Most of them are older teenagers who pick them up, and they are released on a permiso or bail and they never show up. Nobody has the time or the numbers or the capacity to begin to go look and see why they didn't show up in court. But if we get a traffic ticket and don't show up in court in Alabama, California, Texas, somebody is coming after us.

This is the way the system is being collapsed in America today. It is just a tragedy. It breaks my heart. The American people have never approved of this.

So word got out and we had this surge, and now the President, without any real plan to fix it, comes forward and says: Give me \$4 billion—the bill here I think is \$2.7 billion—without any clear commitment or proof that we have any plan or any commitment

from his leadership to alter the dynamics of the situation we are in.

This is not acceptable. The bill before us now is not acceptable. It will not pass. It will not become law. We need to insist—the American people will continue to insist—that this Congress and this White House do their duty to make sure we have good, sound immigration laws and then ensure they are faithfully and fairly executed to serve the national interests of the United States.

I yield the floor.

The PRESIDING OFFICER (Mr. BOOKER). The Senator from Vermont.

Mr. LEAHY. Mr. President, I am glad that people have decided to speak about immigration reform.

This body passed overwhelmingly—Republicans and Democrats joined together—a comprehensive immigration bill last year.

We did it after six hearings during which we received testimony from 42 witnesses. We had five markups and 37 hours of debate, often late into the night, over three weeks. There were 212 amendments, of which 136 were adopted, all but three of them on a bipartisan bases. Staff and Senators, Republicans and Democrats, worked together throughout that time, and the Senate, by a better than 2-to-1 margin, passed a comprehensive immigration bill. It was supported by people from the right to the left.

It went over to the other body. In the other body there were enough votes to pass it. And what happened? The Republican leadership said: No, we will not bring it up. And so it died there.

Today, faced with a surge of migrants from Central America, they are giving great speeches: Oh, my God. We have to do something about immigration. Why don't we do something about immigration? And then they blame Democratic President Obama.

My response is: What are you doing? They could have brought up the bill. We would be a lot better off had they brought it up and voted on it. Vote yes or vote no. That is what we are supposed to do. The Senate did that, and we passed it.

The Republican leadership is so afraid they might actually have to take a stand on immigration. They might actually have to vote yes or no. It is so much easier to do nothing, just to let it sit there and say: Oh, it must be President Obama's fault. Oh, it must be the Senate's fault. Oh, it must be somebody else's fault. Or maybe it is the fault of these 6- and 7-year-old children who are trying to escape being killed or molested, the 12-year-old girls who are afraid they are going to be raped by gangs, the 12-year-old boys who are going to be forced into gangs or be shot in front of their families.

It is so much easier to say: This is terrible. It has to be President Obama's fault. Let's sue him.

What I say is: Why don't you have the courage to vote yes or no on the immigration bill we sent you?

I defy any one of them to go home during August and say: Oh, we have to do something about immigration. I hope people ask: How did you vote? Well, they didn't vote yes and they didn't vote no. They didn't vote at all.

I spoke in this Chamber earlier this month about the importance of living up to our own principles and traditions by addressing the influx of unaccompanied Central American children because it is a humanitarian crisis.

While there is no easy solution, the Border Supplemental Appropriations Bill offers a chance to make a downpayment on a strategy to address this crisis comprehensively, in accordance with our legal obligations and moral values.

The supplemental was described by the Appropriations Committee chairwoman Senator MIKULSKI yesterday. We know it is significantly different than the bill put forward by the House Republican leadership this week. The House bill provides \$1 billion less than the Senate to help unaccompanied children currently in the United States and \$700 million less to support the Departments of Homeland Security and Justice so they can effectively address this issue and adjudicate these children's cases appropriately.

There is nobody in this body or the other body, if they have children or grandchildren, who has to worry about them going hungry or has to worry about them living in fear every day. Let's get out of our ivory tower and pay attention to what is happening.

As I said earlier, the House ignored our bipartisan comprehensive immigration reform bill. Thirty pages of policy reforms included in the House supplemental and all it does is support their enforcement-only agenda to get rid of these children. Just throw them out. Let's pretend we have no responsibility. Send them back to face whatever horrors back home.

While many of these children and families don't qualify for international protection and would be better off not risking the dangerous journey, which the Senate bill seeks to address, many others have legitimate claims to protection because of the violence and persecution they have suffered in their home countries.

That is why this is a humanitarian issue. That is why we can't expect other countries with far fewer resources—such as Jordan or Turkey or Ethiopia—to accept far larger numbers of refugees from outside their borders if we are not willing to do our part.

The little country of Jordan is being overwhelmed by hundreds of thousands of refugees from Syria. We say: Oh, thank you for doing that. Here we are talking about a tiny percentage compared to the size of our country. We say we want other countries to do this—but, gosh, the wealthiest, most powerful nation in the world can't. That's not who we are as Americans.

That is why it is unconscionable that the House on the one hand recognizes

these Central American countries are among the most dangerous in the world, where gangs and other violent crime is taking a horrific toll on children and families. They will give speeches on that, but on the other hand they will say: However, that is their problem. Send these children back. Eight-year-old, you can fend for yourself against the gangs with machine guns. Go back, and do it as quickly as possible because we have to go on recess. We don't want to be bothered about you.

That is why it is also unacceptable that the House would pay for their misguided approach in part by cutting nearly \$200 million from other programs in the foreign aid budget, the very funding needed to help reduce poverty, corruption, and violence in Central America so children won't flee in the first place.

Critics of the administration want to point fingers, but blame games aren't going to solve this problem. There is no single cause. It didn't occur overnight. It has been building for years as drug cartels, responding to the insatiable demand for illegal drugs in the United States, have migrated to Guatemala and Honduras and El Salvador.

It is caused by members of Central American gangs, arrested and imprisoned in the United States and then deported, who have resumed their threats and extortion and killing sprees with a vengeance.

It is caused by abusive and corrupt police forces and judges and the failure of the Central American governments to address the lawlessness and impunity in their own countries.

It is caused by the lack of educational and employment opportunities that are among the reasons Central American youth join the gangs.

So let's not play politics over something as complex and deadly as this. Let's vote for the Senate supplemental. It includes the funding needed to begin addressing some of the contributing causes of the migration and leaves intact the important legal protections in the Trafficking Victims Protections Act.

The \$300 million in the State and foreign operations chapter of this bill requires a multiyear strategy to support the efforts of Central American governments to dismantle their criminal gangs and combat extortion, human smuggling and trafficking and domestic and sexual abuse, strengthen their social services, law enforcement, and judicial systems, develop child welfare services, and expand programs in education and get rid of the barriers to economic growth and opportunity.

It also provides funds for public information campaigns to discourage potential migrants from making the perilous journey in the first place, and it includes provisions that will ensure vigorous oversight of the aid we provide.

The emergency spending in this supplemental is needed to respond urgently and responsibly to this crisis. It

is about what we stand for as Americans. Let's uphold our Nation's long-standing tradition of providing a safe haven for refugees that is engraved in the Statue of Liberty, for the well-being of thousands who have fled violence and risked everything to arrive at our borders, and for the millions in Central America who live every day in fear. Let's give them some hope for a better life. Let's pass this bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, I thank Senator LEAHY for his extraordinary leadership on this issue. He serves on the Appropriations Committee that has brought us this supplemental appropriation. He is also the chair of the Judiciary Committee.

I had the great privilege for a short period of time to serve on the Judiciary Committee—too short a period of time—and saw his extraordinary leadership. I know it was his committee that brought together an immigration reform bill that would have dealt with some of the major problems we have in our immigration system. Through great work we got that bill passed in the Senate over 1 year ago.

I find it somewhat ironic that in the House they are now talking about how they can change the immigration law while we have a bill that is over there. Pass our bill and it would go a long way toward helping this issue.

I thank Senator LEAHY for his leadership on immigration issues and his passion on the humanitarian issues we have before us.

I join Senator LEAHY, and I hope the majority of this membership will, in support of the emergency supplemental. I hope we can pass it today, and I hope our colleagues in the House will also pass it.

I thank Senator MIKULSKI, my colleague from Maryland, for her leadership as chair of the Appropriations Committee and bringing forward a supplemental appropriation that deals with the humanitarian crisis on our border.

We all know about the unaccompanied children on our border. In fiscal year 2014 it will equal 60,000. That is an extraordinary number. But let me make it clear. It is not because of border security issues that we have this problem. When these children approach our border they say: We are here. They are not trying to sneak into the United States. They are trying to get to our country and then they turn themselves in. We know most are coming from Honduras, El Salvador, and Guatemala, and we know the circumstances in those three Central American countries.

First and foremost, the information they have about the transit and welcome in America is different than reality. The reality is that if children are transited to our border, they are very likely to be at great risk, great risk because of the traffickers who could very

well abuse them—certainly very costly transit—and give them information that is not accurate about the laws of our country.

If they make it to our border, what happens is they are put in deportation. There is no right to enter America. We have to evaluate their circumstance. Those are our immigration laws.

First and foremost, we want to make sure the people of Honduras and El Salvador and Guatemala understand the risk factors and that their children should remain in their country.

But the root cause, as Senator LEAHY pointed out, is also the current circumstances in these three Central American countries. It is not safe. Too many young people have the choice to either join a gang of violence or themselves be victimized by violence. The economic circumstances in these three countries give little hope for an economic future for these children. It is in our interests to partner with all three of these countries to deal with the root causes of why parents would put their children in transit to our borders at great risk or why families would try to come to America and leave their native country.

So it is in our interests to deal with that, and the supplemental appropriations bill that is now on the floor provides \$300 million of help that we can use to deal with root causes in the Central American countries. We can make a difference.

I will give the dollars for one second. Three hundred million dollars might seem like a lot of money, but it is not the billions we need to take care of the problems on our border as a result of families sending their children to our border.

We can make a difference. Our development assistance programs work. They work. It is part of our national security. We understand that if we have stable countries, it provides a more stable relationship and strategic partnership with us and other countries, helping our national security interests, and we can make a difference.

Let me remind my colleagues that under President George W. Bush, in a bipartisan manner in 2003, we passed the PEPFAR law which dealt with HIV/AIDS because we recognized the security of the world was being jeopardized by the spread of HIV/AIDS. And guess what. Our PEPFAR initiative made a huge consequential difference. Today the landscape is totally different than it was just a decade ago. That is because we, the United States, showed leadership.

We can show the same kind of leadership in dealing with the root problems in Central America that can make our hemisphere safer—and, by the way, help children and help children of the future who could help their country and help the global economy. We have programs in these countries. We have the Partnership for Growth as one example in El Salvador.

But we have to make it consequential. We have to make it consequential

to get rid of these gangs, to give economic hope, to deal with good governance. The first step is in this supplemental appropriation that provides \$300 million of help to these countries. These children at the border require a humanitarian response from the United States.

I have the honor of chairing the U.S. Helsinki Commission. It is known for many things. It is known for standing up for human rights globally.

We have talked about America asking the international community to have open borders when there is instability in their community—most recently the problems in Syria. We thank the people of Turkey and the people of Jordan for having open borders so people can find safe havens. We had better take care of our issues at home first.

We have humanitarian responsibilities, and this supplemental appropriation takes care of that, with \$1.2 billion to help human services to deal with adequate shelter for these children so they are properly cared for. That is our responsibility; they have certain rights.

The majority will be returned to the host country in a safe manner, but there are many who are entitled to asylum. There are many who have been victimized by the traffickers and are in fear of their life and there is no safe option and have a right to expect our country to reach out in a humanitarian way to take care of their needs.

This supplemental takes care of that—with moneys for HHS, moneys for the Department of Justice—\$124 million to deal with the judges so we can handle these issues in a prompt manner—to deal with adequate legal representation.

As I mentioned at the beginning of my comments, yes, we have to improve our immigration laws. We have already done it. The bill from the Senate is at the House. All they have to do is take up our bill, pass it, and in a balanced way, representing I think not only the philosophical views of the Congress—which can be a challenge at times—but representing the views of most Americans.

I hope we will support the supplemental bill. I might also add it provides \$615 million for wildfires in the West. We know that is an emergency, an urgent situation that needs to be dealt with. It provides help to our ally and friend Israel, \$225 million to replenish the missiles that have been used in Iron Dome to shoot down the missiles coming into Israel. It is a well-balanced supplemental. It represents the best interests of this country, and I urge my colleagues to support it.

Mr. CARDIN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. 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. MIKULSKI. Mr. President, I know the Senate is now considering whether we should vote on the motion to proceed to the emergency supplemental bill. That means under our rules of another century we actually don't get to the bill. We have a debate or even have a filibuster on whether we should even move to the bill. It was designed to cool the passions of the time so the Senate could be the greatest deliberative body in the world. However, these procedures now have been distorted. We are no longer the greatest deliberative body in the world; we are the greatest delaying body in the world. Delay has become not only a tactic to come up with better ideas, delay has become an outcome unto itself.

We are facing a serious problem in our country, and I hope we would vote on the motion to proceed so we could actually get on the legislation for the urgent supplemental funding to deal with three crises facing our country, one of which is wildfires burning in the West, in which property, communities, and livelihoods are being destroyed and first responders are being exhausted. While they are being exhausted, local and State funds are being exhausted, along with the Forest Service of our own government.

We need to stand with our neighbors in these Western States because this is a calamity. The Presiding Officer was the mayor of a great city in New Jersey—Newark. He knows what happens when a hurricane hits the city and hits a State. He could tell me and I know he has spoken frequently about how New Jersey is still trying to recover from Sandy.

Well, the fires raging in the Western States are their hurricane. It is their tornado. It is their Sandy. I hope we would pass the \$615 million to help our own fellow citizens in the 8 Western States.

Then we have a treasured ally that is under attack by a terrorist organization and needs to defend itself using technology called the Iron Dome. They defend themselves by shooting interceptor rockets. It is not an offensive rocket, shoot to kill, it is shoot to defend. They are using up these rockets at an unprecedented rate, and the Secretary of Defense sent a letter to the Congress asking for \$225 million to be able to replenish their arsenal.

We also have a crisis in Central America and the violence by the narco-traffickers—or the narcoterrorists—that is causing a surge of children to come into our country. I hope we will pass the legislation which will allow us to get the money that is needed to address that situation, and I will elaborate on that in a moment.

After all is said and done, I hope this will not be another day where more

gets said than gets done. We need to respond to the needs that are presented to us.

I wish to talk about the children at this time. Much has been said on the floor about the current situation, and much has been said about President Obama's failed immigration policy; we need to give the National Guard police powers.

I am proud many Senators went down to the border. I myself went to the border. I went to see the situation, as chair of the Appropriations Committee. No. 1, I wanted to see if there was an urgent need; No. 2, what would it take to meet that need; and No. 3, how we can work together on a bipartisan basis to protect the children and protect our own country. Well, I got an eyeful, and I have to tell you about it.

I traveled with the Secretary of Homeland Security and the Secretary of HHS, Secretary Burwell, down to the border. We went to the McAllen Border Patrol station. We also went to Lackland Air Force Base, where children are temporarily housed. I had the opportunity to meet with great Border Patrol agents, a wonderful faith-based organization that is caring for the children, and fantastic young lawyers from the University of Texas at Austin campus and St. Mary's Law School. The law students and professors are there to make sure the kids have legal services on a pro bono basis. They are doing it on their own time. We saw a lot. I also had a chance to talk to the children.

First, I will talk about the number of children. There was talk on the floor that made it sound as if we were under siege rather than facing a surge. I think there is a big difference between feeling as if we are under siege and facing a surge. As of this minute, we are talking about 60,000 children. That is a lot of children, but if you went to Baltimore to the Ravens stadium, the Ravens stadium holds 60,000 people. We are not talking 600,000 or 6 million children; we are talking about 60,000 children. Maybe it will swell to 90,000 children. All 90,000 children could still fit in the new Dallas stadium.

We are talking about a number so small that it could fit into an American stadium.

We are a country with 300 million people. We can certainly deal with 60,000 children who are fleeing traffickers, drugs, and sexual slavery. Are we not big enough, tough enough, and strong enough to be able to deal with that? I think we are. If you could see what has been going on, you would know what I mean.

Let's talk about these 60,000 children. It is literally a children's March across Guatemala, Honduras, and El Salvador, through Mexico, and coming up the Rio Grande. They are not coming across all 1,900 miles of the border. They are going to a specific area, and they are crossing the river on rafts, swimming, and doing whatever they can to get to the border.

It starts like this: The children either come on their own or they come because a smuggler or coyote brings them here. That means some mother, father, or aunt in the United States of America, making minimum wage, is scraping together the \$3,000 to \$5,000 the smuggler is charging to deliver—kind of like a FedEx or UPS for human beings—these children to the Rio Grande border. The violence is so bad that they are willing to trust a crook to bring the children to this country.

These children trek through a jungle, through filth and dirt and danger. They stop at what they call safe houses. That is an oxymoron; there is nothing safe about a safe house. There are children with all kinds of different people on that road. These people take advantage of the children. I won't describe it.

From this safe house, they finally make it to the border by a train called The Beast. The Beast is a cargo train. This is not a lovely train that goes up and down our coast from Boston to Savannah. This is a train called The Beast. The children ride on the top of these trains, holding and clutching to each other. I talked to a 9-year-old girl who said that she rode for 2 days and had to stay awake for 48 hours because she was worried about falling off and losing an arm or leg or death itself.

Why would children risk this? Why would parents risk this? It is because of the danger, danger, danger in Central America. We are talking about arming the border more. We need to go after these criminals and arm our law enforcement officers so they can fight the narco-traffickers in Central America. We need to deal with our insatiable appetite for drugs that fuels and is driving this movement.

When they send the children back, what are they going to send them back to? We are sending them back to countries that are recruiting boys to engage in criminal activity, and girls are recruited into human trafficking. It is not as though we are going to send them back on a plane and Juan Diaz will be there with yellow roses saying: Welcome back, children of Honduras and El Salvador. They will go back to the very danger from which they ran.

When I went to the McAllen Border Patrol station, which is really a detention facility—it was designed to detain adults—underline that word. It was designed to hold up to 300 people, usually illegal immigrants trying to cross the Rio Grande. These really look like cells. They are cement cinder block facilities that were designed to hold 10 or 12 adults, and they hold as many as 20 or 30 children who are sleeping on the floor.

The Border Patrol is doing the best they can. The Border Patrol is taking care of children because we can't move them to humanitarian facilities as the law requires. The children are taking turns sitting on a cement block to even be able to rest. There are 20 or 30 in a room sleeping on the floor and using empty water bottles for pillows. They

have blankets that look like aluminum foil. These are the lucky ones. They are able to come in from the overfilled outdoor area, where the boys are often put in a covered area where they sleep outside. The girls can be “inside,” but they are in these holding cells. They have very limited showers and very limited hygiene.

The Border Patrol is doing everything they can. It is not something we are used to seeing in the United States.

I know there is another codel going to the border. Go, go, go, go. Go and see this.

I talked to a 12-year-old girl. She was in charge of bringing her 6-year-old sister to the border. Their parents sent them here to escape the gang violence. The mother told the older girl to watch out for her younger sister. They said to her: Don't let her out of your sight until you get to America, and then try to get to your aunt.

I talked to a 15-year-old girl from Honduras. Both of her parents had been killed by gang violence. She worked in a restaurant to save enough money to pay the coyote. It took her 2 months to get to the United States. She escaped violence along the route to get here.

Are you going to send her back? Are you going to send the 6-year-old back? Wow.

I then had the opportunity to see what the conditions were like for these children. If you talk to the border law enforcement agents, they want to be law enforcement guys. Gee, are they terrific. They know the surge at the border has been caused by the criminal activity here. They talked openly about it. There are seven organized crime syndicates that are sparking a lot of this. They know about the false recruitment of young people who are promised a new way and new day to get to the United States of America. They know about that, and they want to be able to do what they were hired to do—law enforcement. But in order for them to be able to do what they need to do, we have to have the facilities for the children to be housed, clothed, and fed while their legal status is being determined under the law.

I went up to Lackland Air Force Base. The children are being cared for in unused dormitories that once housed our Air Force. We have new facilities for our enlisted personnel. Did you know we pay for that? The Department of Health and Human Services has to pay the Department of Defense to house those children. It is on a military base with all the rules and regulations associated with that. It is the most expensive housing we have, but it is the best housing we have right now because of this rejectionist fear that is being promulgated through our country that somehow or other these children pose a danger to us. It is the best we can do.

I will say that it is a very nice facility. It is operated by a faith-based organization, the Baptist Conference. My hat is off to them. I speak now as a

professionally trained social worker. It is one of the most outstanding child welfare service organizations I have seen, from the nurses to the social workers.

They are doing a fabulous job, but they are under a contract. Although they are a voluntary, faith-based organization, they are being compensated for their time and services because that is what we should do. We want to be able to use such groups all over America. What was so heartwarming to me was that Catholic Charities, based in Oklahoma, came to Texas to see what the Baptists were doing because they were getting ready to take care of the kids. That is the American way—Catholic Charities learning from the Baptists.

They were all concentrating on the welfare of the children. They know these are all children in God's eyes and should be treated with dignity.

I then talked to the legal services people—the lawyers, law professors, law students from the University of Texas at Austin and St. Mary's College. The services they were providing were on their own time and their own dime. They are using their money and their summer vacation to help these children. There was no compensation, even for expenses, so they could begin the interview process to determine if any of these children had the opportunity to voluntarily return home. It is clear the coyotes misled them.

Well, we can't keep doing this on this emergency patchwork basis. We need the urgent supplemental, No. 1, to help Homeland Security's law enforcement and help Health and Human Services. They need to crack this backlog, and they need to be able to place these children in a proper facility. They need to determine if they have a right to refugee status.

Even when you have volunteer legal services such as the outstanding work I saw in Texas—outstanding. I know the Presiding Officer is a lawyer and would have been proud of these volunteers and the way they were responding to these children. They also offered bilingual services. They need more help, for example, from paralegals.

They need help to pay for the backlog of cases. We need to make sure we have enough immigration judges.

There is so much myth, so much misinformation, and so much distortion out there that I am afraid we will end this day and still not have had a vote to proceed to the urgent supplemental. Debate it, discuss it, and then let's vote on it or else it will languish.

As a social worker, I want to say that what I have seen these children go through is unimaginable. They have come here to escape violence and death. They deserve to be treated with compassion and integrity, and they deserve for us to do our job. Anyone who thinks we should just deport these children without giving them every right afforded them under our law should go down to McClellan and look into their eyes and listen to their stories.

The time to act is now. Let's put together a comprehensive program, and I believe we can meet this surge, deal with the root cause, and be able to function in a way in which we are all proud.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

INTERNET TAX FREEDOM ACT

Mr. WYDEN. Mr. President, the Internet has been possibly the most significant force driving our economy over the past 16 years. It is clearly this century's shipping lane and history's most powerful communications tool. Part of the reason the Internet has revolutionized American life is that it has been protected from discriminatory taxation, thanks to the Internet Tax Freedom Act, first enacted 16 years ago.

This law, as we might expect, is extraordinarily popular among the American people, and it has obviously been of enormous importance to the millions of families and businesses that use the Internet each day.

However, in a few short months the Internet Tax Freedom Act is set to expire. If it does, millions of American Internet users could face multiple and discriminatory taxes from thousands of state and local tax collectors around the country. That cannot be allowed to happen. Congress needs to come together on a bipartisan basis and say clearly: Don't hit the Internet with discriminatory taxation.

Sixteen years ago I was the author of the Internet Tax Freedom Act, along with our former Republican colleague, Congressman Chris Cox. Along with our colleague from South Dakota, Senator THUNE, and 52 bipartisan cosponsors, I am the author of the pending bill that would make that protection permanent. I believe if we were able to hold a vote on our bill today, it would pass with overwhelming support. Unfortunately, that is not a political reality. Yet the clock keeps ticking toward expiration.

Protecting the Internet and every Internet user in our country ought to be a matter that takes precedence over politics and partisanship. The Senate can move this short-term extension today while the Senate works on a bipartisan basis to deal with the issues raised by those who believe that allowing localities to collect taxes across the country is more important than a ban on discriminatory taxation.

I hope the Senate will join me in supporting the temporary extension of the Internet Tax Freedom Act as a bridge to permanent legislation.

To reflect very briefly for a minute, we thought this law would work well 16 years ago. To describe what triggered my interest, 16 years ago, when I was a young Member of this body and I had a full head of hair and rugged good looks, we would hear for example about how if someone bought the newspaper—the online edition of the paper—they would face a stiff tax in some jurisdictions,

but if they bought the snail mail edition they wouldn't face the tax. Democrats and Republicans coming together said that is discriminatory. That is discriminating against technology, against the future, against the promise of the Internet.

We thought this proposal would work well. It is quite clear. We just have to make sure what we do online is not more burdensome and an endeavor that involves more taxes than what we do offline. That is what the bill has been all about. So we thought it would be promising, but it has far exceeded our expectations in terms of what it has done to promote innovation and for small businesses and others who don't have political action committees and don't have big lobbies advocating for them. Ensuring they are not hammered by multiple and discriminatory taxes by thousands of localities has been a lifeline in terms of their being successful.

I could take more time this morning. We have colleagues and of course many matters still to deal with before we leave. I hope that given this history, which has been a bipartisan history—I so enjoyed working with our former colleague Chris Cox on this legislation 16 years ago. My take is that the overwhelming number of Senators would like to permanently reauthorize this ban on multiple and discriminatory taxes on the Internet today, and that is what Senator THUNE and I have sought to do in our legislation, which has more than half of the Senate cosponsoring it. That is not possible today. But what is possible is that we act now so we don't bump up against that deadline that if reached our small businesses are subject—we have more than 5,000 taxing jurisdictions, and if even a small number of them were to inflict discriminatory taxes on Internet commerce, that would be a big blow in a fragile economy.

So for purposes of the temporary extension of the Internet Tax Freedom Act as a bridge to permanent legislation, let us say loudly and clearly that we as a body—we as the U.S. Senate—are not going to hammer the Internet with multiple and discriminatory taxes.

I yield the floor. I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

VETERANS HEALTH CARE

Mr. BOOKER. Madam President, I rise today to urge support for a successful veterans health care program that will be extended if we pass this bipartisan package of Veterans Affairs reforms.

My colleague across the aisle Senator HELLER and I have joined to introduce

legislation to extend the Assisted Living Program for Veterans with Traumatic Brain Injury, or AL-TBI, and give it the kind of support veterans with these severe brain injuries deserve.

I am grateful for the leadership of Senator HELLER and his partnership on this very important critical issue. I am proud to work with him, and I am hopeful all of our colleagues will join to pass the bipartisan package of VA reforms which now includes our legislation.

I thank Senator SANDERS, Ranking Member BURR, along with Senators MCCAIN, PRYOR, MURKOWSKI, LANDRIEU, JOHANNIS, and BALDWIN for joining with us in this important effort.

This program places veterans suffering from moderate to severe traumatic brain injury, or TBI, in privately run facilities where they receive 24-hour team-based attention.

These are our veterans who stood for us, who answered the call to service, who went into harm's way, and have suffered traumatic brain injury, who now need to get the kind of care and attention they deserve.

They are immersed in this therapy that helps them with their movement, their memory, their speech, their gradual community integration. That last point is actually the key. This program does not just prepare veterans for transition from one health care setting to another health care setting; it is about giving them the practical skills they need to return to their communities and live independently.

That is what is so special about this program.

This is the kind of innovative work that Senator HELLER stands for in his community and I in New Jersey and that all of our veterans across the country should have. Congress should support this kind of work more often.

This past week I had the opportunity to visit a facility in Plainsboro, NJ—one of several facilities using this program. While I was there, I spoke with an incredible veteran named Gary.

Gary first enlisted in the military and completed his tour in the Navy after graduating from high school. Then 9/11 happened, and Gary stood up, reenlisted, this time with the National Guard, and served in Iraq.

During his time there he suffered a traumatic brain injury. Upon return home, Gary was confined to a wheelchair and the doctors told him he would never ever walk again. But then he began treatments through this program that Senator HELLER, myself, and others are trying to extend.

Now, because of this program, Gary can walk again. He, himself, and his family called it a miracle. He is now using a cane. When he is indoors he can walk without assistance.

Gary's sister told me that before receiving this unique care through the program, Gary was very negative, often depressed, often angry. But now that he has made progress, Gary's whole at-

titude has changed. He is more than upbeat. He is social and enjoys cooking. In fact, he offered to cook me a meal, which, I say to Senator HELLER, as a bachelor, I take all the meals I can get.

Another veteran named Duane sustained a traumatic brain injury in 2003 while serving our country in the Navy. Unable to live independently or get around without the aid of a wheelchair, this gentleman, this honorable veteran, who was not even 25 years old, found himself living in a nursing home alongside a population many decades his senior.

In 2011, through this program in our legislation, his life was changed. He moved into a specialized facility in New Jersey, where he still lives today and receives a range of treatments, including physical, occupational, speech therapies, as well as psychological counseling and residential assistance.

He is making incredible progress. I saw it with my own eyes, heard it from his family and his care workers. He has actually also traded his wheelchair for a cane and manages a regime of his own chores, adding more dignity to his already exemplary life of courage. He has an active social life. He has friends and comrades, and he believes he has a country that has been there for him when he is in need.

These are the heroes who stepped up to serve our country when we needed them most, and now it is our responsibility to serve them with the extension of this incredible program.

This program means independence for these veterans with severe brain injuries. We cannot cut their or any other veterans' care short. This is a cost of war. We should not just be there to spend resources when we are sending them off; we should be there with open arms and support when we are welcoming them home.

The VA now offers no alternative program to the one I have described—no alternative program—that provides the same kind of comprehensive, rehabilitative, long-term care in a residential setting. These brave men and women who are benefiting from this specialized care were willing to put their lives on the line for our country. It should not be an option; it should be our obligation to take care of them when they return home.

I strongly urge my colleagues in the Senate to do their duty, to pass this reform package, and extend this life-changing program.

I want to again thank Senator HELLER.

If I may yield to him, he has been a stalwart partner, a leader on this issue. I have been encouraged by this opportunity to work together with him. I am only disappointed that he would not shave his head, as I have. That would have shown true bipartisan camaraderie. But despite that, I look forward to his continued leadership on issues for our veterans, and now I look forward to his remarks.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. HELLER. Madam President, let me begin, if I may, by thanking my friend and colleague, Senator BOOKER, for partnering with me on this critical piece of legislation that helps our Nation's veterans, especially those suffering from traumatic brain injuries. I would urge him to participate in that meal from that veteran. I assure the Senator that in this city where the food is so rich, he will probably find the meal much healthier—much healthier. I know that is important to the Senator. Having said that, I know that Senator BOOKER and I have always viewed veterans issues to be truly a bipartisan issue. I am pleased we were able to work together and we were able to accomplish this work as partners.

I would also like to applaud my other colleagues, Senators SANDERS, MCCAIN, and BURR, for their work on the conference report, and also House Veterans' Affairs Committee Chairman MILLER and the rest of the conference members for reaching an agreement to ensure that Congress keeps its promise to our Nation's veterans.

The conference committee's bill is a good start to address problems with appointment wait times, VA scheduling practices, accountability, and overall quality of care provided at VA's medical facilities.

As my colleague Senator BOOKER discussed, there is a very critical provision in the conference report legislation that he and I took a lead on addressing; and that is the extension of the Assisted Living Program for Veterans with Traumatic Brain Injury. I applaud my friend. I applaud my colleague for the ability and the opportunity to work together. So I thank him for that.

As a member of the Senate Veterans Affairs' Committee, I was eager to resolve this issue because of its impact on Nevada's and our Nation's veterans, and together we were proud partners.

This program operates in two locations in Nevada and serves wounded warriors who are trying to restore their quality of life.

As the battlefield has changed over the years, so have the injuries that servicemembers and veterans sustain, including traumatic brain injuries. TBI is a complicated injury to treat because the effects can be both mental and physical—from headaches, dizziness, and irritation, all the way to speech difficulties, visual impairment, loss of memory, and severe depression.

Every traumatic brain injury is different, which is why some veterans need more advanced care to rehabilitate and regain their full independence.

That is why Congress created the assisted living TBI pilot program in 2008. Under that program, veterans can access a full range of rehabilitation services in a residential setting, including physical therapy, speech therapy, occupational therapy, and other activities to prepare veterans to return home and live a productive life.

When I found out the program would be expiring and the VA was prepared to start kicking veterans out, I teamed up with Senator BOOKER to introduce legislation to extend authorization of this program for another 3 years.

At a time when the VA is facing a health care crisis and access to timely care, it would have been unacceptable to let this critical program expire, leaving veterans in Nevada without a comparable alternative to treating this serious injury.

I wish to thank the conference committee for listening to us when we expressed the urgency of extending this program so veterans could continue receiving residential rehabilitation. I am also pleased the conference committee provided a 3-year extension so veterans can have the certainty that this program will remain in place for the next few years.

I also wish to thank Representative CASSIDY from Louisiana for his work in pushing this issue in the House of Representatives, as well as the veterans service organizations that fought alongside of us for this extension. It is our responsibility in Congress to ensure veterans across this Nation receive timely and quality care from the Veterans' Administration. Senator BOOKER and I share this commitment.

I am pleased we were able to work together to get our legislation into the final compromise. As the Senate prepares to vote on final passage of this critical VA reform bill, I hope my colleagues recognize the importance of this compromise bill at a time when veterans are losing faith in the VA system and need certainty that Congress will be there to provide oversight, accountability, and legislative action to approve the care they receive from the Nation they sacrificed for and served.

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

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

UNEMPLOYMENT INSURANCE BENEFITS

Mr. REED. Madam President, I come to the floor today to once again press for action on my bipartisan legislation to restore emergency unemployment benefits. Over 3.5 million Americans have lost benefits since the program expired last December. The need to help these individuals, their families, and the economy remains compelling to all of us.

In April, Senator HELLER and I were able to draft a bipartisan bill, and with the help of many of our colleagues, the Senate acted to restore these benefits. Unfortunately, the House Republican leadership has refused to take up the Senate-passed bill or consider their own proposal. While the President has occasionally talked a good game about

the need to extend this aid to job seekers, it has never been made a "must have" by the administration. Indeed, it is hard to understand why an extension of these benefits was not included in the President's supplemental appropriations request.

So as we consider this supplemental appropriations bill this week, which includes critically important emergency funding measures, it is somewhat disheartening that extending unemployment insurance, another emergency need, has once again been ignored.

In the past 6 months, the national unemployment rate has dropped from 6.7 to 6.1 percent. The long-term unemployment rate has dropped just below 2 percent. It is great to see these positive strides in our economy. But I strongly disagree with those who would argue that these signs of improvement suggest that emergency benefits are no longer needed. Let me underscore a few reasons why emergency unemployment benefits are still necessary.

First, while the long-term unemployment rate has dropped from 2.3 percent in January to just under 2 percent in June, the current level is still significantly higher than at any other point when emergency benefits were allowed to expire. In June 2008, under President George W. Bush, when the long-term unemployment rate was just 1 percent, a supermajority of Members in both Chambers voted to create emergency unemployment insurance benefits for the long-term unemployed. That was at 1 percent.

Now we are about twice that. Today our long-term unemployment rate of about 2 percent means over 3 million Americans are out of work through no fault of their own, and have been searching for work for more than 6 months. These individuals are struggling. With each passing month, their financial situation becomes increasingly dire. They should not be held to a different standard than those who were searching for work in 2008.

Second, the long-term unemployed are still struggling mightily to find work. According to a recent report by economists at the Federal Reserve, when you look at the likelihood that someone will find a job in a given month, the rate for the long-term unemployed is roughly the same as it was at the height of the great recession several years ago. In fact, someone who is long-term unemployed is almost twice as likely to stop looking for work altogether and fall out of the labor force as they are to get a job.

These difficulties in finding work are persistent across educational levels and age groups, although they are much more pronounced among the African-American and Latino communities. So we are seeing people who are trying very hard to find work but they are facing the same obstacles they were facing at the height of the great recession.

Again, I think this underscores the need to help these people. Some have

argued that the improvement in the labor market is driven by Congress's failure to extend emergency benefits. According to this argument, taking away unemployment insurance benefits pushes people to step up their job search. I find this argument very difficult to accept when you face people back in my home State of Rhode Island who have been looking desperately, in a situation where there are usually three, four, five, six applicants, in some cases, for every job. They are looking and looking and looking. In Rhode Island, our unemployment rate is tied for the highest in the Nation. It is not the position we want to be in.

To suggest that these people are not desperately searching for work really sort of, I think, demeans them unnecessarily. We all know, because we go home. There are people who have been looking. They are skilled. They are talented. They have worked for 20 years. They want to work. Getting the \$300 a week, perhaps, in benefits is nothing like the salary they commanded. It will not, in the long term, pay for their mortgage, pay for their children's education, pay for the necessities of life. They know that. They are in a desperate situation. This assistance helps a little bit.

Not only the contact we have with our constituents but recent research also demonstrates that this argument is flawed, that "just cut off the benefits and everybody goes right back to work."

We can use North Carolina to test the impact of cutting benefits, because that State took steps in July 2013 to terminate unemployment benefits for anyone who has been out of work for 20 weeks or more. If opponents of extending unemployment insurance are correct, North Carolina's policy change should have led to significantly sharp declines in its unemployment rate.

A recent article in the *New York Times* by Justin Wolfers, an economist with the University of Michigan and the Brookings Institution, explores evidence from North Carolina to assess this claim. According to his research, when North Carolina is compared with other Southern States that did not cut their programs, North Carolina's economic growth "looks quite similar to its peers, and certainly not better." The levels of job growth in North Carolina are similar to neighboring States such as South Carolina that did not change their programs. Dr. Wolfers concludes that, "There's simply no evidence . . . that cutting benefits cuts unemployment."

Others have argued that cutting UI at the State level will save money and help the economy of the States. In response, eight States decreased the number of weeks an individual could receive State-level unemployment insurance benefits. However, a recent report from the Economic Policy Institute suggests these States did not save significant amounts of money or boost employment. This is further evidence

that cutting UI benefits is simply not a good idea.

The refusal by House Republicans to renew unemployment insurance benefits does not just hurt individuals and families for each week they do not get this modest support. The effects are more far reaching, with research suggesting that the long-term unemployed will be hurt for decades to come.

According to research by a senior economist at the Federal Reserve Bank of Boston, "workers unemployed for more than 26 weeks experience a much larger negative income effect and have lower earnings even after 10 or 15 years than those workers that experienced shorter-duration unemployment spells."

Many are forced to rack up debt on their credit cards just to meet basic level needs.

A recent Gallup poll also shows that nearly 20 percent of individuals who were unemployed for 12 months have been treated for depression. This is a serious blow not just to your economic well-being but to your identity, to your sense of worth, to your sense of being able to help your family and provide for your family. These effects are long term and very serious.

This rate of depression is twice as high as for those who have been unemployed for just a few weeks. So there is, apparently, a correlation.

The impact is far-reaching for individuals, their families, and the economy as a whole. It undercuts, again, the notion that there is no cost or that there is some benefit to cutting these benefits. There is a long-term cost.

One of the aspects too, is in order to qualify for these benefits, you have to be actively searching for work. Without these benefits, the incentive to look for work is, in some respects, diminished. Indeed, other phenomena take place: the lack of resources, the increasing desperation and depression.

Again, it is encouraging to see that there are signs of economic improvement. It is encouraging to see that some of the long-term unemployed have found jobs. We dipped below that 2-percent level.

But that does not mean we should turn our backs on those who are still looking. That does not mean we should treat them differently than we did people in 2008 in the same position in a difficult economy looking for work. Those of us who continue to fight for the long-term employed—I must also say that Senator HELLER in this effort has been a stalwart. We have heard lots of excuses and a lot of discussion, in my view, of flawed arguments about how we should abandon the program, and, more pointedly, abandon these people. I don't think we should.

What is certain in terms of analysis is the nonpartisan Congressional Budget Office estimates that our failing to renew this program last December will cost over the course of this year 200,000 jobs. And this emergency aid helps families make ends meet until they find work.

One of the great ironies here is that in refusing to extend these benefits, we basically shut down 200,000 jobs in this country. It is almost absurd. It is a catch-22: We are shutting the doors on the unemployed so we can get them to work, but yet the analysts will tell us that if we had extended benefits, we would have gained 200,000 jobs.

Why? Because these payments go right back into the economy. Someone who is unemployed is going to take that modest check, about \$300, \$350, and pay the phone bill so they can call about work, they are going to get the car repaired so they can get to the job interview, and they are going to do the things they have to do to help their children get through the day. They are not going to save it or buy French impressionist paintings. They are going to go right into the local economy and spend the money.

For many reasons this is why I think we have to do it. That is why Senator HELLER and I have filed an amendment to this emergency appropriations bill, on a bipartisan basis. The amendment will be the same as we have proposed previously, except for offsets, because for the second time offsets we have identified to pay for an extension of benefits have been used for another measure. I guess we must take some satisfaction that we have developed offsets for restoring emergency unemployment insurance and then another program grabs them and it gets passed here. But I would rather have the extension of benefits too.

So we are moving forward. I hope we can. I am committed to fighting for these American workers so they won't be left behind now and in the years to come.

Madam President, I encourage my colleagues to join us.

I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

BORDER SECURITY

Mr. VITTER. Madam President, I rise to talk about the crisis at our southern border and the need for unified action to deal with it and the need to come together on a commonsense enforcement approach that undoubtedly will need some additional resources, but also clearly demand some changes to the current law so we may quickly deal with the need to quickly deport folks illegally coming over our Mexican border back to their home country.

In the case of alien children, we need to get them out of the hands of criminal gangs and reunite them with their families in their home country. That is an obvious need in the eyes of the American people. I think a vast majority of Americans realize we need that

sort of approach which starts with much better enforcement of our southern border, and, yes, if people do get across, they need to quickly deal with their situation and quickly and effectively deport them. That is the approach we need. Sadly, that is not what the President has proposed, and that is not what HARRY REID is even allowing us to vote on on the Senate floor.

For a couple of weeks, at least, after this crisis hit the first page of the newspaper, President Obama constantly pointed to those parts of the law that he said tie his hands in terms of quickly and effectively deporting some of these individuals. He pointed to the 2008 changes of the law over and over and over again. The problem is that a couple of weeks after that—when he actually sent a proposal to Congress to deal with the crisis—any mention of that was gone. There was no suggestion of any change in the law in that regard or any other regard. The only request he made was for \$3.7 billion—a huge amount of additional money. The great majority of that money is to feed, house, and relocate these illegal aliens, including unaccompanied alien children, within our own country.

The problem with that is it will encourage this flow of illegal immigrants into our country and this problem will continue to grow. It will not discourage it and it will not end it. We need that comprehensive approach—including necessary changes to the law and enforcement—to quickly deport these folks to their home countries and reunite them with their families.

In the absence of the President leading us in that regard, I came up with my own legislation. I introduced it in the Senate, and I have now introduced it as a floor amendment to the spending bill which Senator REID is bringing to the Senate floor. It would change the aspects of the law that we need to change in order to streamline the process and allow us to quickly deport individuals within 72 hours so they can be safely reunited with their families in their home country. That is the only thing that will stem this increased tide, this increasing flow, and this increasing problem.

There has also been a lot of debate about the resources that are necessary and the increased spending that is clearly necessary. But before we pass the President's proposal, we need to marry it with these enforcement measures and these changes to the law. We need to pay for that enforcement and deportation and not simply pay to feed and house these illegal aliens within our country. We need to actually relocate them to other places within our country with no foreseeable end in sight. We can't do that unless we get the right enforcement measures.

I also have suggestions on how we can help pay for whatever increased enforcement, border security, and quick deportation we need. I have two suggestions in particular. I have two spe-

cific bills which I introduced some time ago in the Senate. I introduced each of these bills this week as amendments to the spending bill that HARRY REID is bringing to the Senate floor.

One is S. 1176, which is a freestanding bill, but I also introduced it as a floor amendment. It is called the Remittance Status Verification Act of 2013. What is this about? This is about remittances by illegal aliens in this country and how they are sending money back to families and others in their home country.

The GAO—which is a respected non-partisan organization—previously noted that the United States is the largest remittance-sending country in the world, with the majority of funds being sent to Latin America and the Caribbean and substantial amounts of money also being sent to Asia and Africa.

In the past 10 years the total number of international remittances has increased by 8 percent in 2013, and is expected to grow 10.1 percent in 2014 and 10.7 percent in 2015. It is reaching an astronomical number. In 2015, it will be over half a trillion dollars.

If folks are working in this country legally, that is fine. We don't want to hassle them or make any problems for them. But, clearly, a significant portion of the folks we are talking about are here illegally and working illegally. That is wrong, and we need the legislation I am proposing to fix that, with four important goals in mind.

First of all, we need to see if the folks who are sending these remittances are here illegally; second, we need to ensure U.S. taxpayer fairness; third, we need to address inaccurate U.S. data on remittances and collect all the facts; and, fourth, we need to make sure that illegal aliens who are receiving U.S. benefits are—we need to see if they are remitting higher amounts abroad.

My legislation would address all of these goals and would fundamentally get a handle on the situation and make sure that those who are not in this country legally pay a substantial fee, and that fee would be used on border security and other immigration enforcement. That could grow a significant amount of revenue specifically dedicated to border and other enforcement.

The second proposal I have is in the form of other freestanding legislation, which I also introduced this week as a Senate floor amendment for the supplemental appropriations bill. It is about child tax credits. This amendment addresses a clear loophole in the IRS code that allows illegal aliens to access income-tax-based benefits, such as the child tax credit and the additional child tax credit.

According to the Treasury Department's inspector general—again, this is not some partisan Republican source, it is the Obama administration's inspector general for Treasury. They issued a report recently that said \$4.2

billion—with a B—is sent each year to folks who are probably here illegally and do not qualify under these programs. We send them a check, a refundable tax credit, and it costs the taxpayers \$4.2 billion.

As the inspector general has said, there is a pretty simple way to fix this by requiring a valid Social Security number or other appropriate identification number. This approach is straightforward, it is simple, and it will fix the problem. It would cut down the \$4.2 billion—with a B—worth of spending that we are sending improperly and illegally to largely illegal aliens and illegal alien families. We can use those resources, instead, on enforcement.

Those are simply two specific suggestions that I filed this week in the form of Senate floor amendments that could help raise the additional resources we need to address this issue.

Again, I want to emphasize that we need to do a number of things, and it is not all about throwing money at the situation, particularly when most of that money under President Obama's proposal is simply to house and feed these folks who are here illegally and then distribute them throughout the country for an indefinite period of time. Fundamentally, we need to marry that with real enforcement measures, including those addressed and listed in my bill. I hope we take that approach. I hope Senator REID allows that debate and allows those votes. Right now he is lying across the tracks. The only thing he is allowing a vote on is this spending measure which just gives the President a blank check. That will not solve the problem. That is not the correct response. We need to do all of the things, broadly speaking, I have laid out. I hope we do that and come together—as, in fact, the American people have—around my common-sense approach with a clear consensus.

I thank the Presiding Officer, relinquish 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. NELSON. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

HEALTH CARE

Mr. NELSON. Madam President, I wish to speak about health insurance. We notice that nationally and back in our States, the angst over the Affordable Care Act—often derisively referred to as ObamaCare—has subsided. In part, that has occurred because more people are being covered. As a matter of fact, in the first tranche of signups of people who did not have insurance, over 8 million people—which exceeded the goal of 7 million—by the time the cutoff came for signing earlier this year, over 8 million people had signed up. And that was just a narrow population of those who wanted insurance

but could not afford it. Then they had it available through the State exchanges or the Federal exchange in the States.

Another part of the population that did not have health care was people who were actually in a low-income situation; therefore, there was no chance they could afford it. That is why we expanded Medicaid in the Affordable Care Act to up to 138 percent of poverty, which is a very low level of income. I believe, if I remember correctly, for a family of four, it is somewhere around \$32,499 of annual income. Well, we can imagine that with a family of four, people can't even think about having the money to provide health insurance with that kind of limited income, and that brings them up to 138 percent of poverty.

The only part of the Affordable Care Act, since it was declared by the Supreme Court as constitutional—the only part that was struck down as unconstitutional was the part of the law that was mandating upon the States to expand Medicaid, which is funded by a State and Federal joint program, up to 138 percent. So it made it voluntary. Well, half of the States have expanded it and about half of the States have refused, such as my State of Florida. The Republican Governor and the Republican legislature, not wanting to have anything to do with what they were condemning as ObamaCare, refused to expand Medicaid in Florida and thereby refused to give health care to a population, if my colleagues can believe this, of 1.2 million people in Florida—people who would have had health care but do not get it because the State legislature and the Governor refused to raise the level.

By the way, that was taking Floridians' Federal taxpayer dollars of 51 billion over the next several years that were allocated for that purpose and refusing to accept them for the health care of poor Floridians, over 1 million people. That seems unconscionable.

This stuff is so complicated. People don't realize that in large part that is, in fact, what happened over the course of the last two legislative sessions—that they could have expanded health care in Florida, and it is Floridians' tax dollars they are giving away instead of letting that apply to health care for Floridians.

Nationwide, if I recall correctly, it was somewhere around another 6.7 million people were brought on with the expansion of Medicaid even though States such as Florida were refusing to expand it, and that is in addition to getting health care to those who could afford it with subsidies or because of better rates could afford it in the first place. That was a group of another 8 million.

We can see we are starting to chip away at that group of people in the country who had no health care because they had no health insurance. Yet, when they got sick, where did they end up? They ended up in the

emergency room. They couldn't pay. Of course, now it was an emergency because they had no preventive health care. And since they couldn't pay, who do my colleagues think pays? All the rest of us pay in our insurance premiums. It is estimated that in a State such as Florida, for the average family health insurance policy, people are paying upwards of \$800 to \$1,000 of their premiums per year just to take care of the group who ended up in the emergency room because they didn't have any health care. That is part of what the Affordable Care Act was intended to do.

Another part of the Affordable Care Act was to save Medicare from going into bankruptcy. Back in the early part of the last decade, we passed a nice-sounding law called the prescription drug bill. As its name suggests, it was to provide prescription drugs for senior citizens. Omitted in the explanation of it was that not only were people paying premium prices that the government had always gotten as a discount, but now the government was paying a premium price with no discount for all the drugs under Medicare. But a part of that was setting up Medicare being delivered by an insurance company with a fancy name called Medicare Advantage.

Always before, if we were going to deliver Medicare through a health maintenance organization—an HMO, which is an insurance company—one would expect it would bring the costs down per person. That is how it started out—about 95 percent of the per-person cost in Medicare, regular Medicare fee-for-service. But, no, in the prescription drug bill, this was turned upside down. Now they were going to offer Medicare through an HMO, but the reimbursement from Medicare was going to be 14 percent above Medicare fee-for-service per person, reimbursed to the insurance company at 114 percent of Medicare fee-for-service. As a result of that, Medicare was going broke.

That was another reason for the ACA—to stop Medicare from going broke by winnowing down that 14 percent and giving incentives to the insurance companies to do what ought to be the goal, which was quality of care instead of just paying a dollar percentage value per patient. Thus, we have the re-created Medicare Advantage, and it is being rated on its quality so that seniors can vote with their feet by going to the better rated insurance plans in Medicare Advantage.

Why am I retracing all of this? To get to this point: For this next round of Medicare Advantage, we are just getting to the point of having the insurance companies announce their rates. Some of them are going to go up. Some of them are going to go down.

But I want the people of Florida to know that 2 years ago in their State legislature they took away the legal power of the insurance commissioner of Florida to approve the rate hikes. They took that away. I happen to understand

something about this. Before I came to the Senate, I was the elected insurance commissioner of Florida, and I jealously guarded the ability to approve rate increases and decreases in order to protect the insurance consumer. The Florida Legislature stripped that ability of the insurance commissioner—now appointed, not elected—in Florida. Therefore, if they see rate hikes for Medicare Advantage in this next round just about to be announced—they took the ability of the State regulator to limit the rate hikes. That sounds unconscionable. It certainly does. Every year insurance companies are going to try to raise their rates. It is the job of a State regulator to regulate what happens to those rates. So the Florida Legislature last year passed senate bill 1842, and one of the things it did is it stripped the Office of Insurance Regulation of one of its chief responsibilities—regulating health insurance rates. That is after Florida had had some of the strongest laws governing insurance, and that was the case when I was insurance commissioner 15 years ago, where I could not only approve rates but I could reject rate increases.

Well, we saw this at the time a year ago. I contacted the Governor and urged him to veto the bill, but, sadly, it is the law of Florida. Therefore, that is why I come to the floor today, because I am disappointed in the news reports that are starting to say that these rate increases in Florida are being blamed on the Affordable Care Act. They are being blamed on ObamaCare.

Well, the insurance commissioner used to have an opportunity to look at those rates and say they were not right and to stop those rate increases or to give a rate increase that was actuarially sound. Not any more. There were a lot of other things that had been done in our State of Florida to stop the implementation of the Affordable Care Act. First of all, our State refused to accept a planning grant in order to get ready for the Affordable Care Act before it was ever starting to be implemented.

I have already told you about refusing to expand Medicaid to cover more than an additional million people in Florida who otherwise would not get health care.

What was the purpose of the ACA other than trying to save Medicare—which it has done—financially from disaster? It was to help make insurance coverage available and affordable. There were provisions in there, technical terms like “medical loss ratio,” that said that an insurance company had to give 80 percent of the premium dollar back in health care instead of giving it off to CEOs' salaries and executive perks; and if they did not, what the insurance company had to do—if they did not get 80 percent of the premium dollar back in health care to the patient—they had to return that part in refunds.

I can tell you that, happily, that law is working. One million Floridians last

year received over \$41 million in re-funds. It was an average of \$65 per family. Why? Because some insurance companies did not spend enough on medical care for their policyholders.

Another part that we had talked about was making private insurance—remember how they said this was going to be government health care—private insurance companies selling insurance. People could afford it because there were subsidies for families with income up to the level of 400 percent of poverty. Well, of the 1 million Floridians who enrolled—and remember, I gave you the figure that 8 million nationally enrolled. Of that 8 million, 1 million people needed and wanted insurance so much in our State alone that they enrolled, and 91 percent of them were able to receive a subsidy under the graduated subsidy level in order that they could purchase that private insurance. The folks who bought a plan using subsidies reduced their premiums through the subsidies by an average of 80 percent.

So what we had in health insurance before the Affordable Care Act was not—it was like the Wild West. Plans could deny you coverage. An insurance plan, if you had coverage and you were suddenly getting treatment, could cancel your coverage. They could also deny you coverage by saying you had a previous existing condition, and it could have been something as simple as a rash. You could not get health insurance. Now all of those things they cannot use as an excuse.

So what I see is the last throes of this resistance to the Affordable Care Act, and you are going to hear it again as insurance plans come out on Medicare Advantage and show that they are hiking their rates. Yet I want the people of Florida to know it was the State legislature that took away the ability of the Insurance Commissioner of Florida to regulate those rates.

Madam President, I would like to clarify my previous remarks. I was referring to the removal of the authority to regulate private insurance rates by the state insurance commissioner in SB 1842, not Medicare Advantage.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. COBURN. 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. COBURN. Madam President, I ask unanimous consent to speak as in morning business.

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

DEBT

Mr. COBURN. Madam President, this is my 10th year in the Senate. Every time we come to a close of the session for a summer break or for a holiday break all of a sudden we start hearing

all these unanimous consent requests—they come to the Senate. For those of you who are listening to this and to my colleagues, these are requests that bills be passed without a vote. I am fine with that, as long as they meet certain characteristics and considerations.

But what the American public does not know is that about 70 percent of the work the Senate does happens by unanimous consent, with no recorded vote on the back of any one Senator. Today is no different. I have heard of five or six requests for unanimous consent. They are fine with a couple of provisions. The first provision is they ought to be within the powers of Congress as enumerated by the Constitution in the enumerated powers. The tendency is: Oh, we have to do this; it has to happen now. For some of the things that is true, but the reason it has to happen now is because we had not done it before now because we failed to do it. We utilize the end of the session to force people to give on positions they would never give on otherwise because they do not want to take the heat for being responsible for stopping something from happening, even though it might not fit within the enumerated powers, it might not be under our constitutional authority.

But the most egregious of all of this is the fact that we are going to be asked today, probably 7 or 10 times, to pass pieces of legislation the very cost of which will fall on the backs of our children and our grandchildren—not us. With over \$400 billion in waste per year in the Federal Government—waste, fraud, duplication—to ask us to spend \$200 million here or \$2 billion here or in the case of the veterans bill, \$17 billion, of which \$5 billion of it is actually paid for, without doing the hard work of not transferring more debt to our children is not acceptable to me.

So my rights as an individual Senator are going to be utilized today—until we go home—to make sure we do not transfer another penny, if I can stop it, onto the backs of our children. It would be different if we were efficient, if we did not have any waste, if we did not have any fraud, if we did not have any duplication. But you see, it is an excuse to not do the hard work we were sent to do.

So I am putting my colleagues on notice that if they want to pass any bill that is going to go by unanimous consent, they better find some waste somewhere to offset it with or I will object. I do not mind taking the heat, no matter what the issue. I have done it before, I will do it again. Our children and our grandchildren are worth any amount of heat that creates a future opportunity for them that is at least as equal to what we have had.

I wanted to say that before I start talking about the veterans bill. I voted for the veterans bill that went out of the Senate. My background as a physician and businessman—businessman first, a physician second, regrettably a

politician third—but I voted for that because I thought in conference we would actually fix it. What is wrong with the VA? Leadership, a culture of corruption, a culture of not caring. That does not apply to all of the VA employees, it does not apply to all of the VA hospitals, but it certainly does apply to a number of them.

How did we get there? I would note for the record that VA spending is up 60 percent since 2009. Let's start in 2010, 2011, 2012, 2013, and 2014. It is up 60 percent. Patient demand is up only 17 percent in that same period of time. The number of providers has increased by 40 percent. So it surely cannot be a problem of money.

If we look at the increased utilization of those services over the next progressive 10 years, it will be less than 20 percent. We did some good things in the bill in the Senate, most of which are capped, but we did not do enough. If we are going to manage the VA, we have to give the head of that organization the ability to be able to manage it. Senior Executive Service, the Secretary of the VA is going to have that capability to hire and fire. For a very limited number of title 38 employees—those are hospital managers, physicians—for a very limited number, he will have that as well. But for where we have seen a lot of the problems, he will not be able to fire people who have directly harmed our veterans.

So we have not given him the tools to create the environment and the change that has to happen and a cultural change that has to happen in the veterans organization.

The other thing I would note is that if we look at the requirement for primary care physicians and physician extenders—nurse practitioners and PAs—their load is about one-fourth of the load of private practitioners in this country. That is not true clinic to clinic, but on average that is true. In Oklahoma we have some great physicians who work every night until 10:00 taking care of veterans. We have great caregivers in lots of instances. But we have a lot of stinkers, and on average we are not demanding of them what the private sector routinely does.

One of the good things in the bill is we are going to finally have VA hospitals and clinics reporting outcomes, just as every other hospital in this country has to report. If they take Medicare or Medicaid dollars, they have to report to CMS their outcomes—their readmissions, their death rates, their infection rates, their quality of care. They have to be reported.

Also, physicians have to be credentialed. Not true in the VA. So if they are not credentialed, the VA patient is going to know what their credentials are—if they have lost their medical license.

Those are positive aspects of this bill. What is not positive is the fact that we won't fix the real problem, and we are going to say we did and we are going to spend our grandkids' money

saying we did over a very short period of time, and we are still not going to hold the organization accountable.

It is unconscionable to me, after a 60-percent increase in funding over the last 4 years, that we would borrow against our children's future an additional \$12 billion when we have all this waste throughout the Federal Government and in the VA and say that is the best Congress could do. I think that is an incrimination upon Congress, and it is a dereliction of our duty—to our Republic but also our future.

So I will be doing a couple things:

No. 1, I will be raising a point of order against this bill; and No. 2, I will be voting against it.

Let me say a little bit about why I am voting against it. Yesterday I talked to a Vietnam veteran who is 100 percent disabled and presented to the emergency room of a major VA hospital in this country with chest pain. This patient was observed for 2 hours. She had no acute changes on her EKG, but she had—as any doctor would know—unstable angina. Her pain never went away. She was sent home. In less than 48 hours she presented to an emergency room in her local community and an hour after that had three stents placed in her left coronary artery. She was ignored medically. That is happening today as we have had this discussion.

Another wonderful retired veteran in Oklahoma had to have a knee replaced. She was service-connected. She went to the VA and had her knee replaced. It was a failure. She had to have it done again. A couple years later her other knee needed to be replaced. They replaced her knee. It failed. As they replaced the second knee, as can happen, they fractured her femur. Today she has a replaced knee, and she walks with a terrible limp because her left leg is 1½ inches shorter than her right one. The likelihood of that happening to one individual is about 1 in 10 billion, but the outcomes never get reported. A femur can break while doing a knee prosthesis, there is no question about it. But five major surgeries? That means outcomes don't compare.

When this VA episode started soaking in, as a physician I went to the medical literature and looked at all the studies that have been published on VA care. I did a LexisNexis. I looked at them all. What did they show? VA care is better than anyplace in America. That is what the studies show. Except when we drill down on it, what we find is the way they were cheating on appointments is the way they were cheating on outcomes. In other words, the outcomes weren't accurate. So the culture is one of looking good, protecting those within the VA, and not protecting our veterans. Again, I would say that does not apply to all VA employees. The vast majority of them are great. But the leadership has stunk. We have to have a bill that fixes that. I don't believe this is going to do it.

I also wish to talk about whistleblowers because I have had a multitude

of whistleblowers whose complaints I have investigated and found to be truthful. The culture at the VA against whistleblowers has been a channel in the past from whistleblowers back to management. And what happens to them? They get fired. They get demoted. They get harassed. They end up ultimately leaving. These are the people who care, who want to make it better.

There is a big job ahead of Secretary McDonald. He has the capability and he has the experience to fix this but only if we give him the tools. My fear is that we will not give him the tools with this bill.

The final point I would make, and I think we all ought to think about it—every American ought to think about it. Remember, we are an All-Volunteer Army right now. If somebody has served this country in combat, putting their life on the line to protect us, to protect our way of life, to protect the very freedoms we cherish, should that same individual ever be at the back of the line on anything related to health care that is associated with their service? They should be in the front. They should be ahead of every Senator, every President, every doctor. They should get the first care, not the last. They should get the best care, not the worst. That is how it ought to be. It is the veterans VA system, not ours. It is for them. And when they no longer are the object of service by this country, for them, for their sacrifice, then we are in a whole lot more trouble than any of us realize. We have turned things upside down. Union representation at the VA is more important than the VA patient. Benefits for VA managers are more important than the VA patient.

The one critical thing that really needs to happen to clean up the VA is to give veterans the absolute choice to go wherever they want, their freedom to choose whatever care they want based on what they have done for us. By doing that, the VA will either have to become competitive and just as good or they should die. We have not done that in this bill. We need to do that in this bill.

We have centers of excellence in the VA that beat all the private industry, all the private health care. When it comes to prosthetics, when it comes to closed-head injuries, when it comes to traumatic brain injury, when it comes to post-traumatic stress disorder and depression, we are great. The VA is great, but in too many areas it is not. Tell me this bill will change all that, and I will vote for it even if it does sacrifice our children. But it won't.

I won't be here when the results are assessed, but I can predict what they will be—more of the same, too much money and not enough leadership.

With that, I yield the floor.

The PRESIDING OFFICER (Ms. HEITKAMP). The Senator from Connecticut.

Mr. MURPHY. Madam President, I ask unanimous consent to speak as if in morning business.

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

AFFORDABLE CARE ACT

Mr. MURPHY. Madam President, before I speak on the topic of Affordable Care Act, reports are emerging that the House of Representatives is going to adjourn without taking any votes on a border supplemental that would allow this country to humanely deal with a crisis of epidemic proportions on our border as over 50,000 children right now are being warehoused, shoulder to shoulder, without any sign from the Congress of help coming.

There are legitimate differences in what manner we provide this emergency funding to try to deal with this humanitarian crisis, but shame on the House of Representatives as they leave town today without even having attempted to take a vote on a supplemental appropriations bill for the border.

I was in the chair yesterday as I listened to about three or four of our Republican colleagues come down to the floor, as they often do, and register their ongoing complaints about the Affordable Care Act. As has been the trendline over the past 4 months, those complaints have moved from those rooted in data to those rooted in anecdote.

There is no doubt that there are people in every single State in this country who continue to have poor interactions with the American health care system. It is one-sixth of our economy, and as was the case before the Affordable Care Act, it will be the case after the Affordable Care Act. There are many people who will still pay too much, and there are still plenty of people who will not get enough in return.

But I wanted to spend a little bit of time on the floor today talking about what the actual data shows us, what the empirical evidence shows us. It is overwhelming in its conclusion that the Affordable Care Act is working—in many respects working better than anybody thought it would. So I want to take my colleague's arguments one at a time.

The first is a pretty simple one. Every bad interaction that happens in the American health care system is not the fault of the Affordable Care Act. I woke up a couple of days ago with a sore throat, but that wasn't President Obama's fault. That wasn't the fault of the Affordable Care Act. I had kind of a rough day. But I understand there are bad things that are going to continue to happen to me—especially when it comes to health care—that cannot necessarily be fixed by the Affordable Care Act. So one of the ongoing statistics that is used is the number of people who had their plans canceled. Well, most of the nonpartisan medical journals that have surveyed the number of cancellations before the Affordable

Care Act and the number of cancellations after the Affordable Care Act suggest this has been a problem that has been ongoing for years, that there is substantial churn every single year in terms of the number of plans that were offered that then are stopped being offered. The Affordable Care Act is not solely responsible for the fact that plans are being cancelled. People will still pay a lot in premiums. The Affordable Care Act makes it better. There are a lot fewer premium increases of over 10 percent since the Affordable Care Act was passed than before it was passed. But every time somebody is paying more than they would like for the health care they receive, that is not the fault of the Affordable Care Act.

The second argument is the difference between data and anecdote. So let me just spend a few minutes talking about what the ongoing avalanche of information, of data, of statistics tells us. So many of my colleagues come down and talk about the huge rates that people are paying for health care and blame it on the Affordable Care Act. The average premium that individuals paid for a plan on one of the Affordable Care Act exchanges over the course of the first year of its implementation was \$82 per month—\$82 per month. Now, there are some people who are paying more, but the average is \$82 a month. That is a pretty sweet deal to get health care coverage in this country.

And they needed it. A study showed that 60 percent of adults with new coverage used it and 60 percent of those individuals say they could never have afforded to get the care had they not had insurance in the first place.

And people like it. Consumer survey after consumer survey shows that the majority of people who are on these new plans want to keep them and have said their experience has been good, excellent or satisfactory. So that is the real story about what is happening on the exchanges.

What about cost? My colleagues say it really hasn't done anything to control costs. That is not the case. Health care inflation in this country is at a 50-year low. Medicare spending—that is the money that we all pay as federal taxpayers—is \$1,000 per beneficiary lower than it was projected to be in 2014. So \$1,000 in spending per individual has disappeared from the system, and a large part of the reason for that is the Affordable Care Act.

We had a bipartisan briefing sponsored by the Commonwealth Fund this week, and both the Republican economists and the Democratic economists believe the Affordable Care Act, though not solely responsible for that reduction in price, is a big, big part of that cost-reduction story.

People will say it is not coming through on premiums; we are still seeing premium increases that are bigger than we would like. Well, they are smaller than they were before the Af-

fordable Care Act, but the Affordable Care Act also has this provision in it that requires insurance companies to spend a certain percentage of all the money they collect on care, and if they pad their profits with too much of your premiums, then they have to return that money to you. We just found out that consumers have already saved \$330 million in money that was directly returned to them, and over all have saved \$9 billion in savings on premiums because of this provision, which essentially says if you get charged too much, the insurance company now cannot keep that money for themselves. They have to return it to you. That is the best protection you can have from premiums that are too high. It is not theoretical; it is practical—the \$330 million in checks written by insurance companies and given to individuals.

The data continues to show us the Affordable Care Act is working, and I haven't even gotten into the data I have brought down here week after week, which is stunning in terms of the number of people who now have insurance: 8 million people insured on the exchanges—a 25-percent reduction in the number of uninsured in this country. Even the most optimistic of ACA supporters could never have thought we would have a 25-percent reduction in the number of uninsured in this country in the first 6 months of implementation. The numbers don't lie.

But here is my last point: Senators and Members of Congress who come down and complain about the performance of the Affordable Care Act in their State, when their State has done everything in its power to undermine the Affordable Care Act, have some explaining to do. The reality is there are States such as Connecticut that are working hard to implement the Affordable Care Act, and there are other States that are working to undermine the Affordable Care Act. The Affordable Care Act works really well in States that want it to work, and it has a little bit more trouble in States that are trying to undermine it. Let me give you an example that comes from a speech given earlier on the floor by Senator NELSON. Senator NELSON talked about how Florida, through its Republican Governor and Republican legislature, has taken away from the insurance commissioner the ability to approve increases in insurance rates. And so, guess what. They are seeing premium increases that are rather unappetizing to Florida residents because the legislature has taken away from the government the ability to monitor, review, and approve those rates.

Compare that with the State of Connecticut, which is working hard to implement the Affordable Care Act and act on behalf of rate payers and consumers. Our biggest insurer a couple of months ago proposed a 12-percent increase in rates under the Affordable Care Act in Connecticut's exchange. We have the ability to review those

rates in Connecticut. We did that, and the insurance commission in our State just 2 days ago came back and reduced that rate increase from 12 percent to 1 percent. Blue Cross Blue Shield is not going to stop offering insurance on the Connecticut exchange. They are just going to do it with a rate increase that is commensurate with the actual increase in costs of care to Anthem rather than a number that is not based on actual data.

So in a State such as Connecticut, where we have seen twice as many people enroll as we originally estimated, where we have seen Medicaid expansion provide access to insurance for thousands upon thousands of Connecticut residents who have insurance in a way that people in Florida do not because of their lack of Medicaid expansion, we also have taken steps to protect consumers from premium increases.

So for colleagues who are going to complain about high premium increases, you have to acknowledge there are steps that your State could have taken to make it better. For colleagues who are going to talk about the fact that there aren't enough people enrolled, well, then your State could have taken steps to enroll more people.

Not everything is the fault of the Affordable Care Act when things go wrong for families. The data does not back up the anecdotes that are brought to this floor. In States that are working to implement the law, it works a lot better than in States that are working to undermine it.

The story is clear. Whether it is a decrease in people that don't have insurance, the decreasing rate of medical inflation all across the country or the improving quality of health care in every corner of this Nation, the Affordable Care Act is working.

I yield back the floor.

THE PRESIDING OFFICER. The Senator from Utah.

MR. HATCH. Madam President, I see two of my colleagues who are here, and I want to ask unanimous consent that Senator BARRASSO be given 10 minutes, then Senator SESSIONS be given 3 minutes, and then the remainder of the time be turned over to me.

THE PRESIDING OFFICER. Is there objection?

MR. HATCH. Did the Chair rule?

MR. MURPHY. Reserving the right to object—

MR. HATCH. Madam President—

MR. MURPHY. Madam President, I would ask that the Senator modify his request to allow Senator BENNET to alternate with one of the Republican speakers in this series of remarks.

MR. HATCH. I was supposed to speak here at 2:15 p.m.

MR. MURPHY. Madam President, I will withdraw my request for modification.

THE PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Wyoming.

HEALTH CARE

MR. BARRASSO. Madam President, I have come to the floor to discuss some

of the issues related to the health care law and the side effects of the health care law. I see my friend and colleague from the State of Connecticut—a place where I spent 5 years as part of my residency program training—has just spoken on this issue. So I followed the developments in that State quite a bit and talked to many of the physicians who practice there on a regular basis, some of whom I have studied with for up to 5 years. So they have routinely sent me articles about the failure of the President's health care law in Connecticut—because remember, the President said, actually, that the costs would go down, not go up under the President's health care law. I think he said \$2,500 per family per year. NANCY PELOSI on "Meet The Press" said costs would go down for everyone—down for everyone. She didn't say they would go up a little. She didn't say they would go up at all. She said they would go down for everyone, and this was in the last 2 years.

I come to the floor noting that just the other day in Hartford, CT, the headline story said that one of the insurance companies was seeking a 12½-percent rate increase. The Norwich Bulletin says: "Anthem seeks 12.5 percent rate increase."

I heard my colleague from Connecticut say the insurance commissioner wouldn't allow it to go up that much but did allow it to go up and said it was going up; is that what my colleague just said on the floor? Perhaps not as much as this, but certainly the President said they were going to go down by \$2,500 a family. NANCY PELOSI, the Speaker of the House, said they were going to go down for everyone. And in Connecticut people who believed the President, people who believed the Speaker of the House, NANCY PELOSI, realized they weren't told the truth. Rates even after this 12.5-percent request was reviewed and lessened—the rates still went up.

So I look at these headlines.

Another story out in the Daily Caller: "Obamacare Update: Now EVEN MORE States Report Double-Digit Premium Hikes." They talk about Vermont and they talk about Arizona, States where premiums are going up over 10 percent.

I looked at the story in Politico last month: Connecticut exchange reports breach—breach of security of individual people, hundreds of names left on the sidewalk, with Social Security numbers, with addresses, with information about them.

A story coming out of the Connecticut Mirror: "CT's Latinos face hurdles in enrolling in ObamaCare." It says: "No group of people in Connecticut is more likely to be uninsured than the state's Latinos, and ObamaCare won't change that."

I just heard from my colleague that it is working. Not according to the press in his home State.

July 1, 2014, the Connecticut Mirror:

Federal auditors question Access Health CT's internal controls.

Federal auditors reported Tuesday—

These are not individual stories of one person or another, because we know all across Connecticut there have been families who have been dropped, people who have had problems, individuals who are being hurt.

"Access Health CT says it will start calling thousands of customers Friday"—this was earlier this month—" . . . 5,784 customers were identified as having incorrect tax credits" under this program that my colleague says is working in his home State.

It says: "About 3,900 customers," in the State of Connecticut "were told that they qualified for government-funded Medicaid coverage when, in fact, they did not."

It says: "An unknown number of customers got a bill from their insurance company that was more than they expected . . ."

" . . . 903 customers were dropped by their insurer."

These are the facts.

So I hear that the Federal auditors are questioning Connecticut's internal controls, and then look at the many stories about doctors who are saying no to ObamaCare: "Report: Connecticut is Less Competitive After Federal Health Care Reform" in the Hartford Courant.

It just reminds me there are so many side effects of this health care law all across the country—stories from every State. Premiums are going up, people are having to pay more in copays, people are having to pay more in terms of their deductibles, and people continue to be offended that they were not told the truth.

The rates continue to go up. The President said they would go down. NANCY PELOSI said they would go down for everyone. That is not the case. And I think what I am hearing also is—

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. Madam President—

Mr. BARRASSO. People believe that Washington is in control.

Mr. MURPHY. Would the Senator yield for a question?

Mr. BARRASSO. The Senator will yield for a question.

The PRESIDING OFFICER. Would the Senator yield for a question?

Mr. BARRASSO. Yes.

Mr. MURPHY. I thank the Senator.

I appreciate the amount of time the Senator has taken to educate my colleagues on Connecticut's success in adding 200,000 people to the rolls of the insured. But the chart the Senator just had up next to him for the majority of his remarks about Anthem's request to increase rates in Connecticut by 12 percent is, frankly, the best advertisement you can make for the Affordable Care Act because under the Affordable Care Act, States are given the ability to review these rate increases and modify them. Connecticut has taken advantage of that, and had you read the papers from 2 days ago, rather than taking the headline from several months

ago, you would have seen that the Connecticut insurance commission rejected the 12-percent increase and actually approved a 1-percent increase.

Regardless of someone's claim that insurance premiums were going to go down, my constituents in Connecticut will be very welcome to take a 1-percent increase in premiums. Should you repeal the Affordable Care Act—parts or all of it—you would remove from many State the ability to offer these plans in the first place or to be able to monitor them. So I appreciate the Senator putting a month's old headline on the floor of the Senate, but yesterday's headline actually tells us that because of the Affordable Care Act rates under the exchange for the people in Connecticut will be at historic lows in terms of premium increases. Given the fact the Senator is putting up news about the State of Connecticut, I want to make sure that he is putting up the latest and most accurate news about our State.

Mr. BARRASSO. Madam President, I didn't hear a question posed in that, but I concur. And I mentioned in my remarks, as the Senator from Connecticut has said, that the rates were not allowed to go up to the double-digit request, although I also mentioned they are going up by double-digits in many other States. Yet the President of the United States said the rates would go down by \$2,500 per family per year. Speaker of the House NANCY PELOSI—who was Speaker when the Member from Connecticut was a Member of the House and voted for the health care law—said on "Meet the Press" that they would go down for everyone, and that is not the case. The case is, as I have continued to say on the floor of this body, rates are going up across the country even though the President promised something else. What people are seeing is higher premium rates, higher deductibles, higher copays, and loss of doctors. They feel Washington is taking control over their lives. We are also seeing lower paychecks in Connecticut as people try to comply with the 30-hour workweek requirements, which are causing school districts to have to choose whether to hire reading teachers as a result of the mandates of the health care law.

I thank the Presiding Officer.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Madam President, I understand there will be 3 minutes for the Senator from Alabama and then I will be able to deliver my full remarks.

The PRESIDING OFFICER. The Senator is correct.

The Senator from Alabama.

VETERANS HEALTH CARE

Mr. SESSIONS. Madam President, I just want to say how much I appreciate the work by all the Members who worked on the veterans bill. We had some difficulties of a very serious nature, and all of us wanted to fix that. I was not able to support the bill that came out of the Senate.

We learned minutes before the vote that the average cost in the out years would be \$50 billion a year if the program was funded, and there was no money to pay for that. It would really just be adding to the debt. It was sort of avoided by saying it would be a 3-year bill, but once you start these kinds of motions rolling, they never seem to end, and in the end we would be faced with a difficult situation financially.

The conference committee went to work, and I salute all the people who worked on this legislation. It has some good policy issues in it. Senator TOM COBURN, who spoke earlier, was engaged in that conference. He is a doctor. He understands these matters, he cares about them, and he was actively engaged, as we all know. In TOM COBURN we have one of the Senate's finest, most committed Senators. He loves this country. Every day he tries to save us money and make us more productive. There is nobody here who works harder or is more effective in addressing that issue than he is, and he says we need to do better. He is not able to support the conference report because it will add at least \$10 billion to the debt in 3 years. I will acknowledge that it is better than before. As a result, he will raise a point of order against it, and I have to say I will support that.

Our doctors there do not carry the kinds of patient caseloads private doctors do.

While we have some policy changes that are good, more are needed. We are going to have a new Administrator, and I am very impressed with him. He is a military academy graduate from West Point, spent 5 years in the military, and was a Procter & Gamble CEO. He has bipartisan support in the Senate. A lot of confidence and a lot of hope is being placed in him.

I think the better action for us today is to not try to establish big policy changes that continue indefinitely at great expense. The better choice for us today is to wait a bit, see how effective this new leader is, and see how much he can save without reducing benefits. Maybe we can get some ideas from this top-flight, world-class businessman, who can help us develop policies that serve our veterans. We have an absolute commitment to serve our veterans and fulfill our responsibilities.

I will support the budget point of order, but if it were to be sustained—and it probably will not be sustained because people want to go forward and do this—I am confident we would be able to work with the new Administrator and develop an even better plan for securing the benefits which our veterans have earned and to which they are entitled.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

STANDING STRONG

Mr. HATCH. Madam President, in recent days I have twice spoken here on

the floor—not about a particular issue, bill, or nomination pending before the Senate, but about the Senate itself.

While issues, bills, nominations, and even partisan majorities come and go, the Senate as an institution must remain—and remain not only in some tattered form, some distorted shadow of its former self, but, rather, the Senate must remain as it was designed to be. The political winds may blow, but the institution must stand strong.

Unfortunately, in my 38 years of service in this body I have never seen it weaker than it is today. There once was a consensus here not only about the need to keep this institution strong but also about how to do it. That consensus evolved from how the Framers designed this body so that it could play its unique role in the system of government they inspirationally crafted.

James Madison, for example, remarked at the 1787 Constitutional Convention that the Senate's proceedings could have more coolness, more system, and more wisdom than the House of Representatives. He was not talking about coolness in the way our teenagers talk about it today. The House is designed for more or less direct expression of the popular will and operates by simple majority. By contrast, the Senate is designed for deliberation. For more than two centuries it has operated by a supermajority and even unanimous consent. This fundamental difference between the House and the Senate is by express design and not historical accident. It is the conjunction of the two that makes the legislative branch work in the manner the Framers intended. This basic principle of bicameralism is above politics and above party.

This longstanding consensus about the importance of the Senate's unique design and how it must operate to fulfill its constitutional role has all but fallen apart over the last few years. I began addressing this problem in earnest last week and will continue to do so in the weeks ahead and, I might add, in the months to come, urging my colleagues to heed history's wisdom and change course.

I am not alone in this endeavor. My friend the senior Senator from Tennessee has also spoken with great passion on this issue and developed a thoughtful assessment of the Senate's institutional decay. Two longtime colleagues in this body—one Democrat and one Republican—offered similar critiques when leaving the Senate in the last few years.

For 30 years I served in this body with my friend from Connecticut, Senator Christopher Dodd. In his final speech on the Senate floor on November 30, 2010, he observed that the Senate was established as a place where every Member's voice could be heard and where a deliberation and even dissent would be valued and respected. Senator Dodd explained that "our Founders were concerned not only with what was legislated, but, just as impor-

tantly, with how we legislated." He urged Senators to resist the temptation to abandon the Senate's longstanding traditions to make it "more like the House of Representatives, where the majority can essentially bend the minority to its will."

Two years later Senator Olympia Snowe concluded her three terms in the Senate representing the State of Maine in this body with a reflection on the state of the Senate. She observed that a commitment to the rights of the minority helped ensure that the Senate would be a body where all voices are heard. Senator Snowe concluded, however, that "the Senate is not living up to what the Founding Fathers envisioned," in large part by ignoring the minority's rights.

Senator Dodd concluded his Senate service in the majority while Senator Snowe concluded hers in the minority, but their assessment was the same—a leading Democrat and a leading Republican. That is what a consensus looks like. They shared an understanding of the unique role the Senate was designed to play in our system of government, and they knew from experience that the Senate is not operating by that design today.

Diagnosing our current institutional ills and prescribing a path back to health must begin by recognizing the primacy of the Senate's purpose, design, and place in our system of government. Without the anchor of these principles, which have throughout the Senate's history been shared throughout this body, across all partisan and ideological lines, the gamesmanship of politics and the quest for power will decimate our deliberate contribution to the legislative process. Unfortunately, that is exactly what is happening today.

In my previous remarks, I noted that many of the sage students of the Senate—from Vice President Adlai Stevenson in the 19th century to Robert C. Byrd of West Virginia in our time—all identified the same two features as critical to the Senate's proper functioning: the right of amendment and the right to debate. It is not difficult to see how they serve the critical function of setting the Senate apart from the House. These rights temper majority rule. They emphasize individuals over parties and factions. They ensure that all voices can be heard. They encourage deliberation and, yes, even beneficial compromise. These rights secure a substantive role for all Senators—even those in the minority—in how the Senate legislates, a feature that does not exist in how the House operates.

During my service throughout the past four decades, the Senate has often lived up to these ideals. For example, I worked with the junior Senator from Iowa on the Americans with Disabilities Act, which the Senate in 1989 passed by a vote of 76 to 8. At that time Democrats held 55 Senate seats, just as they do today. This body addressed

amendments on the floor offered by both Democrats and Republicans on issues ranging from tax credits for small businesses to accessibility of buses. On a single day in September of 1989, the Senate adopted nearly twice as many minority amendments to this single bill than the Senate today has adopted in more than a year.

Today the majority leader uses his right to priority recognition to eliminate virtually all opportunities for amendments unless he agrees to them, and even then he generally stops amendments. He has used this procedural maneuver—called filling the amendment tree—more than twice as often as the previous six majority leaders combined.

There is a time when you can fill the amendment tree, and that is after there has been a full and fair debate on all the reasonable amendments Members have brought to the floor and it is when a reasonable time has been given to a bill and there have been a number of votes.

Yet, when he was in the minority, even he condemned this tactic as “a very bad practice.” He explained that “it runs against the basic nature of the Senate.” He was right then, but he is wrong now. Perhaps the majority leader has reconsidered what he believes to be the basic nature of the Senate. Perhaps he now believes that denying the minority’s right to offer amendments is a very good rather than a very bad practice. If he does, then I think he, of all people, owes the Senate an explanation. I don’t think he believes that; otherwise, such an about-face is nothing more than a desire to rig the rules so he can win all the games, and in the process he is destroying the Senate itself. When I say games, I don’t really mean games. It is so he can win all the votes. He can put the Senate on any motion he wants to without any real rights for the minority, and in the process he is destroying the Senate itself, destroying the institutional characteristics the Founders thought critical to our government’s design, and destroying precisely those practices and traditions that have enabled the Senate to serve the common good throughout our Nation’s history.

The other defining feature of this body—the right to unlimited debate—is also under attack. By empowering the minority, that right has always annoyed the majority whether we have been in the minority or whether we have been in the majority and vice versa. But a little history can provide a lot of perspective for us today.

For more than a century, ending debate on anything required unanimous consent. A single Senator could prevent a final vote on a matter by preventing an end to debate. The Senate adopted a rule in 1917 that lowered the threshold to two-thirds. Not until 1975 was the threshold lowered to three-fifths, where it stands today.

It is easier to end debate today than ever before in the Senate’s history, but

that is not enough for the current majority. Urged on by many of the 34 Senators who have not yet ever served in the minority, the majority apparently does not want any obstacle whatsoever to stand in its way—not even full and fair debate.

Last November the majority leader used a parliamentary maneuver to lower the threshold for any debate on most nominations from a supermajority to a simple majority. It took him only a few short minutes to end more than 200 years of Senate practice and effectively eliminate the minority’s role in the confirmation process.

As I have detailed here on the Senate floor and in print, the minority leader’s reasons for this revolution amounted to filibuster fraud. At the time he invoked the so-called nuclear option, the Senate had confirmed 98 percent of President Obama’s nominations, and filibusters, of course, were on the decline. But 98 percent was not good enough for the majority.

I noted the current majority leader’s about-face regarding the right to offer amendments. He defended that right when in the minority and actively suppressed it when in the majority. Similarly, when he was in the minority, he voted more than two dozen times for filibusters of Republican judicial nominees. The Democrats were the ones who started that. Then, last November, once in the majority, he abolished the right to debate nominations.

While the majority leader effectively neutralized the Senate cloture rule to stop the minority from debating nominations, he has also used that rule to stop the minority from debating legislation. He again uses his right of priority recognition to bring up a bill and, at the very same time, file a motion to end debate. But it makes no sense to speak of ending debate—ending what he wrongly characterizes as a Republican filibuster—when such debate had no chance to begin with. The majority leader uses this cloture rule not to end debate but to prevent it altogether.

Just like the practice of filling the amendment tree, the majority leader is using his position to prevent debate far more often than any of his predecessors. Unlike the current majority leader, most Senators on the other side of the aisle have never served in the minority. Most Senators in both parties—56, to be exact—have served here only under the current leadership. Unfortunately, this means that most Senators serving today have only witnessed leadership that prefers power to principle and is rapidly dismantling the longstanding practices and traditions of an institution that took centuries to build. The only leadership that most Senators serving today have experienced uses parliamentary maneuvers to deny senatorial rights so that the partisan ends justify the procedural means.

The current Senate leadership is wrong. The road we are on today leads only to one destination. Just as main-

taining the integrity and foundation of the Senate’s design and operation is essential to its proper role in our system of government, attacking that integrity and dismantling that foundation can only destroy that proper role. Since the Senate’s proper role is essential for protecting the liberties of the American people, destroying those longstanding practices and traditions puts our liberties at risk.

The minority leader spoke here in January about the state of the Senate and noted that what many call partisanship today is nothing new. But what I have been addressing in recent days is not the result of that ideological competition but how that competition is conducted.

At the beginning of my first term, there were only 38 Republican Senators—not even enough to end debate under Senate rules. Democrats have not been in such a small minority in nearly 60 years.

According to the Brookings Institution and American Enterprise Institute, 42 percent of all rollcall votes during my first 2 years here were so-called party unity votes, in which a majority of each party sticks together and votes in opposite ways. That means a majority of votes involve Senators reaching across the aisle.

In the last several years under the current leadership, however, even though the margin between the parties is narrower, the percentage of such party unity votes has risen to 62 percent. This trend of retreating to partisan corners is yet another indication that this body is becoming like the House and, therefore, abandoning the tradition of unlimited debate and amendment at the core of the Senate’s identity.

The way Senator Snowe described it, the great challenge is to create and maintain a system “that gives our elected officials reasons to look past their differences and find common ground if their initial party positions fail to garner sufficient support.” The Senate’s design provided those reasons and those incentives, and undermining that design destroys them.

Building is much harder and takes much longer than destroying. The current leadership’s recklessness in choosing power over principle is dismantling what took centuries to establish.

That does not, however, mean it cannot be changed. Senator Dodd suggested a formula for a better course when he distinguished what we legislate from how we legislate. Restoring the Senate as the world’s greatest deliberative body requires recommitting ourselves to the principles of how we legislate so that we can properly discuss and debate what we should legislate.

We must first restore the longstanding consensus about the rules, procedures, and traditions governing how the Senate is run. Only on that firm footing can we discuss, deliberate, and legislate in a constructive manner.

In addition to restoring many of this body's fundamental rights for amendment and debate, the minority leader spoke in January about restoring a vigorous and meaningful committee process. These elements of our legislative process are related and they are complementary.

Increasingly, bills are drafted in the leader's office and taken directly to the full Senate for consideration where the majority leader will immediately fill the amendment tree and file a motion to end debate. In my 38 years in this body, I have never seen a consolidation of so much power in so few hands.

America's Founders were right in the principles of government they laid out and in the institutional design they built on those principles. But they did so at the beginning of this journey, creating the blueprint before anything had been built. I fear that returning to the right path may be even harder than embarking on it.

The majority today has engaged in a hostile takeover of the Senate for one simple reason: aggrandizing power. But remember the axiom that power tends to corrupt. It makes principle harder to see, fainter to hear, and tougher to grasp, and it makes principle very difficult to restore. Restoration will require believing in something greater than power, something more important than the bill or nomination on the calendar, something more significant than the latest polling numbers. It will require holding fast to a system that can provide power today but take that power away tomorrow.

Winston Churchill famously said, "Democracy is the worst form of government except for those other forms that have been tried from time to time." There is certainly wisdom in that, but consider when Churchill said it. He was speaking on the floor of the British House of Commons on November 11, 1947, 2 years after his party lost half its seats in Parliament and the Labor Party led its first majority government. Churchill expressed his faith in the very form of government that had turned his party into a small minority.

We continue on the path the current Senate leadership has charted at our peril, not just the peril of this institution but the peril of our system of government and the liberties it makes possible for the American people. This may sound like a grand statement, but remember what Senator Byrd repeatedly told us—remember what he said: "So long as the Senate's defining features such as the rights of amendments and debate remain intact, the liberties of the people are secure."

There is perhaps no greater statement of principle regarding this Nation than our Declaration of Independence, which asserts that the government exists to secure the inalienable rights of the people. That is why we are here, and that should be our reason to change course—not simply partisan ad-

vantage or ideological superiority but liberty. The liberty we enjoy in America did not occur by chance. It will not survive by neglect, and it cannot thrive by preferring power over principle.

My staff and I recently visited the National Archives and saw the words engraved beneath in one of the statues at the entrance: "Eternal vigilance is the price of liberty."

I hope we can turn this around. I hope the leadership of the majority will wake up and realize that some day they may be in the minority. I don't know when, but some day they will be. If they were treated as we are being treated, I can just hear the fulminations up and down in the Senate. All I can say is that these principles are more important than either party. They are more important than either party, and whether Democrats or Republicans like them or not, the fact is, this is the greatest deliberative body in the world that is no longer the greatest deliberative body in the world, and that is because of what is going on. I hope we can end that and begin anew.

I think everybody enjoyed the debate over the highway bill. For once, we were able to have at least four amendments—on both sides, by the way. And I have to say it was kind of a thrill to vote again on amendments. It was kind of a thrill to pass a piece of legislation the right way. Whether a person likes or doesn't like the legislation, it was thrilling to be here. I would like to see more of that happening so that everybody here will feel that not only are they a part of the Senate but they are helping to keep the Senate the vibrant place it always has been up until now.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Ms. HIRONO. Madam President, I rise today to support S. 2648, the Emergency Supplemental Appropriations Act.

I recently led a congressional delegation to McAllen, TX, and to Lackland Air Force Base to see firsthand what the administration was doing to handle this border crisis. It was clear to me that the hard-working men and women on the front lines of this crisis are doing the best they can under very difficult circumstances.

We should pass this important bill to provide the necessary resources to fairly address this humanitarian crisis. We should provide Customs and Border Protection the resources they need to pay their agents overtime when needed, and to provide the necessary food, water, and medical supplies to these children.

My colleagues and I saw children in these CBP facilities as young as 7. We learned that many of these children arrive severely malnourished and dehydrated. They are clearly desperate. They are not traveling here simply because they want to. They are fleeing mortal danger at the hands of violent drug gangs. These gangs have rendered their home countries some of the most

dangerous places in the world to live. We should be working together to make sure these children are given proper care in our facilities and that our CBP agents have the support they need.

It was also clear to me that these CBP facilities, meant to safely hold dangerous criminals, are no place for children to be held, even for just a few days. This is a view also shared by CBP officers on the ground who said this is no place for children.

That is why I believe it is so important to provide necessary funding to the Department of Health and Human Services so they can continue to maintain shelter capacity at places such as Lackland Air Force Base where we visited. At Lackland, I was given hope. I saw children being educated, being taught English, praying if they chose to, and learning the Pledge of Allegiance. I saw a place that reflected our values as a country.

This is why I strongly oppose altering the protections of the 2008 Trafficking Victims Protection Reauthorization Act. The answer is not expediting screenings and deporting these children as soon as possible at the border. All this will accomplish is to send these children back into harm's way—indeed, into the murder capitals of the world—even more quickly.

I have actually seen what these expedited screenings look like. During our trip we saw small children sitting on concrete blocks in a noisy and overwhelming CBP facility. In this environment, these children struggle to answer questions from uniformed Customs and Border Protection officers. Let me be clear. That officer was doing the best he could, but children arriving here after a dangerous journey are in no condition to quickly explain their reasons for coming to the United States, much less understand the legal basis for their claim to relief under U.S. law. When children are asked to provide that explanation in the kind of harsh environment we saw in McAllen, they have little chance of making a compelling case for asylum or other protection. At this facility children cannot access legal help to make their case. Many of these children have legitimate legal claims that they have been physically abused, raped, or victimized by gangs or human traffickers. We must give them a fair chance to tell their stories.

This bill, which I support, does not repeal these protections. Instead, it takes the important steps of funding our immigration courts to levels necessary to timely hear these children's claims.

This bill also helps with legal representation and orientation services—something the faith communities and other advocates we met with told us were necessary. This will help to speed up the legal process, while ensuring that the rights of these children are protected.

Just as importantly, this bill funds our efforts to address the root causes of

why these children are arriving in our country in the first place. It will help us stop drug trafficking from this region and will help stabilize these economies that have been ravaged by the narco-trafficking violence.

This past weekend, columnist and commentator George Will eloquently spoke on this issue. He said:

My view is that we have to say to these children welcome to America. You're going to go to school and get a job and become Americans.

We have 3,141 counties in this country. That would be 20 per county. The idea that we can't assimilate these 8-year-old criminals with their teddy bears is preposterous.

We can handle the problem is what I'm saying. We've handled what Emma Lazarus famously called: "the wretched refuse of your teeming shores," a long time ago, and a lot more people than this.

George Will is right. We are a country that welcomes refugees—as many of these children are—from all around the world.

I urge my colleagues to support this important supplemental appropriations measure.

I yield back my time.

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. CRUZ. 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 REQUEST—H.R. 3086

Mr. CRUZ. Madam President, I rise today to speak in favor of a principle that should unite us all—the principle of Internet tax freedom. One of the great blessings of our modern economy is the productivity, the entrepreneurial spirit the Internet has created, the ability of anyone with an idea to jump online, to communicate, to create a business, to reach the world.

One of the reasons the Internet has been such an entrepreneurial haven is that Congress has wisely decided to keep it free from taxation, not to subject the Internet to taxation. Well, unfortunately, we are at the precipice of that long tradition changing. If the Senate refuses to take action, the Internet will be taxed this November.

For a decade and a half, Americans have been able to use the Internet all across the country free of taxes, and Republicans and Democrats have agreed on this basic principle. There is not a lot of agreement in this town on much of anything, including what time of day it is. Yet on Internet taxes—in 1998 President Bill Clinton signed the law banning Internet taxes. Congress has extended it three times—in 2001, 2004, and 2007.

Today there is a bipartisan coalition on the record to keep the Internet tax free. The senior Democratic Senator from New York and the senior Democratic Senator from Wisconsin both publicly support keeping the Internet free from taxation. Conservatives in

the Senate, such as the junior Republican Senator from Utah, the junior Republican Senator from Florida, and the senior Republican Senator from Louisiana, agree as well. There are 52 cosponsors in the Senate on the bill by the senior Democratic Senator from Oregon, who is here with us, to keep the ban on Internet taxes.

This should be easy. This should be a matter of easy agreement because rarely is there an issue that has united parties so broadly as keeping the Internet tax free. Yet, unfortunately, this session of the Senate is also seeing politicians who want to extend sales taxes to the Internet, who want to subject small businesses, mom-and-pops, businesses started by people just wanting to build a business, to crushing sales taxes from 9,600 jurisdictions nationwide.

I am passionate in saying we should fight against taxing the Internet, and we should not open the door to Internet taxes. The average tax rate right now on telephone services and other voice services is 17 percent. The average tax rate on cable and video services is 12 percent. If this Senate does not act, you are going to see consumers in States such as Montana and South Dakota and Massachusetts, on November 1, begin paying taxes for having basic Internet service. Those State laws are already in effect and will go into effect on Internet services.

I would note for the Senators who represent Montana and South Dakota and Massachusetts that come November 2—which, I might note, is right before an election day—anyone in those States should be prepared to answer questions from their citizens on why the Senate stood by and let taxes be raised on their citizens just for having an Internet connection.

Americans are struggling to pay their bills in the Obama economy. Life has gotten harder and harder for working men and women in this country. Life has gotten harder and harder for the most vulnerable among us—for young people, for Hispanics, for African Americans, for single moms. The last thing we should be doing is playing politics and jacking up taxes on people accessing the Internet.

I would note that the U.S. House of Representatives has already acted. On July 15 the House voice voted H.R. 3086, the Permanent Internet Tax Freedom Act. It had 228 cosponsors. My friend Senator WYDEN has introduced the Senate version of it, S. 1431. It has 52 cosponsors, including 18 Democrats. This ought to be something where we stop playing games and say let's all come together and agree: Do not tax the Internet. Yet, unfortunately, we are not in that situation. Unfortunately, we are seeing an objection to the House-passed bill, to a bill that has the support of a majority of Senators. Why? The only reason is because there is hope that by holding the Internet Tax Freedom Act hostage, it can become a vehicle to impose sales taxes on

transactions over the Internet, to impose sales taxes on every small business.

I would note one of many wonderful things. It used to be that if you were a single mom and you wanted to start a small business, you wanted to make something, you wanted to sit down and make something, whether it was a computer program or sweaters for dogs or anything else, it used to be that to create a small business took time, it took money, it took infrastructure. You had to have in place warehouses and distributors. You had to have a mechanism to sell your products.

Do you know the great thing about the Internet? If you are a single mom and you have an idea to start a business, you can put up a Web site, and with FedEx you can deliver anywhere in the country.

Anyone all over the country can do it, if you have an idea. Let me tell you, my cousin had an idea to sell scarves. She thought she had some good design ideas. My cousin Beatriz worked with her best friend to design scarves.

If you put up a Web site, suddenly you can sell all over the country. Well, what would the Internet sales tax do? It would say that when you start your business, if you start getting customers, you have to collect taxes in 9,600 jurisdictions all over the country. If the school district across the country changes its tax rate from 4.5 percent to 4.75 percent, you have to know that and collect that differential tax. This does not make any sense.

We should stand together united in protecting the entrepreneurial haven that is the Internet. We should stand united against taxing the Internet.

I would note that my friend the Senator from New Hampshire has a long and passionate record on this issue as well, and I am happy to yield to her for a question on this important topic.

The PRESIDING OFFICER. The Senator from New Hampshire.

Ms. AYOTTE. Madam President, I thank the Senator from Texas for coming to the floor to talk about this incredibly important issue to the American people.

I ask the Senator, isn't it true that for 16 years the Internet Tax Freedom Act has prevented politicians nationwide from using the Web as a piggy bank and has helped commerce thrive by keeping it free from burdensome tax restrictions? And isn't it true that by making this permanent—the way the House bill does and the way the bill does that my colleague from Oregon has offered that has 52 cosponsors in the Senate—we never have to allow the people of this country again to feel uncertainty that suddenly this great freedom we have on the Internet is going to be gone, where they are going to be taxed when they access the Internet or that somehow we are going to use the Internet as a way to raise money and a way to hurt e-commerce?

I would ask that of my colleague from the State of Texas. Is this all

true, that if we can pass the House bill right now—which is similar to the bill offered by my colleague from Oregon—we can give the American people certainty that we are not going to tax what they are doing on the Internet?

Mr. CRUZ. I thank my friend from New Hampshire. I would note that she is exactly right. We have the ability to do something productive, something that does not happen in Washington an awful lot. We have the ability right now to come together in a bipartisan way for the Senate to demonstrate that it can function productively to address the economic challenges in this country the way the House has.

The House is doing its job. The House has passed this bill. It is the Senate that has refused to take it up for a vote. It is the Senate that is refusing to do its job. We have an ability not just to protect the Internet from taxes but also to honor our word. How many Members of this body, on both sides of the aisle, go to the tech community and say: We want to stand with tech. We want to stand for the entrepreneurial vibrancy of tech?

Yet I would note anyone objecting to this right now is setting the stage for a massive Internet tax. How many of us make the case to young people that we are standing for the future for young people, we are standing for greater opportunity, we are standing for the chance to help young people achieve the American dream? You know, young Americans, 18 to 29 years old, oppose an Internet sales tax by 73 percent to 27 percent.

Yet if this body refuses to stand together in a bipartisan manner, we are telling young people: What we say on the campaign trail is not backed by action on the floor.

We ought to come together on what should be an uncontroversial bill, a bill that has passed three times before, a bill that was signed by President Bill Clinton, a bill that in this body is introduced by a senior Democrat. We ought to come together in a bipartisan way to say: We stand in unison protecting Internet tax freedom.

Accordingly, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 3086, which was received from the House. I ask unanimous consent that the bill be read a third time and passed, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from North Dakota.

Ms. HEITKAMP. Reserving the right to object, I want to first make a couple of points, which as we talk about this, I think it is clear to identify who is the taxing authority. The distinguished and very learned constitutional scholar from the State of Texas knows well that the imposition does not come from this body. The imposition comes from States and local governments which have 10th Amendment sovereign rights. They have the ability to finance

their own government. They have the ability to make those decisions. Congress has the right to make decisions on their ability, based on a concept that Congress ultimately has the obligation to control and to deal with interstate commerce. Only in the rarest of circumstances when interstate commerce is critically involved has Congress stepped up. It is very rare that this body, or that any previous Congress, has actually dictated the constraints of that sovereign right of States and local governments under the 10th Amendment to impose their own taxes.

I can tell you the RRRR Act is probably one of the most glaring examples. During a time in the 1970s when the railroads were struggling and different kinds of transportation organizations were struggling, we saw this body step up with a unified approach to improving the railroads. Guess what. The railroads got better. The States know now what the constraints are, established by this body, very limited on their ability to do centralized assessments on the railroads.

We saw it in something called Public Law 86-272, regarding income taxes—a very narrow exemption to those sovereign rights. Yes, the Internet Tax Freedom Act is an exercise of this body's commerce clause responsibility to take a look at what is in the best interests of moving forward. But let's not forget, what we are doing is a very interesting balance responsibility to improve interstate commerce.

So when my distinguished colleague suggests that this body is imposing any tax, that clearly is a misstatement of the facts today. There is no locality, there is no organization, State organization or State body that is required to impose any tax on the Internet or required to impose any tax on sales tax. So, yes, I believe we too need to address the Internet tax moratorium which expires on November 1. But we also need to have a discussion in this context of commerce clause responsibility, to give the States the right to decide whether they are, in fact, going to collect State and local taxes and use taxes.

I would remind the Senator, the collection responsibility is on the use tax for remote sales. Congress's responsibility and failure to meet that responsibility, of creating an opportunity to level the playing field for Main Street businesses—what do I say? I tell you if you are selling a widget in North Dakota and you have bricks and mortar and you participate in the society, you provide dollars for the schools, you provide scholarship dollars, you collect a sales tax. But if you are a remote seller, taking advantage of the same marketplace and competing directly against that Main Street business, you no longer have that responsibility.

So to suggest that this body, by doing any of this, would be imposing any taxes on mom and pop ignores the fact that the imposition of this tax

comes from State and local governments, which all too often my friends on the other side of the aisle say: Closer to the people, the more responsive those State governments are. I would suggest that in the great State of Texas, the current Governor, who is a Republican, certainly has the ability to decide tax policy. The legislatures are Republican and certainly can decide if they want to do any imposition of taxes.

So with all of that in mind, I object.
The PRESIDING OFFICER. Objection is heard.

The Senator from Oregon.

UNANIMOUS CONSENT REQUEST—S. 2735

Mr. WYDEN. Madam President, I am going to be brief, having spoken on this already once today. I simply want to highlight my sense of where all of this is. Back in 1998, along with Congressman Chris Cox, a Republican Congressman from California, one of the most market-oriented individuals I have ever seen in public service, he and I came together to write the original Internet Tax Freedom Act. The reason we did is we were concerned about discrimination, which looked as though it could do enormous damage to innovation and the future of the Internet. For example, we saw early on that if someone bought the newspaper in some jurisdiction online, they would pay a hefty tax. But if they bought the snail-mail edition, they would pay no tax.

So Congressman Cox and I, on a bipartisan basis, came together and said: "We do not want to see that kind of discrimination against the future. We do not want to see that kind of discrimination against innovation and technology." So that is what the Internet Tax Freedom Act was all about in 1998. The subsequent reauthorizations were all about trying to build on that enormous success.

Congressman Cox and I thought the Internet tax freedom bill would be a success back in 1998. It has far exceeded expectations in terms of promoting innovation and small business and many of the concerns that all three colleagues have touched on.

So then to fast forward to today, I am the author of the legislation, with our colleague from South Dakota, Senator THUNE, of the permanent Internet tax freedom extension. I will just say to colleagues: I would like nothing more—nothing more—than to be able to stand here today to see this enormously valuable piece of legislation made permanent now.

The reality, however, is—and we have seen it and heard about it—there are objections on both sides at this point to seeing the bill I wrote with Senator THUNE—and Senator CRUZ correctly notes that more than half of the Senate has co-sponsored—we have objections to seeing that bill move today. So the best thing that can be done now, for the hundreds of millions of American Internet users and the economy for which the Internet is a lifeline, is to extend the current ban until it is

possible to lock in a path to pass a permanent extension.

This is not a political issue. That point has been made. There are a number of Democrats and Republicans who join myself and Senator THUNE in supporting the permanent moratorium. There are a number of Republicans and Democrats opposing the extension of that moratorium, reluctantly. We will have that debate. They seem to think it is okay to impose discriminatory taxes on the Internet.

So it seems to me that no one who supports keeping the moratorium in place ought to object to a short-term extension now. Doing so only makes it more likely that Internet access and services would be subject to discriminatory taxation.

Let me now, in the interest of time, simply ask unanimous consent the Senate proceed to the consideration of S. 2735, a 2-month extension of the Internet Tax Freedom Act, to December 31, 2014, the text of which is at the desk; that the bill be read three times and passed, and the motion to reconsider be laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Ms. AYOTTE. Madam President, reserving the right to object. First of all, let me say to my colleague from Oregon, I share what you have described and the work that you did in bringing forth the Internet Tax Freedom Act. The success we have seen from keeping the Internet free from discriminatory taxes has been astounding. So I commend the Senator for that.

I am a proud cosponsor of your permanent act that you have with the Senator from South Dakota. I appreciate that you recognize how important it is that we keep this freedom for our Internet that has been so productive for the American people and, frankly, giving people from all walks of life access to this great tool on the Internet. So I thank my colleague from Oregon for that.

Unfortunately, I object. I want to note today that I am reserving my right to object because to extend this only to December 31 is to invite uncertainty to the American people.

I think the American people have had enough of these dramatic New Year's Eve moments in this body where they are wondering: Are we going to act upon important things, like will we ensure that the Internet remains free from discriminatory taxes? I know my colleague from Oregon shares the same goals.

But to put this to December 31, the lameduck of this body, at a moment where we can all be sitting here on New Year's Eve and the American people again can be looking at us saying: Why do you all leave this to the very last minute on something that has 52 cosponsors and is the right thing to do for the American people? We should give them certainty now by extending this law permanently.

I also note that if this is going to be extended into the lameduck session, I am very worried about the shenanigans that are going to happen. The shenanigans are on an issue that the Senator from Oregon and I are quite passionate about, and that is the so-called Marketplace Fairness Act my colleague from North Dakota just referenced, which, instead of the Marketplace Fairness Act, I like to call the Internet Sales Tax Selection Act.

My colleague from North Dakota mentioned that this is about the State and local selecting taxes. I respect that State and localities should be able to collect taxes. But for States such as Oregon and New Hampshire which don't have a sales tax, why should our businesses or why should any Internet business in this country take on the responsibility which has traditionally been the responsibility of State and local governments to collect taxes?

Under the so-called Market Fairness Act, what would happen is Internet businesses across this country—including in States such as Oregon and New Hampshire—would become the sales tax collectors for almost 10,000 tax jurisdictions in this country, which is a bureaucratic nightmare for so many thriving Internet businesses. It is an anathema to States such as ours—Oregon and New Hampshire—which have chosen not to have a sales tax.

Most importantly, to subject our great online businesses to the potential that they could be subject to an audit in almost 10,000 taxing jurisdictions to me is the opposite of what I know my colleague from Oregon is trying to accomplish with all the work he has done in this body, not only on the Wyden-Thune Internet Tax Freedom Forever Act—which I fully support—but all the other work he has done to make sure the Internet remains free and prosperous in this country for the benefit of all the American people.

So I object to what my colleague from Oregon has offered. I think a short-term fix is no fix at all. In fact, it leaves the American people again uncertain that we will protect their rights against discriminatory taxes that can be imposed on them over the Internet, and it also invites shenanigans with the so-called Marketplace Fairness Act that can get attached.

I know some of my colleagues have talked about the potential of attaching this unfair act, which I would like to call the Internet Sales Tax Collection Act, which makes our online businesses across this country the sales tax collectors for almost 10,000 tax jurisdictions in this Nation.

So, for those reasons, I object. I would like to see what my colleague from Oregon has put forth—which is excellent legislation, and I thank him for that—which is permanent tax freedom for the Internet.

With that, I believe the Senator from Texas would also like to be heard on this issue.

The PRESIDING OFFICER. Objection is heard.

The Senator from Texas.

Mr. CRUZ. Madam President, I wish to briefly explain to people watching the back-and-forth that just occurred what is going on here, because it is easy to not understand everything that is happening. There are three things going on here:

No. 1, what we are unfortunately seeing is the Senate holding one bill hostage in order to try to force through another unpopular bill.

There are two bills concerning the Internet. The first is the Internet Tax Freedom Act. That has been in place for over a decade. It has had bipartisan support. It has been championed by the Senator from Oregon who has been an outspoken and passionate advocate of making sure that when you and I go and sign up for the Internet, we don't face taxes for getting Internet service, and it has worked very well. That law has always been an area of bipartisan agreement.

But there is a second law that has been proposed in this body but not passed. The second law is the Internet sales tax, what its proponents call the Marketplace Fairness Act. The Internet sales tax is not focused on taxing someone just for signing up to the Internet. Rather, the people being punished by the Internet sales tax are all the small businesses trying to sell their wares online, and there are a number of Senators who very much want to impose taxes on those small businesses in 9,600 jurisdictions nationwide.

What is happening here, right now, is even though no one has serious objection to the Internet Tax Freedom Act, we are, unfortunately, seeing our colleagues from the Democratic side of the aisle hold that bill hostage in an effort to try to force through the Internet sales tax.

I would note the reason my friend from New Hampshire had no choice but to object to the 2-month proposal is the 2-month time period was not picked out of a hat. Two months means the Internet Tax Freedom Act would expire during a lameduck session. And why is that? Because in a lameduck session there are a bunch of Members who have been defeated, who aren't going to face voters ever again. A lameduck session is the session most likely to raise taxes.

So why is it there is an effort to extend this just 2 months? So when the Internet Tax Freedom Act expires in the lameduck, the Members of this body who lost their election and are immune from democratic accountability will all come together and say: OK, now let's pass the Internet sales tax. We shouldn't be holding the Internet hostage to the rapacious desire of tax collectors.

A second point I want to make about what is going on here—this is about discriminatory taxes, not about federalism. My friend, the Senator from North Dakota, was a learned attorney general who talked about the 10th

Amendment and federalism. I welcome seeing friends of mine on the Democratic side of the aisle embrace the 10th Amendment. I look forward and hope aspirationally that friends on the Democratic side of the aisle will embrace the 10th Amendment on other issues.

I would note, however, that the constitutional history we were told was a little bit off, because if we look at the history of our country, originally we had the Articles of Confederation. The Articles of Confederation allowed States to enact discriminatory taxes against each other, and it led to chaos. It didn't work. One of the reasons our Constitution was adopted was to prevent discriminatory taxes, one State picking on another State.

So when Congress was given the authority to regulate interstate commerce, it is precisely to prevent a little mom and pop selling online from being forced by 9,600 jurisdictions nationwide to collect all of those taxes. If someone is living and working in the State of Texas, they shouldn't have to collect taxes for New York or California—for politicians they don't get to vote for. For politicians they don't get any input on, they shouldn't be forced to collect their taxes.

Indeed, for the approach of Members of this body who want to pass the Internet sales tax, recall President Reagan's famous admonition:

Government's view of the economy could be summed up in a few short phrases: If it moves, tax it. If it keeps moving, regulate it. And if it stops moving, subsidize it.

Why don't we stop it at the outset? The Internet is moving. It is generating entrepreneurial steam throughout this country. We haven't been taxing it. Let's not start now.

The third and final point I will make about what this exchange is about is, more than anything, this exchange is about crony capitalism.

I would note the Presiding Officer today has been quite passionate discussing the corruption in Washington that favors big business. What we just saw on this Senate floor illustrates that as powerfully as anything that has happened this year. Because what is the Internet sales tax all about? It is about a coalition of big businesses coming together, both big bricks-and-mortar retailers and big online retailers coming to their elected officials, saying: You know what. We don't like competition. These little guys, these little upstarts, these single moms who start businesses and compete with us, we don't like that. So let's go to our friends in Washington—our friends, mind you, whom we hold campaign fundraisers for, whose campaigns we contribute to—and let's get the Congress to come together and hammer every small online business we can.

That is what we are seeing. This is crony capitalism. This is a law designed to benefit big companies and hurt small startups.

The beauty of our country is that anybody can come to this country with

nothing but a hope and a dream and a vision and achieve anything. It is because the entrepreneurial vibrancy of this country gives the little guy a chance. Yet I am sorry to say Washington more and more behaves as though it is for sale to the highest bidder.

Right now, today, the top 1 percent in our country earns a higher share of our income than any year since 1928. We ought to come together in a bipartisan way and say: Stop being the handmaidens of big business. Stop using government to make it harder for the little guy, for young people, for single moms, for Hispanic and African-American entrepreneurs. Stop making it harder for them to achieve the American dream. Stop pulling up the ladder so the big companies can say: We have got ours; nobody else gets theirs.

When big business comes to Washington and says: We want government's help stifling small business, both parties should stand together and say: Sorry. That is not what the Congress is for. We work for the American people. But, I am sorry to say, what we just saw was a powerful demonstration that this Senate right now is more interested in preserving crony capitalism than it is in protecting mom-and-pops, in protecting opportunity, in protecting Internet tax freedom.

But the great thing about our system is at the end of the day, the American people don't work for the 100 Members of this body. It is the other way around: All 100 of us work for the American people. And I will tell you, the American people are getting fed up. They are getting fed up with Members of both parties who spend more time giving in to the corruption of Washington and entrenching power than they do removing barriers to people achieving the American dream.

I am hopeful and confident that the voters are waking up, are standing up, and will hold every one of us accountable. Democrats and Republicans, every one of us, will be held accountable: Have you fought to make it easier to achieve the American dream or have you simply preserved the corrupt crony capitalism of Washington?

I hope we can together aspire to our better angels. I hope we can come together and keep and preserve in a bipartisan manner Internet tax freedom.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Madam President, to briefly respond to the Senator from Texas.

Mr. CORNYN. If the Senator would yield for a unanimous consent request.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. I ask unanimous consent that following the remarks of the Senator from Oregon, the Senator from Kansas be recognized, following that I then be recognized, and then Senator SANDERS from Vermont would be following me.

The PRESIDING OFFICER. Is there objection?

Mr. WYDEN. Madam President, reserving the right to object, just to be clear: Senator CORNYN would speak next, and then Senator SANDERS would speak after him?

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Madam President, the unanimous consent would be the Senator from Oregon, the Senator from Kansas, the Senator from Texas, and the Senator from Vermont.

Mr. WYDEN. I withdraw my reservation.

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

The Senator from Oregon.

Mr. WYDEN. Madam President, very briefly to describe where I think the Internet tax debate is, we have Republicans and Democrats objecting to what I happen to think is in the country's national interest, and that is a permanent ban on Internet tax discrimination. So we have Republicans and Democrats objecting to that.

Now my colleague from Texas comes forward and says: OK, let's not do a 2-month extension because we don't want to consider this in the lame duck session. But, colleagues, if you don't do the 2-month extension, the Internet Tax Freedom Act will have expired and you are still in the lame duck session. And by the time you get to the lame duck, millions of Americans will be vulnerable to discriminatory Internet taxes.

I am going to close this discussion by saying that in my view neither of the options is exactly ideal, because I think I made it very clear after 16 years that I would like to make permanent the ban against discriminatory taxes. Neither situation is ideal from my standpoint because Republicans and Democrats both object to doing that today. But what we know is that one option we have in front of us today is worse than the other, and the really bad option is to not do a short-term extension and leave millions of Americans vulnerable to discriminatory taxes.

With that, Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MORAN. Thank you, Madam President.

I wish to speak for a few moments this afternoon on the topic of veterans and veterans affairs, knowing, or at least expecting a vote later today on a piece of legislation that has now been compromised between the House and Senate versions of the bill, and something that I look forward to supporting.

HONORING HERB SCHWARTZKOPF

First of all, though, I wish to take a moment to honor a Kansas veteran, a veteran who dedicated much of his life to serving our country, whether that was on active duty in the Navy or advocating on behalf of other veterans,

Mr. Herb Schwartzkopf from Ransom, KS.

Mr. Schwartzkopf's many selfless acts began when he served in the Navy in Vietnam. After separating from the service, he returned to Kansas and joined the Veterans of Foreign Wars, the VFW, which he has been a member of now for more than 35 years. He is considered a life member of the VFW.

Last year the Hutchinson News asked Herb about his life and dedication to serving his fellow veterans. His response was, "I will talk about the 'V,' but I am not going to talk about me." The V is Herb's beloved VFW Post, because he is a humble man who has accomplished much and his priorities in life have been taking care of his country and taking care of the veterans who have served his country.

The countless contributions Herb Schwartzkopf has made over 35 years of advocacy for veterans has earned him the highest honor bestowed by the VFW, the All-American Commander of Post 7972 in Ransom, KS. Herb's VFW post serves as a meeting place and a community service hub for the Lions Club meetings and Thanksgiving feasts for the 296 residents of his hometown. It is also a place for raising funds for local cancer patients and victims, helping fund annual Honor Flights to come see the World War II Memorial by Kansas veterans. The 160 members of Post 7972 complete more than 250 service projects and volunteer more than 4,000 hours a year.

His leadership at the VFW post has deservedly won the National Community Service Post of the Year award five times, including 3 years in a row for 2009, 2010, and 2011.

The Ransom VFW's success is a result of true selflessness. As Herb put it: "If something comes up and somebody needs help, we just try to rise to the occasion." It seems only fitting that he has earned this prestigious award as All-American Post Commander.

I pay tribute to him, to his post, his service to our country, and his service to other Kansans, and thank him for that care and concern for other veterans across the country. So I say thank you for your selfless dedication. On behalf of all Kansans, we wish you well and we are fortunate to have you as a citizen of our State and a citizen of our Nation.

TOXIC EXPOSURE RESEARCH

I also want to speak about legislation today that has been introduced by Senator BLUMENTHAL and me. It is an issue that Senator BLUMENTHAL brought to my attention and today we have introduced the Toxic Exposure Research Act of 2014.

We unfortunately live in a nation where men and women volunteer their services to sacrifice and support us to have the strongest, freest, greatest Nation in the world. When servicemembers raise their right hand and take the oath of enlistment or commissioning, they commit their lives to support and defend the Constitution of the United

States and to protect the freedoms we hold dear.

Standing by their side through combat tours and multiple duty stations around the world is their family. We should and we must acknowledge that their family members are being called to sacrifice for our Nation as well.

The Toxic Exposure Research Act is about addressing the wounds of war that might impact a servicemember's family—wounds that may not be evident for decades later when it is passed on to the next person of their family or the next generation. This legislation would provide for the research on health conditions of dependents of veterans who were exposed to toxins during their service to our Nation such as Agent Orange in Vietnam, gulf war neurotoxins, burn pits in Iraq, or other chemicals from recent conflicts overseas.

I am not a veteran, but my life has been shaped by the fact that the Vietnam war took place during my high school years. Many of my conversations in high school were spent talking to those who were a few years older than I who were volunteering or being drafted, and for those who returned home to my hometown after their service in Vietnam.

During Vietnam, many of our veterans were exposed to Agent Orange and years later many veterans and their families are still struggling with the side effects of that exposure. Agent Orange specifically has been shown to cause birth defects in children of military members who came in contact with the toxin during the Vietnam war. There are other poisons from wars since Vietnam that have led to life-altering health problems and painful tragedies among veterans and their families.

A story of Herb Worthington and his daughter Karen is compelling. Mr. Worthington was drafted to serve in Vietnam and was exposed to Agent Orange. Years after his service came to an end he suffered from many conditions as a proven result of his exposure to Agent Orange. His daughter has battled MS for more than 19 years and has been treated for other conditions such as melanoma and an extremely painful nerve condition. Her life has been handicapped by health problems and various kinds of illnesses which must be studied in connection with the exposure of her father and what he experienced with Agent Orange.

Stories like Mr. Worthington's and his daughter Karen's have been shared all across the country in townhall meetings. I have heard them in stories at home in Kansas and they have been collected by the Vietnam Veterans of America. This is an issue that is important to all veterans. It is important to all Americans that we live up to our commitment to those who serve, and it is time we take necessary steps to help and protect their families now and for generations to come. Many people we will never know may be affected by the

consequences of their mother, father, grandmother, or grandfather's service to their country. Clear evidence of unsettling conditions and those personal stories warrant the need to collect data to research and study the consequences of these toxins.

I invite my colleagues to learn more about these conditions and the impact they are having on family members of veterans by checking out a social media page, Faces of Agent Orange, through the Vietnam Veterans Association, VVA. The fact is many symptoms from toxic exposure are misdiagnosed in descendants of veterans because of lack of understanding and lack of scientific proof.

I would ask my colleagues to join us in giving the authority to the Secretary—the new Secretary we confirmed earlier this week—a tool he needs so he can designate a VA medical center as a national center for research on the diagnosis and treatment of health conditions of descendants of individuals or soldiers exposed to toxic substances during their service to our country, during their time as military members.

This legislation would establish an advisory board of experts to advise the national center and the VA Secretary with determining the health conditions studied and those that are a result of toxic exposure.

The Department of Defense has a role to play here in this research, sharing incidents of military members who were exposed to substances, to enhance the studies and outcomes conducted by the Department of Veterans Affairs. Ultimately our hope is this medical research would determine those conditions that are the result of debilitating toxins and lead to appropriate support and benefits, cures and treatments for family members.

Military families support our Nation in their love and commitment to those who served in the Armed Forces, and they should not inherit the painful residual wounds of war that put their lives at risk long after the military operation is over. Toxic exposure research is a necessary step toward making certain our military men and women and their descendants will be properly cared for. It is also a step toward making certain that those toxins are not used in a way that causes this to be repeated again in any future war.

We must keep our promises to our veterans and to their families who have made the greatest sacrifice for the sake of our country, our security, our freedom, and our country's future.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

BORDER CRISIS

Mr. CORNYN. Madam President, later on today I expect we would be voting on the emergency supplemental appropriation that the President had requested to deal with the humanitarian crisis on the Texas border. Over the past few weeks I have spoken about

this and made several trips down to the valley. I will be leaving tonight along with colleagues. There is a bipartisan congressional delegation going down again to the valley and to Lackland Air Force Base where about 1200 children are currently being housed by the Department of Health and Human Services pending their placement with their relatives in the country.

As part of this discussion we have been having in the search for solutions to this unexpected flood of humanity in the form of unaccompanied children coming across the southwestern border, many of us are trying to figure out exactly what the cause of this flood is. In fact, I think it is probably more than one cause. I think perhaps it is the President's statements that he is going to defer action or refuse to enforce our current immigration laws against a certain class of immigrants that is known as the President's deferred executive action order of 2012.

But there is also another cause that has been recognized on a bipartisan basis, and this is a 2008 human trafficking law that passed essentially unanimously in 2008, because we were focused on one problem; that is, human trafficking, but the unexpected consequences or unintended consequences of that created a business model that is being exploited by the transnational criminal organizations, or cartels, as they traffic in human beings coming from Central America through Mexico up to the Texas border.

Together with my colleague in the House, HENRY CUELLAR, a Democrat, we have introduced a bipartisan, bicameral reform, something we call the HUMANE Act, and it has been cosponsored by people who have supported the so-called Gang of 8 bill in the Senate and people who opposed the Gang of 8 bill.

I raise that point to note that this isn't about comprehensive immigration reform. We have a lot of work to be done. But this is actually intended to solve this immediate problem right in front of our eyes and to stop this hemorrhaging on our southwestern border. My hope is once we address that problem, we can come together in a bipartisan way and address the larger defects in our immigration system, of which there are many. This is, simply put, an attempt to tackle a national emergency.

Let me briefly recapitulate what I am talking about. Since October of last year 57,000 unaccompanied children have been detained on the southwestern border. Under current law—this 2008 law I mentioned—these children are processed by the Border Patrol and they are placed with the Department of Health and Human Services, as it turns out an average of 35 days, and then placed with a family member in the United States or, if not a family member, some sponsor.

Part of the problem is that they are given a notice to appear at a future court hearing and very few of them ap-

pear. Thus, they are successful in making their way from Honduras, El Salvador, or Guatemala up through Mexico into the United States, and end up successfully immigrating to the United States illegally, outside of our broken immigration system.

What we need to do in order to fix that gap in the law, that loophole which was unintended by those of us who voted to pass the 2008 law, is to require that these children be held in protective custody and given a speedy hearing in front of an immigration judge for those who want to make the claim for asylum or some other relief. But the truth is the vast majority of these children, like the adults, will not have a claim to stay under existing law and our bill doesn't change that existing law. But for those who do, they have a speedy opportunity to appear in front of a judge and make that claim. Those who do not have a valid claim will simply be returned to their home country, to their family.

This morning I was invited, along with Members of the House and the Senate, to visit with the President about national security matters. He talked about Ukraine, he talked about Syria, he talked about Gaza, and all of the hot spots around the world. I used the opportunity to ask the President what he proposed that we do when this emergency supplemental bill goes down this afternoon.

The reason this bill will fail is because the majority leader simply is asking us to appropriate money and do nothing to fix the problem we have attempted to address in the HUMANE Act with Congressman CUELLAR that I mentioned a moment ago.

In essence, the President asked for a blank check, when he himself acknowledged this morning in my presence and the presence of a bipartisan group of Senators and Congressmen that he knows we need to address this problem or it will just get worse if we don't address it.

It is quite remarkable to me that the President of the United States acknowledges we have a problem we need to address. When the Secretary of Homeland Security, who is trying to use the tools available to him to solve this crisis but knows he needs more tools and more authority, at the same time the President makes that acknowledgment, and at the same time his Secretary of Homeland Security identifies the need for additional authority in order to address the problem, the President has reported he wants to actually expand this deferred action Executive order he issued in 2012 and say to the people who are coming to our country outside of our immigration laws: It is OK. You can stay here. There are no consequences associated with that.

The problem with that is the message that is being sent to the cartels who traffic in human beings and make a lot of money off of it—like I said a moment ago, this is part of their business

model—by exploiting this loophole in the law.

What sort of message does this send to the families who would send their children on this horrific journey from Central America through Mexico on the back of a train called The Beast? They are willing to send their children on this journey even though they could be injured, sexually assaulted, kidnapped or held for ransom. We don't know how many of them start the journey but don't make it because of the horrific conditions by the criminal organizations, not to mention the exposure to the hot weather and difficult environmental circumstances.

By failing to address the root cause of the problem, what we are saying is: That is OK. Keep coming. Indeed, that is why it is projected that of the 57,000 unaccompanied children who have made it here so far and have been detained—by the way, they are not trying to evade detection by Border Patrol. They are turning themselves in because they realize they will be processed and placed with Health and Human Services, and essentially, by and large, they will be able to stay. That is what we need to address.

Unfortunately, the House tried to work together today to pass a bill that would, I believe, have provided more money, as the President requested—not as much as he requested, but an emergency appropriation, together with the reforms to that 2008 law which would have addressed this problem.

Unfortunately, because the House of Representatives could not get any Democratic support, that bill failed and so the Speaker of the House pulled the bill from the floor. As a result, they will not be able to pass any legislation to send over to the Senate. That should not cause any of our colleagues here in the Senate much joy because the fact of the matter is the House has its independent duty to act and we have our own duty to act, and we can and should do that this afternoon.

We should do what the House attempted to do, which is to pass a slimmed-down appropriations bill on an emergency basis to help surge resources to the border but at the same time find a way to come together and plug the hole in this 2008 law, which is necessary to stop the problem—at least on this surgical basis.

What is so confusing is to listen to the President talk in his conference room at the White House about this and acknowledge the nature of the problem, and then to see that the White House threatened to veto the legislation that the House was considering. There are a lot of mixed messages, to say the least, with regard to the President's commitment to actually enforce the law. We know that in too many instances he has simply refused to enforce the law, and our immigration law is just one of those. But to hear such mixed messages out of the White House and the administration that yes, we need to act—we should not

just write a blank check. We ought to do the policy reforms with it that would solve the problem.

I will just add that in talking to Secretary Johnson—I don't think I am disclosing any confidence he himself wouldn't repeat—there is actually an earlier experience we had in 2005 and 2006 which I think is very instructive and which we have discussed.

Secretary Chertoff was Secretary of Homeland Security when President Bush was in the White House and we had a surge of people coming from countries other than Mexico, so-called OTMs—in this case Brazilians. In 2005, we saw a surge of 30,000 Brazilian immigrants at the southwestern border. Upon investigation, they realized the reason we saw a surge in these numbers was because of a policy known as catch and release—colloquially.

In other words, people came to the country, were caught, given notice to appear at a future court hearing, and they simply disappeared and melted into the great American landscape, knowing they would successfully immigrate illegally into the United States.

It is the same policy of catch and release that is causing this surge of unaccompanied minors, not to mention single adults with young children. We don't have adequate detention facilities for them, so they are released, given a bus ticket, and told to come back for their court hearing a year or more later. And they simply never show up.

We have all been noticing with great concern this humanitarian crisis at the border and the conflicting and contradictory messages and actions coming out of Washington, DC. So it was not really all that surprising to me to see a new poll that was reported this morning where 68 percent of the respondents disapproved of the President's handling of the immigration issue—68 percent. According to the Washington Post this morning, no other single issue trumps immigration in terms of Presidential disapproval. That is a shocking number.

Unfortunately, when I asked the President today: What happens, Mr. President, when we leave for the August recess and nothing happens to address this problem? He said: Well, one thing we are going to have to do is reprogram money from other programs and use that money to address this hole and this surge needed at the southwestern border.

I was disappointed the President didn't say what I was hoping he would say, and that is: I am going to call majority leader HARRY REID, and I am going to tell him he needs to allow a vote on some of the amendments we are going to offer, such as the Humane Act, on this emergency supplemental, and give the Senate an opportunity to vote for a solution and not just another blank check. Unfortunately, I didn't hear that commitment from the President.

As a result, this afternoon we are going to leave this city and go back home without doing anything to ad-

dress what the President himself has called a humanitarian crisis. The problem is just going to get worse. As long as the magnet exists, as long as this business model that the cartels have figured out continues to be lucrative and they continue to make money exploiting it and we don't do anything to fix it, the numbers will get worse and worse. And as we see children being placed in literally warehouse-type settings around the country, we are going to continue to see more and more backlash from the American people as they realize the Federal Government is failing in its most basic function, which is to secure our border and enforce our laws.

Unfortunately, this is what Presidential abdication of duty looks like. The President identified a national emergency, but has done virtually nothing to address it. Indeed, he said: We have a problem, and we need to fix it. He then threatened to veto the very legislation the House proposed would fix it.

This is what happens when a President openly and proudly is contemptuous of his obligation to faithfully enforce the law of the land by not only issuing an Executive order in 2012 that is beyond his legal authority to do but also by saying that because Congress has not done what I want them to do as far as reforming our immigration laws, I am going to further expand my Executive order and refuse to enforce the law with regard to more and more people. That is not a secret. It is well reported in the newspapers and on television, and it is not lost on the people who make money exploiting this system nor the people who want to come to the United States outside of our immigration laws.

Sadly, I can only conclude that although the President plainly knows what we need to do, as do his cabinet members, and although prominent Democrats have plainly identified what we need to do to fix the problem, when he doesn't demand that the majority leader allow a vote and a solution to that problem, I can only conclude that he is listening to his political advisers and not making the best judgment that is in the best interest of the American people. I can't explain it any other way.

So on in one last attempt this afternoon to address this crisis, I, along with several of my colleagues, am introducing an alternative to this blank check that the President has requested and Majority Leader REID will set for a vote. It will include many of the reforms I mentioned earlier in the Humane Act, but specifically our legislation would treat all unaccompanied minors the same under the law. It would correct that loophole in the 2008 law that treats unaccompanied minors from Mexico differently from unaccompanied children from noncontiguous countries. It would give Federal, State, and local authorities the resources they need in order to manage the cri-

sis. It would improve our detention capacity so we would end this catch and release which is being exploited, and it would ensure safe repatriation by filing for protective custody for all those children who don't qualify for an immigration benefit under current law.

Our bill would prevent the Obama administration also from unilaterally creating yet another deferred action program that would further add gasoline to this fire and cause these numbers to continue to grow and the humanitarian crisis to expand. In other words, our bill would help resolve the current crisis and would help prevent a similar crisis from occurring in the future.

Under the Senate procedures, the only person who can make the decision whether the Senate will have an opportunity to vote on such a reform is the majority leader, and he has already announced that he intends not to allow us to offer that reform. So I expect we will end up leaving here today having done nothing, in spite of the fact there is bipartisan and bicameral recognition that we are experiencing a crisis and the President and his own cabinet have identified the causes but refuse to do anything about them. To me that is the very definition of dysfunction and the very reason that the American people are absolutely disgusted with the refusal of Congress and the executive branch to do what we know needs to be done—and it is a tragedy.

I hope the majority leader will reconsider and give us a chance to vote on this reform to help solve the problem, and then we can move on and address other important problems that face our country.

I yield the floor.

THE PRESIDING OFFICER (Mr. MARKEY). The Senator from Vermont.

VA CONFERENCE REPORT

Mr. SANDERS. Mr. President, I rise today in strong support of the VA conference committee report, which I expect and hope will be on the floor here in a couple of hours. That conference committee report was passed yesterday by the House with an overwhelming vote of 420 to 5, and I hope very much our vote here in the Senate will be as strong as the vote in the House.

The conference committee legislation that we will be voting on, frankly, is certainly not the legislation I would have written. I think it is fair to say it is not the legislation that the chairman of the House Veterans' Affairs Committee, JEFF MILLER, would have written; it is, in fact, a compromise, but it is a compromise I can strongly support, and I hope all of my Senate colleagues will support it as well.

This bill does a number of very important things to address the problems facing the veterans of our country. Right now veterans in many parts of this country are on very long waiting lists before they get VA health care. I think in the last month or so the VA has made a concerted effort to reach out to those veterans and to get them

care when necessary in the private sector, and I think Acting Secretary Sloan Gibson did a good job in jump-starting that process and saying to veterans we are going to do everything we can to get them quality care in a timely manner. Obviously, this is an expensive proposition, but it is one we have to address.

This legislation we will be voting on in a few hours provides \$10 billion to make sure every eligible veteran in this country will get timely health care, quality health care, and they will do that through the private sector, through community health centers, through Department of Defense facilities, and Indian Health Service Clinics when those facilities work for veterans. If there is a community health center in a community, the veteran can go in there and the VA will pay that bill. That is the effort we are making to significantly reduce these long waiting lines.

This bill also provides a remedy for a condition many of us consider to be terribly important, and that is it gets to the root of why it is that we have long waiting periods in many VA facilities around the country. The reality is that in the last 4 or 5 years we have seen, as a result of the wars in Iraq and in Afghanistan, some 2 million more veterans coming into the VA, a net increase of about 1.5 million patients. That is a lot of people. There is not the slightest doubt in my mind or in the mind of the VA that if we are going to do justice to our veterans, we are going to need more doctors, more mental health counselors, more nurses, more medical personnel in general, so that when a veteran walks into a VA facility, that veteran will get quality care in a timely manner.

I have heard testimony in the Senate Committee on Veterans' Affairs, which was very clear, and what virtually every major veterans organization has said is that when veterans get into the system, the quality of care they receive is good. It is good. That is not just what veterans are saying and what veterans organizations are saying; that is what a number of independent surveys and studies show us. The problem is access, and if we are going to on a long-term basis address that access problem, it is important to make sure we have the doctors, the nurses, and the medical personnel we should have. This bill provides \$5 billion to make sure we get that personnel.

In addition to that, there are many facilities all over the country where there are very serious space problems. There are not the examination rooms doctors need in order to work efficiently, and this legislation addresses that with a \$5 billion appropriation.

In addition, there has been legislation passed in the House overwhelmingly that says, quite correctly, we need to fund 27 major medical facilities all over this country in 18 States and in Puerto Rico, and this legislation does that as well.

In addition, what this legislation says—and this is mostly applicable to our rural States—is that if someone is a veteran living hundreds of miles away from a VA facility, when they are sick in the middle of winter or in the middle of summer, they are not going to have to travel hundreds of miles to get their physical therapy or to get the health care they need. If a veteran is living 40 miles away from a VA facility, they will be able to get their care in their community, again through a private doctor, through a community health center, through an Indian Health Service facility, through a Department of Defense facility.

This is a big step forward for many veterans in rural communities who will now be able to get care in the area they live rather than having to travel long distances to get health care.

This legislation also addresses some other very important issues that have not gotten a whole lot of attention but they are important, and I will mention what they are. All of us know that one of the outrages we have seen in recent years within the military is the very high level of sexual assault against women and against men as well. This legislation provides funding for the VA to increase their capability so women and men who are sexually assaulted will be able to come into the VA and get the care they need to address the problems associated with that assault, and I think that is a very important step forward.

This legislation also takes action we should have taken some years ago. The post-9/11 GI bill has been enormously successful in providing educational opportunities for the men and women who have served in Iraq and Afghanistan and people who have served since 9/11. There was a gap in that legislation, and that gap was that a spouse of someone who died in Iraq or in Afghanistan was not eligible for all of the educational benefits of that post-9/11 GI bill. This legislation remedies that omission. It expands the John David Fry Scholarship Program to include surviving spouses of members of the Armed Forces who died in the line of duty. That means many young women out there will now have the opportunity to get a college education who otherwise would not have, and I think we owe that to all of those people who have already suffered so much.

This legislation also allows for veterans—all veterans eligible for the post-9/11 GI bill—to qualify for in-state tuition under that legislation. This was part of a bill previously passed in the House, and we are going to pass it in the Senate.

There is another provision in here which is very important. A program which provides housing for veterans with traumatic brain injury was about to expire. This legislation extends that program for a number of years, which will be a real relief for people who were worried they would be out on the street and not have adequate housing.

It has been from day one—from my first day as chairman of the veterans committee—my belief that the cost of war in terms of what it does to the men and women who fight our battles is a lot greater than most Americans fully understand. We all mourn the 6,700-plus men and women who died in Iraq and in Afghanistan, but we should understand the cost of war is much greater than that tragedy. The cost of war is the men and women who came home without legs, came home without arms, without eyesight, loss of hearing; the cost of war is the 500,000 men and women who came home from Iraq and Afghanistan with the signature illnesses of this war, which are post-traumatic stress disorder and traumatic brain injury. Those are the signature injuries of this war, and we are talking about 500,000 men and women coming home with those very serious problems. In fact, today—just today—and every day close to 50,000 veterans are going to get outpatient mental health care in VA facilities all over this country—close to 50,000.

It has also been my view that when we fully understand the costs of war and the needs of the veterans and their families, it is absolutely imperative that we do not make veterans into political pawns. We do not say, yes, we are going to fund veterans' needs, but we are going to cut Head Start, we are going to cut the National Institutes of Health or we are going to cut education. That is absolutely unfair to our veterans. A cost of war is the cost of planes and guns and tanks and aircraft carriers—those are a cost of war. An equally significant cost of war is the needs of men and women who fought our battles and who used those weapons. What this legislation says and what the House just passed by a 420-to-5 vote is that taking care of veterans is in fact a cost of war.

The CBO has come up with some recent estimates which lower the costs a little bit. But this bill will put close to—a little bit less than \$17 billion into VA health care over the next several years. There is \$5 billion in offsets from within the VA that I was comfortable with that will bring the total cost of this package down to somewhere around perhaps \$11 billion. Is that a lot of money? It is a lot of money. But that is the cost of war, and that is what happens when millions of veterans come home and need the care they are entitled to receive.

As I mentioned a moment ago, the House passed this legislation by an overwhelming vote of 420 to 5. I wish to thank Chairman MILLER in the House for the work he has done in getting that result. My understanding is that in a few hours we will be voting on that bill, and I hope we can pass this legislation with a very strong bipartisan vote.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

ISRAEL

Mr. BLUNT. Mr. President, early this week I joined with Senator BOXER to introduce the United States-Israel Strategic Partnership Act of 2014. This is an updated version of bipartisan legislation we introduced in March of last year. It is designed to help the economic strength, the security cooperation between our two countries.

As of right now, Senator BOXER and I and 79 of our colleagues, including the chairman of the Foreign Relations Committee, Senator MENENDEZ, are cosponsors, so 81 Members have cosponsored this legislation at a very important time. I think it sends a message to the world and it sends a message to Israel that our partnership is strong. It sends the message that the Congress, starting with the Senate, is committed to that partnership. It says that not only do we want to have the kind of defensive understanding we have had so we have joint defense agreements, so we have the kind of equipment and supplies stationed in Israel that we need and use in a time of crisis or they could borrow from us in times of crisis, but also the economic partnerships in water, energy, in cybersecurity and other information. Certainly looking at what is happening in Gaza, looking at the unique relationship between our two countries, where at least two of the members of the Israeli Defense Forces who have been killed in the last few weeks have also been American citizens. Those two individuals, along with a number of others serving in the defense forces for Israel, backed up and supported by other Americans who go to Israel to support the defense of their country—this is a particularly important time to send this message. It is a message that there is broad agreement on in a bipartisan way, with virtually 81 Senators agreeing.

I will turn to my friend with whom I have worked on this for 2 years now, Senator BOXER, to make a unanimous consent request so our bill can be done and this message sent to Israel and the world before we leave this week.

The PRESIDING OFFICER. The Senator from California.

UNANIMOUS CONSENT REQUEST—S. 2673

Mrs. BOXER. Mr. President, Israel faces 100 rocket attacks a day from a terrorist organization called Hamas. Israel is trying to cope with getting rid of tunnels that have been built by this terrorist organization, with one purpose: to send terrorists through those tunnels so they can kidnap, torture, and kill Israeli citizens.

Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 492, S. 2673; that the bill be read a third time and passed, and the motion to reconsider be considered made and laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Tennessee.

Mr. CORKER. Mr. President, reserving the right to object, I just want to

say the partnership Senator BLUNT and Senator BOXER have on this issue is one that I think is spectacular. I have talked to both of them ad nauseam about this issue. Senator BLUNT and I have had multiple conversations this week. He is one of our great leaders in this body and is always trying to find a way to come to a solution. Senator BOXER and I have worked on another issue this week, and I cannot tell you how much I have enjoyed working with her office.

This is an actual bill. This is not a resolution. In order to try to expedite this being able to come to the floor before we go to the August recess, we had scheduled a committee meeting here today, one impromptu, but to go through the normal committee process. I thank Chairman MENENDEZ for his cooperation and willingness to do that.

As it was scheduled, it is my understanding that a number of Members had amendments to this bill. I know for that reason—and I understand this fully—the business meeting to actually have a markup in committee was then canceled. I know the chairman of EPW has committee protocol, and when committee members want to amend things they try to go through that protocol. I know Senator BLUNT, being the leader he has been in the House and here, understands that process.

I am going to, over the next hour or so—I have a little time here—check with committee members and see, relative to the normal protocols, how they might feel about this coming directly to the floor. I just tried to do that a minute ago, but knowing this is not the typical way of doing things and knowing that people actually had some amendments—I know there were some reservations about the visa waiver process and other things—I am going to have to object. I do so with total respect for these two Senators but also for respect for the committee process we all try to work through together. So with that, I object.

I do not know how long we are going to be in this evening but—

The PRESIDING OFFICER. Objection is heard.

Mr. CORKER. I thank the Chair.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, if you sense some emotion and anger in my voice, I have it. I am shocked and deeply saddened that my friend would come here and object, when for days and days he told me—he told me—he would not do this. My friend told me he would not object.

This bill has the support of 81 Senators. To come here and object that his committee, which I am so proud to be—as a matter of fact, I am a senior person on that committee. My chairman is one of the great chairmen of the U.S. Senate. We bent over backward. I wanted to offer this on Monday with Senator BLUNT. He was disappointed. I said: I am talking to Senator CORKER. We are trying to work together. Eighty

one Senators support this, and 1 Senator comes and says: Oh, it is a little bit—we need to go to the committee. There is a war going on. Hamas has put on its channel proudly showing terrorists going through tunnels.

This bill is absolutely critical. It is an updated version of the bipartisan legislation we introduced last March. We worked for 16 months. We had issues with the visa waiver. We tried to take it through the committee in May. They tried to attach amendments on Iran. We need to work hard with the administration on the Iran issue. It is critical. But there is a war going on. This bill is critical, and I am so grateful to Senator BLUNT and all of my cosponsors.

In passing this bill today, the Senate would send a clear and unequivocal message. Let's be clear. We are leaving town. I do not want to leave town, but we are leaving town, and we are not going to have a chance, with all due respect to my friend, to take a look at this for a long time. This is the time, on the way out the door, to send an unequivocal message to our ally.

Hamas continues to escalate through those tunnels. We all mourn every civilian life lost—every life lost on either side. Think about it. If in our country we had rockets coming over here from Canada or from Mexico or from the sea into our Nation, what would we do? What would we do?

Concrete that was meant to build up Gaza—and I stood at that line when Israel gave up Gaza, gave it up. I was proud they did it, and I thought: What a chance for the Palestinians. I feel for them because Hamas has taken over and they use that concrete that was meant to rebuild for tunnels. I watched the video. I saw the terrorists go through, proudly bearing their weapons, sneaking up on a post and killing five Israelis. They tried to kidnap their bodies but they were unable to do it.

So if not now, when is the time to pass this legislation? To say it is bipartisan is an understatement. Almost the entire Senate is on it. We all know there are a lot of important issues. My goodness. I am going to be standing here and talking about a lot of them.

This is an emergency. That is why this United States-Israel Strategic Partnership Act is so critical, including our assistance for the Iron Dome missile defense system.

What is important in our bill is we increase by \$200 million the value of U.S. weapons we hold, we stockpile in Israel to a total of \$1.8 billion. At the rate these rockets are coming over, at the rate these tunnels need to be destroyed, we need to act. We need to act. We need to send a clear message to our friend Israel, and it sends a message to Hamas.

I have to say, yes, we have a visa waiver program in here. Guess what it does. It treats Israel the same way we treat other countries. I will read the names of those countries: Lithuania, Latvia, Hungary, Slovakia, Estonia,

and the Czech Republic. Why shouldn't Israel have that same opportunity? We worked on this provision. I know my friend has problems, but we fixed those provisions. We have given maximum flexibility on those provisions.

So I am sad—that is an understatement—I am distressed, I am shocked and stunned that this afternoon, before we go out the door, with 81 Senators on a bill—a bill we actually passed a couple years ago, a similar bill, and the House passed a similar bill—that I have a friend, who is my friend—he is my friend—treating this Senator and the chairman in a way that I think is so unfair and to me betrays all the days that we talked about this, the weeks we talked about this, the way we have fixed this legislation.

Most of all, I think it is a dark moment—a dark moment—when we would walk away from this opportunity to take a stand against terrorism.

I thank the Chair.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. Mr. President, I would just like to say that, look, I do not know what happened. We had a committee meeting scheduled today. The Senator is right that I agreed not to object to this and also not to offer any amendments in committee, and if it came through committee I was perfectly fine with it being unanimously consented to.

For some reason, the Senator caused the committee hearing to be called off. So she is exactly right, I would not be down here objecting to something being discharged from committee had the committee meeting not been called off.

I say to the chairman—I talked to him late last night. I thank him for trying to make this process work in the right way, and I thank his staff for being willing to set up a committee meeting today. But for some reason, the Senator from California decided she did not want to have the committee meeting.

I am sorry she is sad. I am a little emotional now that she would suggest that I would agree to UC something, when I—yes, I will if it comes through committee. I do not understand why the committee was called off. But apparently the committee—the person sponsoring this bill apparently does not want to vote on amendments other members want to offer. Not me. I had no idea any members wanted to offer amendments, by the way, but they did, and I am sorry this has not worked out either. But that is the way it is. I have no idea why the committee meeting was called off. I would love for the Senator to tell me that.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I think my colleague knows absolutely the reason why. All this is just disingenuous. My friend knows—we discussed it—that if we load down this bill with extraneous amendments on other subjects it

would never pass. We know that. I have been around here a long time. I know how a bill becomes a law, and thank God I learned it.

One thing I know. When you start loading down a very important piece of legislation that is emergency legislation with unrelated amendments, it is not going to be able to be done on the way out the door, and my friend knows it. We have—

Mr. CORKER. Well—

Mrs. BOXER. Excuse me. I have the time.

My friend can get emotional about process. Be my guest. I am not emotional about process. I am emotional about results. How would the Senator feel if he had a terrorist group digging tunnels under his cities? That is an issue separate and apart from our agreement we have to have a good agreement on Iran. But you know when you start amending these bills like that, they are not going to go through on unanimous consent.

So I am disheartened, disappointed, saddened, and I think everybody knows what has happened here.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. Mr. President, let me say one more time, I have no amendments to offer to this bill. I was in no way going to load down this bill with any amendments. I just asked that it go through a committee process. By the way, if amendments should not be added to a bill, typically what happens is people vote them down. I would assume that had we had a committee meeting today—I know we had one scheduled earlier today—extraneous amendments would have been voted down. But with that, I am certainly, I can tell you at this point, ready to dismiss this issue. I have no desire to try to call members of the committee at this moment to try to resolve this. I am very disappointed that the Senator from California would take liberties to say such things that this Senator would come down and agree to a unanimous consent without it going through committee.

I thank the chairman again for agreeing to do that. But it was called off because there were amendments. I understand that. I really do. But that is the prerogative. I think the Senator from Wyoming—standing in the well—had an amendment he wanted to have heard. I have not even seen the amendment. But that is what people do in a committee process. Again, if they do not want it attached to a bill, what they typically do is vote down the amendment.

But I am very disappointed in the comments by the Senator from California. It looks as if this will not be heard. I am sorry.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I came to the floor in the first instance to support Senator BOXER's unanimous consent request on the U.S.-Israel stra-

tegic partnership, which, as she has pointed out, has—in this institution we do not very often get 81 Members to agree that there is a course of action we want to take. She and Senator BLUNT have acquired 81 cosponsors—including me and a majority of the Senate Foreign Relations Committee—to do exactly that.

Given the current situation in the region, I think the legislation sends the right message at the right time. Israel clearly has a right to self-defense. No country should stand by while thousands of rockets are being launched at it and a terrorist organization next door digs tunnels to funnel fighters into its country to kill its citizens. That is what is happening.

Part of the effort of this legislation, the U.S.-Israel cooperation—well, one example is an antimissile system called Iron Dome, which is an example of what our two countries can do together—save lives through technological advancement and defense cooperation. I think these are incredibly important opportunities.

Beyond that, given the advances in shared achievement that have resulted from this U.S.-Israel partnership, this bill authorizes the President to further enhance cooperation in the fields of water, energy, homeland security, agriculture, and alternative-fuel technology.

But the U.S.-Israel partnership extends far beyond our excellent security partnership. Senator BOXER's legislation does just that. It authorizes increased, enhanced, and enriched cooperation that reflects the critical importance of our bilateral relationship. It goes into Israel's energy security.

Not long ago Israel was completely dependent on energy imports, but given recent discoveries they may soon be energy independent. But they need help. Thanks in part to work by Senator LANDRIEU, this bill would help provide the technical know-how on how to regulate a responsible natural gas extraction industry, how to charge and collect royalties, and how to plan for distribution and export networks. In other words, this bill can help make Israel an energy provider for the region and for Europe, greatly enhancing Israel's energy security and forming important economic ties with its neighbors.

There are a lot of reasons for the Senate to pass this legislation and particularly to do so now.

Let me address the process question. The ranking member did ask me late yesterday to have a markup. When we talk about process, we called for a markup in short order, without the regular timeframe, but also with what was, for me, an understanding that there were going to be no amendments. It was going to be an up-or-down vote on the legislation. If I had understood there were going to be amendments offered, then we would have had to have

a timeframe to know what amendments they were going to be so Members could consider what those amendments are and could judge them—not at the spur of the moment when we sat down and convened a meeting but so they could make an informed judgment.

Because it was a truncated process, which I was trying to accommodate the ranking member on, and because I felt we were going to go through basically an up-or-down vote, I called for the meeting. But then, unbeknownst to us, all of a sudden we were told there were going to be a series of amendments—amendments which were not even filed and for which there was no timeframe and therefore would come at a moment's notice when the meeting was convened and with no one having had the opportunity to understand the nature, substance, or consequences of those amendments. In my mind, that is not regular order.

So maybe there was a misunderstanding, but because there was a clear understanding, from my perspective, to do it in an irregular fashion—very short notice, with no amendment filing deadlines—but in order to accommodate the concern that legislation should not come but through the committee and onto the floor, I agreed to a special session, a special business meeting. Unfortunately, I do not know whether there is a misunderstanding of agreements here, but that is the nature under which I agreed.

When I found out there were going to be all types of amendments, including amendments that are extraneous to the subject matter, I decided we could not do that in good order and in reasonable conscience, so we pulled down the business meeting.

Let me say that I understand we have two concurrent resolutions pending before the Senate on the use of human shields by Hamas and supporting Israel's security. I support the substance of both of those Republican resolutions. However, I am not willing to allow them to move and provide lip-service to Israel's security when Members of the same party are preventing us from taking real action to support Israel's security by objecting to this bill, even though I do not question my distinguished colleague, who has worked incredibly well with me over the last year and a half, about what his concerns are about process. But we can't have Members want to offer all types of amendments, including extraneous amendments to this bill, and then say "But we are asking the chairman to release the resolutions on human shields"—which I in substance support—"from the committee," but when we can really do something for Israel, which is to pass this legislation, to say "No, we cannot go through this process because it is not regular order." It is also not regular order to allow resolutions not to come through the committee as well. I hope that maybe in the timeframe there might be

a way to consult with Members on both sides of the aisle to see if there can be a resolution.

I do not judge anybody's purposes. But let me make it clear for the record that, yes, we did have a special business meeting. It was out of the regular order as to how we would call such a meeting and the procedures we would have for such a meeting. But it was done in good faith in order to accommodate the ultimate goal, which is passing an incredible piece of legislation at an incredibly important period of time.

I see my colleague wants to say something. I have something else to say that is not related.

I will yield.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. CORKER. Mr. President, I want to say that everything the chairman has said is absolutely correct. Of course, the committee can meet with the consent of everyone willing to do so. I appreciate him and his willingness to do that.

I will say one of the members—I am actually speaking through the Chair to the chairman, if I could. I just had one of the members on the floor walk by and share with me that he really was not going to ask for a vote on amendments; he just wanted to share some thoughts but was going to pull them.

I understand how the chairman would want to pull down a committee meeting if there were going to be lots of amendments, and I assure you I had no idea there would be any amendments. But I know some people brought some forward. My sense is that there may not have been a desire to have a vote on those, especially based on one of the Senators on our committee just walking by and sharing that with me. So what I might do in the interim is get on the phone and see if the committee members who had amendments actually wanted a vote on those or just wanted to express concerns. Maybe it is possible, within the time left, to handle this in a way that works for all.

But I very much appreciate the chairman's willingness. I want to say to him again that I had no idea people had amendments to offer.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. If I may through the Chair—I appreciate that.

Let me just say we were told there were amendments for the purposes of votes. Maybe that did not end up being the ultimate intention of some; others may have wanted votes. But I will say to the distinguished ranking member that if there are colleagues who want to express a reservation but are not seeking a vote, they would have the opportunity to come to the floor. I am sure we could carve out some time under which we could talk about what those reservations are. They would be fully on the record, and we might find a pathway forward to being able to cast

a vote on this bill. But I will leave that for my colleague and his conversations with his colleagues on the Republican side of the aisle.

Mr. CORKER. I will close by saying that I think it is perfectly fair for the chairman to say that if we can't have a bill like this discharged on the floor, then other resolutions which sometimes do come to the floor without going through committee because they do not have a binding effect—I can understand why he would take that position.

But I really do appreciate the way the chairman has worked with me on so many occasions. Again, I am disappointed in the comments that were made earlier. But this is the understanding we have had. I think had the committee process gone forward, we probably would not have had votes. But we will just see.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, before Senator CORKER leaves the floor, I want to make sure I understand because maybe there is a window of opportunity to revisit this. I want to make sure I heard what he said.

It was my clear understanding—and the Senator said he does not know why I thought this—that my friend would not object to this if it came to the floor. I had staff conversations. I know the Senator is saying after it came out of committee, but there were other conversations I am privy to staff to staff. So let me say that.

Is it my friend's interest to go and talk to Senator BARRASSO in particular—a friend of mine—and see whether he was just going to use these amendments as talking points? If, in fact, he was not going to do that, call for a vote, and he stands down, would my friend allow us to get this done tonight just given the moment in time in which we find ourselves at this late hour?

Mr. CORKER. Well, I would say that every time I get a sense I want to do that, the Senator from California says something that challenges the integrity of another Senator, so it makes me not wish to do that. So I don't know.

I will say that I am going to leave here and take into account—I have always understood that if it went through the committee, even though there are some issues I have with this legislation, because of the fact that we have so many cosponsors, I do not want to be one Senator who holds up a piece of legislation. I want the will of the body to work. I always have. But I did want it to go through the committee process, and it was called off.

I wish the Senator from California would quit saying things that I do not believe to be the case. We tried to make it go through the right way today. I really did. I appreciate so much the chairman and the way he works with me in that regard. But we

will see. I get disappointed every time another word is said about this, and sort of characterizing not the way I understand we were going to do this. But we will see. I appreciate everybody's time.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. I would say to my dear friend and distinguished ranking member that I know how he feels about his integrity and the process. I respect that. Only because the stakes are so high are the passions so strong with what is going on with Israel right now. So I would urge my distinguished ranking member to maybe have that informal survey with members and see if there is a way in which reservations could be expressed, and we might be able to move this legislation on the floor.

I have worked with the Senator other times and on other issues and we have worked with each other, and I hope this might be a moment in which we could actually achieve that as well. I have nothing but the greatest admiration for the Senator's work and cooperation.

SUPPLEMENTAL APPROPRIATIONS

I wish to move to another equally important topic and in part respond to my colleague from Texas. That is the question of the supplemental and the comments made that we are unwilling to do what the House has been incapable of doing so far—at least the last time I checked. I do not know if something has happened since I came to the floor, but the House has been incapable of even sending what they viewed as their supplemental.

I do not know exactly why we would be blamed for not voting on something the House has not even passed, No. 1.

Yes, there are many of us who will oppose what the House is sending because, No. 1, it doesn't even provide the resources necessary for an emergency—an emergency of unforeseen dimension: a refugee crisis and a humanitarian crisis that needs to be dealt with.

When we look at the proposals that are contemplated in the House, not only do they not fund appropriately to meet the challenge, they misappropriate how they are going to do funding to meet this crisis.

I don't know that we need to militarize the border, because no one is threatening the border so far as the consequences of any violence. I don't know that a National Guardsman with a rifle is necessary against an 8-year-old. I really don't. We heard our colleague from Texas say: Well, these children are actually submitting themselves to the Border Patrol, not trying to flee them.

So part of what the House of Representatives wants is to spend millions of dollars for the National Guard. I would rather spend it on the Border Patrol, not the National Guard. We don't need to militarize our border.

I would like to make sure that when a child does come over, having fled

2,000 miles because they were raped or a child was told by the gang to join us or die or a child who saw their father or mother killed before them and thought they would be the next one—that if that happens to be the case for that child, that they would have the opportunity to make their case, and they can't do that in 72 hours.

I was at the same meeting earlier today with the President, which was really about national security. But the Senator from Texas raised this question—and it is a legitimate question to raise—and I didn't hear the same response in the context that the Senator from Texas characterized that response.

The President said there has to be due process; but yet we need to find a way to try to accelerate that process but within the context of due process, and not to strip away the law that was passed in a bipartisan process and signed by a Republican President because he understood, as did the Congress at the time, that if you flee 2,000 miles and actually get here, it must be a lot more than an economic refugee. It must be because you have a credible fear of the loss of your life or your safety. That is what is at stake here.

Now, it boggles my mind that we cannot get a successful vote. I don't know if we will or we won't, but I get a sense from what I hear from my Republican colleagues that they won't cast a positive vote for the type of supplemental that would give the resources to meet the challenge. To do what? To put more people on the border in terms of Border Patrol. To do what? To create more immigration judges, to create more prosecutors.

What are they going to all do, coddle the child? No. They are going to be enforcing the border—the border in States where some of my colleagues seem to be the biggest opponents of the supplemental. I don't get it.

Now, I have never voted for a supplemental that is enforcement only, but I am ready to do it because this is an emergency. I understand the gravity of the situation, both on the human side as well as the national security question. But I can't fathom, for the life of me, the views that say: No, let's vote against the money and create a crisis which basically is going to leave us in a situation in which, if we do not pass the supplemental prior to leaving on this recess, monies for the Department of Homeland Security and Department of Health and Human Services for these purposes will run out. The crisis won't have been abated, but the situation will continue to exist and the monies will have run out, which means what the President said: Well, I am going to have to reallocate resources from within those Departments for other purposes; which means that other national security, homeland security, and other health issues are not going to have the resources to meet the challenges they are presently meeting. That is not in the collective interests of the country.

So I am strongly going to support a supplemental that I would have never voted for because of the emergent nature of what we have. But at the same time we can't be about putting the National Guard at the border. It can't be about militarizing the border when there is no military threat, and it cannot be about stripping a law that was passed in a strong bipartisan vote and signed by a Republican President because they understood the nature of the potential challenge and they understood the very essence of a child fleeing 2,000 miles and having a shot—only a shot, no guarantee—that they in fact make their case.

That would send a message across the globe, as we are telling other countries in the world—in Africa; in Jordan, where we tell them to handle the Syrian refugees; in Turkey, where we tell them to handle the Syrian refugees; in the Dominican Republic, when there was the hurricane and we said let the Haitians come on over—we can't handle the humanitarian needs of children who have a credible sense and a credible case about fear for their life. Not every child will have that case, and those will be deported. But not every child should be automatically denied either.

Mrs. BOXER. I wish to engage with my friend in a bit of a colloquy here.

I listened to the Senator from Texas, Senator CORNYN—who is working to try to solve these problems—lament the fact that Democrats in the House would not go along with the Republican version of this emergency appropriation. So I went back and I asked my staff to detail—and my friend did that.

I want to make sure that he agrees with what I think basically was in there: First of all, a change in the 2008 law that President George W. Bush signed, written by Senator FEINSTEIN and others—quite bipartisan—to treat these children with human dignity and ascertain that in fact they had a real problem. If they didn't have a real problem, send them back home; and if they did have a real problem, make sure they were safe here. So that was in there. Then, as my friend said, the National Guard piece was in there.

Now, what is really interesting is these children are coming over, and they are saying to the Border Patrol: Take me.

So I don't mind having the National Guard at the border if we really have to defend, et cetera. I have come after that in the past.

But it just seems to me—and my friend made the point—it is one thing to put Border Patrol on and it is another thing to send down the military to face off with these children.

The other thing is, of course, they strip down the money dramatically so that these kids may well have to remain in some of the worst conditions in these customs facilities.

Now, the question I really want to talk to my friend about is this. I researched this today and asked to find

out, every year, how many foreign nationals become legal residents under current law even without changing our law. We know the immigration bill didn't pass over there. It is 1 million a year. Every year, we take 1 million foreign nationals, and they become legal residents in America.

Doesn't my friend believe that since we take 1 million people a year in legally, we can deal with 56,000 children, that we can do that, that we have the capacity to do that? We know, if it follows trends, that most of them will be placed with relatives or caring friends, a few may not be, and some will be sent back.

But doesn't my friend believe, in this great Nation of immigrants—I am a first-generation American on my mother's side. My mother was born in Europe and her whole family escaped before the Holocaust. I don't think there is anyone in this Chamber, unless they are Native American, who can say truly at one time their relatives weren't immigrants.

My friend is so eloquent on the point. We handle 1 million foreign nationals becoming permanent legal residents every year. Don't we think America has the capacity to handle 56,000 children?

Mr. MENENDEZ. I appreciate my colleague's point. I would say America certainly has the capacity to give the legal opportunity for those children to make the case that they have asylum. And when we fail to do so, I think we undermine our own principles. We undermine our own history, we undermine our own legal obligation under existing law, and we also undermine our standing in the world when we ask others to take in refugees but we say in our case that we cannot.

Mrs. BOXER. I thank the Senator.

Mr. MENENDEZ. Madam President, I yield the floor.

The PRESIDING OFFICER (Ms. HIRONO). The Senator from Utah.

Mr. LEE. Madam President, before I get on to my remarks regarding immigration, I wish to echo briefly the sentiments expressed by my friends, Senators AYOTTE and CRUZ, who spoke on the floor earlier this afternoon.

I believe the Senate should immediately take up and pass the Permanent Internet Tax Freedom Act—a bill that cleared the House with a bipartisan voice vote and 228 House cosponsors—instead of manufacturing a crisis with a short-term extension that will let this very popular, very bipartisan policy be taken hostage.

The situation at the border is indeed heartbreaking. Tens of thousands of single adults, families, and children have made an incredibly dangerous journey north from countries such as Guatemala, Honduras, and El Salvador. They are leaving these countries because they offer too little opportunity and are mired in poverty and violence. No one begrudges them for wanting to find a better place to live.

Americans are compassionate and they are generous. The American peo-

ple have always extended and always will extend a helping hand to every other corner of the world. And even as the number of illegal border crossings has exploded over the past year, we have treated these individuals with dignity and respect.

Today we have on our southern border a multifaceted crisis that faces the entire country. But President Obama is not interested in solving the humanitarian problem or the security problem or the legal problem or the fiscal problem. He is interested only in solving a personal political problem—avoiding blame for this crisis which he himself has created.

For years the President's clear message to the world has been that he is not interested in enforcing or fixing America's immigration laws. He is unconcerned about strengthening our border, improving our entry-exit system or bolstering the workplace verification. He has made no effort to fix our visa system so that we have an efficient process to serve immigrants trying in good faith to obey the law. He has ignored serious immigration reforms that would solve these problems.

So what has the President been doing on immigration? Systematically undermining the rule of law by ignoring the laws that are already on the books, taking action he has no authority to take, and blaming others for the consequent failures.

That is what has led us here today, considering what hypothetical actions Congress can take to address the real crisis the President has created.

But the solutions to this immediate crisis and our longer term immigration needs as well begin with the President finally enforcing the law. There is no amount of money that Congress can spend. There is no new law that can solve this crisis if the President and the leadership of his party continue down their current path.

There are several steps the President can take immediately that do not require any action by Congress or another dime from the American people.

He can stop abusing what he refers to as "prosecutorial discretion." He can end the DACA program, which provides administrative amnesty and work permits to those who enter the United States illegally as minors. He can close the door to any further expansion of DACA to millions of additional adults. And he can signal his commitment to this solution by quickly returning those who entered the United States illegally to their home countries.

But by announcing to the world—the entire world—that he will not enforce laws requiring DHS to process and return those who come here unlawfully, the President is encouraging hundreds of thousands of children and adults to make this very dangerous journey to come to the United States illegally. He is encouraging families to pay coyotes controlled by drug cartels thousands of dollars to smuggle their children into the United States. That is truly the humanitarian crisis.

The President's threats to widen the scope of DACA are only going to make this crisis worse. That is why I agree with my friends TED CRUZ, JEFF SESSIONS, DAVID VITTER, JIM INHOFE, and MIKE JOHANNIS that at the very least we must take steps to prevent the President from providing any more Executive amnesty.

I understand the desire for Members of Congress to want to pass some kind of legislation. Members want to be able to go home to their constituents over the August recess armed with talking points that suggest they have done something about the border crisis. But I would argue that the bill before the Senate today is just a distraction from the true cause of and true solution to the crisis.

Congress could send the President a bill with billions of dollars in aid and multiple policy changes, but none of these will work unless the President makes a commitment to enforce our laws and secure our southern border. Congress could do that, but none of it will work unless Congress does what needs to be done.

As with so many bills Congress takes up these days, this legislation does not solve the American people's problems; it only solves Washington's problems.

President Obama already has the authority to correct the failed policy, to restore the rule of law to our immigration system and solve the crisis on the border. He just doesn't want to, and the American people are paying the price.

One of the reasons we have a constitution of separated powers is that when Presidents try to be legislators too, they tend to be bad at both jobs. The crisis on the border is of the President's own making, and its solution is already in his own power.

I stand ready to work with the President and members of his party to craft solutions to these problems—we all do—but until President Obama enforces the laws he is sworn to administer, those solutions will remain out of reach.

For all the good intentions, all the good will, with all the compromises in the world, Congress cannot do its job until the President finally does his.

Thank you, Madam President.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Madam President, I ask unanimous consent that once I finish speaking—I will talk for less than 10 minutes, and I ask that the senior Senator from Utah, Mr. HATCH, be recognized next.

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

Mr. CARPER. Madam President, I would like to say to the Senator from Utah, who is a dear friend and the ranking Republican on the Finance Committee, that something magical happened here about 48 hours ago right here in this Chamber. What happened is we saw the Senate evolve in a very good way. We saw Senators bringing amendments to the floor, Democratic

and Republican. We saw them having a chance to offer amendments, debate the amendments, and get votes on the amendments. And it was on an important issue. The issue was how we were going to provide and fund the transportation system for our country, which includes roads, highways, bridges, tunnels, transit systems, and more.

At the end of the day, 79 Senators, Democratic and Republican, a majority of Republicans and Democrats, voted to say we would like to make sure we don't run out of money in the Federal transportation trust fund this year. We are going to replenish that trust fund but not for a year or a year and a half but for a relatively short period of time—until the end of the year, really until the end of December. Why would we stop there? It is because we believe that if we keep on going—for example, one of the proposals coming over from the House was to fund the transportation program until maybe next May or next June. Our fear and the fear of 79 Senators who voted—I think with their conscience—our fear was that we will get to next May 31 and say: Well, we can't make these votes. It is too tough to pass a 6-year transportation program for our country. Let's just cobble together enough revenues from disparate sources that have nothing to do with transportation, do what my friend Senator BOB CORKER calls generational theft and steal 10 years' of revenues and use it to fix highways and bridge problems for 3 or 4 or 5 months. That is what we have been doing for the last 5 years. We have done it 11 times.

What we have done is we said to Governors and State departments of transportation and others who are trying to build highways, roads, and transportation highway systems: We are going to give you a little bit of money, and you can count on it for a couple of months. If it runs out, we will try to do it some more.

Stop and go. It is hugely inefficient. It is hugely inefficient. I speak as on old Governor—not that old—as a recovering Governor, a former Governor, and have some idea of all the work put into these projects. Take, for example, when you plan your highway, bridge, or transit system. You have to plan the project, you have to fund the project, you have to contract the project, and you have to get permits for the project. It takes years. And providing that we have the revenues—or won't we—will the Federal Government be there as a partner? The kind of system we have is wasteful—or at least the kind of system we have shown in recent years.

A bunch of us say: Why don't we Senators—Democratic and Republican—do our job and fund a 6-year transportation program for our country?

For the most part, I think for myself and for many, why don't we stop using sources of revenue that have absolutely nothing to do with transportation? Why don't we just stop taking money from the general fund, which borrows

money from China and all kinds of other places around the world? Why don't we fund it ourselves? For projects that are worth having, we ought to pay for them.

Last Tuesday night, 2 nights ago, this Senate worked, and it was a joy to behold. At the end of the day we passed and sent over to the House of Representatives legislation that said we are going to not let the transportation trust fund run out of money this year. We are not going to kick the can down the road. We will keep this on a short leash and make sure that when we come back after the election, we will be likely to actually fund a 6-year transportation program.

It is a smart approach and a principled approach.

I want to say a big thank-you to a couple of people. I want to say to Senator BOB CORKER, the Republican from Tennessee, and Senator BARBARA BOXER, Democrat from California, who chairs the Environment and Public Works Committee on which I serve as the chairman of the Transportation and Infrastructure Subcommittee, I thank you for your leadership. Thank you for standing up for doing the right thing.

Andrew Jackson used to say, "One man with courage makes a majority." Mr. Jackson, I would like to say said one woman with courage makes a majority. But in this case we had a courageous Republican from Tennessee and a courageous Democrat from California, and they let me draft it. The three of us put together this proposal. We worked with Senator RON WYDEN, who chairs the Finance Committee. We appreciate very much his support for our proposal as well.

At the end of the day, 79 Senators said it was the right thing to do. It went over to the House. The House, to my disappointment—not to my surprise but to my disappointment—said: No, we are going to strip off what the Senate has done in a bipartisan way, and we are just going to go back to what we sent to you some time ago—which, I must say, is not likely to get a 6-year transportation program funded anytime soon—not this year and probably not anytime soon. They said that to us.

But there is good news. There is good news. Seventy-nine Senators—again, over half of the Republicans and almost all the Democrats—said: We want to do our job and we want to do it this year. We want to fully fund the transportation plan for the next 6 years.

That is what the people want us to do. That is what State and local governments want us to do, what mayors and Governors want us to do. People who work and build roads, highways, bridges, transit systems—that is what they want us to do. Contractors, the business community, labor unions—that is what they want us to do. Do our job. And we are prepared to do it.

The good news out of all of this is 79 of us are prepared to do that, and I sus-

pect some others who may have voted the other way Tuesday night are prepared as well.

I thank BOB CORKER and BARBARA BOXER and RON WYDEN and others who are part of this vote of 79 for the leadership they provided.

I want to say to my friend Senator ORRIN HATCH, whom I love and love working with and with whom I am pleased to serve on the Finance Committee—I have admired him forever—that when we come back into session after the election, the lameduck session, my hope and prayer is that we will all be able to work together and get this job done. I know Senator HATCH, and I think he is the kind of person who will help get it done.

Let me close with this thought, if I could, and then I will yield to the Senator from Utah. To my pleasure, one of the things that happened during the last several weeks and months was the establishment of a broad-based coalition of business, labor, State and local governments, all kinds of organizations and people who came together and said: Do the right thing. They told us to do the right thing. They have been terrific supporters and have encouraged our colleagues, Democratic and Republican, to join with Senators CORKER, BOXER, WYDEN, and me to do what we did Tuesday night.

That coalition is not going away. They worked the House of Representatives very hard in the last 2 days,—the last 48 hours—and they are not going away. When we come back here after the election, they will come back strong, and we will too. We are not going to go away on this issue.

One of the most important things we do as Senators and Representatives is to provide a transportation system that is worthy of this country. It helps with the movement of people and goods that we need to be a strong and efficient economy and nation.

I will close with the words of Mark Twain. I used them the other night, and Senator HATCH has heard these words before. The words of Mark Twain all those years ago: When in doubt, do what is right. You will confound your enemies and astound your friends.

Seventy-nine of us the other night did what we thought was right and what I am sure was right, and we are going to come back in a couple of months and we will have a chance to have our colleagues join us and really, as a whole body—hopefully with the House of Representatives and the President too—do our job, make sure we have the roads, highways, bridges, and transportation systems we need in this country.

Again, my thanks to the Senator from Utah for letting me ramble on a bit, and I want to express once again my admiration for him. I look forward to working with him not just on this issue but on many others in the years to come.

With that, Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. I thank my dear friend for his kind remarks, and I understand how much zeal he has for the things he does here on the floor. He is a fine man, and I really appreciate it.

Madam President, earlier today—just a little while ago, in fact—the House of Representatives once again passed legislation extending funding for the Federal highway trust fund. This is the latest step in the process for which the final outcome has been known for some time. The bill the House passed today is virtually identical to the one they passed last week. It is basically the very same bill.

Earlier this week the Senate passed its own version of the highway bill and sent it to the House. Of course, we did so knowing full well the House would not accept the Senate bill. I don't think there was ever any real doubt in this Chamber as to what was going to happen, but in my view it is good that the Senate acted.

I was particularly pleased to see that the version of the highway bill reported by the Senate Finance Committee received such strong bipartisan support when it came up for a vote. Senator WYDEN and I worked hard on that bill. The effort was bipartisan from the outset, and in the end we produced a product that both parties could support. Of course, I was a little less pleased that the Senate on the very next vote opted to strike the Finance Committee's language and replace it with what is, in my view, a less viable vehicle for funding the highway trust fund, but in the end that is the direction a majority of the Senators decided to go, and I accepted it and am proud of everybody who participated.

As I said, it is good that the Senate acted. But now the House has acted again. It is good that the Senate had some amendments for a change, and I think we all felt good about that. I felt a renewed spirit in the Senate because of this since it had been a year without having real amendments in a real process. Of course there were only four of them, but compared to what we have had over the last year, that still was an amazing occurrence. But now the House has acted again, and although there are likely to be a number of Senators who do not like the House bill, there doesn't appear to be enough time for the Senate to try once again to go in a different direction.

As we all know, we are on the verge of a crisis with regard to funding for the highway trust fund. Congress needs to act immediately to prevent a shortfall in the trust fund and to ensure that the States can continue to plan and implement their highway projects. Thousands of jobs are at stake. If Congress doesn't pass a bill and get it to the President before we leave for recess, we will be doing a great disservice to a lot of people. We all know this. It is not a secret. It is not a surprise.

As far as I can see, the only viable solution before the Senate today is to

take up the House bill and pass it as is. Once again, we have all known this was the most likely outcome for some time now. It is time we accept it and move on. That is not to say that I am disappointed that we have to pass the House bill. As I said a number of times, if you compare the House bill with the one reported by the Senate Finance Committee—which, once again, received broad bipartisan support when it was voted on in the Senate earlier this week—you will see that the bills are not all that far apart in terms of policy. The core funding mechanisms are the same.

The principal difference is that the Senate bill raises some revenue through some tax compliance provisions that are not in the House bill. The House bill goes a little further on pension smoothing than the Finance Committee bill does, and this has brought heartburn to a number of us in both bodies.

These are not fundamental differences. Any Senator who supported the Finance Committee's bill should be able to support the House bill, which is a good thing, because as I said we don't have many other options if we want to get this done before the recess.

I plan to support the House-passed highway bill. I urge all of my colleagues in the Senate to do the same.

Finally, I wish to take a moment to address a major setback we encountered with regard to the temporary highway extension that passed in the Senate earlier this week. As we learned yesterday, the Senate-passed bill has a shortfall of about \$2.4 billion due to a drafting error. Some have suggested that this error originated in the Finance Committee's version of the legislation. However, anyone who takes the time to compare our language with that of the subsequently passed substitute amendment will find this is not the case.

I am not here to point fingers or try to embarrass anyone, but I will say these are the types of mistakes that happen when tax policy is written outside of the tax-writing committee, and we should all be careful of that.

The Finance Committee has an open and transparent process that allows for all of our numbers to be scrutinized well in advance. The committee has all the necessary expertise at its disposal to prevent these types of mishaps.

I am well aware that mistakes happen. I would just like to suggest that fewer of these types of mistakes will happen in the future if the Finance Committee is allowed to do its work when it comes to writing tax policy. That is all I have to say on that matter.

Once again, we are at a critical juncture. We need to get a temporary highway bill over the finish line. As far as I can see, the only way to do that is for us to take up and pass the House bill. As I stated earlier, this should not be a difficult lift. I think we can get this done in short order.

It was a lot of fun to be on the floor—for the first time in about a year—where anybody who wanted to at least had a shot at being able to bring up an amendment for a vote. Four of our colleagues did get amendments up, and they were thrilled. Isn't it amazing we were thrilled about something the Senate ought to be doing every time we bring up a bill? We can get both sides together on a limited number of amendments, but we should not have either side demanding to approve or disapprove the amendments in advance, and that has been happening all too often in the Senate with the way it is being run.

I love all of my colleagues. I love my friends on the other side. There is no use trying to kid about it, I care for everybody in this body, and I cared for everybody I have served with. I admit that occasionally there have been Members whom I cared a little less for than most of the others, but the fact is this is a great body. We have had some great people on both sides of the aisle over the 38 years I have been in the Senate.

We need to allow our committees to work. Let's allow our individual Senators to work too. Let's understand that we don't all come from the same State or the same jurisdiction. Each of us has a desire to represent his or her jurisdiction in the best possible manner. Frankly, we need to get this Senate back to where it is the greatest deliberative body in the world rather than just something that is run for the benefit of the majority. I don't want it to run for the benefit of the minority either.

We can get together—just as we did on this bill—and do much better around here than we have been doing. I hope that as we go into the future, everybody in this body will want to work better together and quit playing politics with everything.

We understand this is a political body, and we understand there will be politics played from time to time. It is kind of fun sometimes but not on everything, and especially not when it prevents what the Senate is truly all about, which is wide-open debates and wide-open amendments, and we certainly need to find a bipartisan way of working together.

I particularly enjoyed working with Senator WYDEN. He has made a distinguished effort to try to make things as bipartisan as he can, and that is hard to do around here anymore in both the House and Senate. The House is supposed to be a body that fights over everything, I guess, because it is a majoritarian body. But even then the House has had many Democratic amendments they could have stopped. While they have had many amendments, we have basically been stopped from being able to act as the Senate should act, which is to allow people the right to bring up their amendments and try to make points that maybe all of us would do well to consider from time to time.

I am grateful I am a Member of this body, and I am grateful for the people I have served with all these years on both sides of the aisle. In all the time I have been here, there were only two people whom I thought had no redeeming value. I should not have said that, I guess, but there were two people whom I thought truly didn't have the Senate at heart and truly didn't do what I thought they should do. I have loved all the rest and appreciated them very much.

I appreciate the leadership on both sides, but I just hope we can get past all of this bickering and start running the Senate as it has always been run. A lot of it started when you break the rules to change the rules, and this is what happens. It was a real mistake on the part of the majority to do that. They might not think so because they are packing the Federal courts with judges—most of whom would have gotten through. About 98 percent of the President's nominees were getting through and very few were even contested. The fact is that some have gotten through and others should never have gotten through to the Federal bench, and it is because of breaking the rules to change the rules. It is not right for either side to do that, but it has been done. Let's overcome it, and let's be the most deliberative body in the world today, and I think we can do it.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. KAINE). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

All postcloture time having expired, the question is on agreeing to the motion to proceed.

The motion was agreed to.

MAKING EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2014

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

The assistant legislative clerk read as follows:

A bill (S. 2648) making emergency supplemental appropriations for the fiscal year ending September 30, 2014, and for other purposes.

AMENDMENT NO. 3750

Mr. REID. I have an amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 3750.

The amendment is as follows:

At the end, add the following:

This Act shall become effective 1 day after enactment.

Mr. REID. I ask for the yeas and nays on that amendment.

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

The yeas and nays were ordered.

AMENDMENT NO. 3751 TO AMENDMENT NO. 3750

Mr. REID. I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 3751 to amendment No. 3750.

In the amendment, strike "1 day" and insert "2 days".

MOTION TO COMMIT WITH AMENDMENT NO. 3752

Mr. REID. I have a motion to commit S. 2648, with instructions, which is at the desk.

The PRESIDING OFFICER. The clerk will report the motion.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] moves to commit the bill to the Committee on Appropriations with Instructions to report back forthwith with an amendment numbered 3752.

The amendment (No. 3752) is as follows:

At the end, add the following:

This Act shall become effective 3 days after enactment.

Mr. REID. On that motion I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 3753

Mr. REID. I have an amendment to the instructions at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 3753 to the instructions of the motion to commit.

The amendment is as follows:

In the amendment, strike "3 days" and insert "4 days".

Mr. REID. I ask for the yeas and nays on that amendment.

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

The yeas and nays were ordered.

AMENDMENT NO. 3754 TO AMENDMENT NO. 3753

Mr. REID. I have a second amendment now at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 3754 to amendment No. 3753.

The amendment is as follows:

In the amendment, strike "4" and insert "5".

CLOTURE MOTION

Mr. REID. I have a cloture motion at the desk.

The PRESIDING OFFICER. The cloture motion having been presented

under rule XXII, the Chair directs the clerk to read the motion.

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 S. 2648, a bill making emergency supplemental appropriations for the fiscal year ending September 30, 2104, and for other purposes.

Harry Reid, Barbara Mikulski, Patty Murray, Debbie Stabenow, Richard J. Durbin, Bernard Sanders, Barbara Boxer, Robert P. Casey, Jr., Elizabeth Warren, Tim Kaine, Christopher A. Coons, Mark L. Pryor, Ron Wyden, Michael F. Bennet, Benjamin L. Cardin, Charles E. Schumer, Christopher Murphy, Patrick J. Leahy.

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

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

PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES—MOTION TO PROCEED

Mr. REID. I now move to proceed to Calendar No. 471, S.J. Res. 19.

The PRESIDING OFFICER. The clerk will report the motion.

The assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 471, S.J. Res. 19, proposing an amendment to the Constitution of the United States relating to contributions and expenditures intended to affect elections.

MAKING EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2014—Continued

The PRESIDING OFFICER. The majority leader.

Mr. REID. I ask unanimous consent that the Senate resume consideration of S. 2648.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. I ask unanimous consent that the time until 6:45 be equally divided between the two leaders or their designees, and that at 6:45 this evening, it be in order for Senator McCONNELL or his designee to be recognized for the purpose of moving to table amendment No. 3751; that if the motion to table is not agreed to, Senator SESSIONS or his designee be recognized for the purpose of raising a budget point of order against the bill; that if a point of order is raised, then Senator MIKULSKI or her designee be recognized for a motion to waive; that if the motion to waive is made, the Senate immediately proceed to vote on the motion to waive; that if that motion to waive is agreed to, then, notwithstanding rule XXII, the Senate immediately proceed to the