

the Senate advise and consent to the nomination of Nina Hachigian, of California, to be Representative of the United States of America to the Association of Southeast Asian Nations, with the rank and status of Ambassador Extraordinary and Plenipotentiary?

The nomination was confirmed.

#### VOTE ON TANNER NOMINATION

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the nomination of Gordon O. Tanner, of Alabama, to be General Counsel of the Department of the Air Force?

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nominations; and that the President be immediately notified of the Senate's action.

#### LEGISLATIVE SESSION

#### BANK ON STUDENTS EMERGENCY LOAN REFINANCING ACT—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. The Senate will resume legislative session.

Under the previous order, the time until 4 p.m. will be controlled by the majority and the time from 4:00 to 5:00 will be controlled by the Republicans.

The majority leader.

Mr. REID. I ask unanimous consent that the time for the Democrats be until 4:05 p.m. and the same with Republicans, 5:05 p.m.

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

The PRESIDING OFFICER (Mr. MANCHIN). The Senator from Michigan.

Ms. STABENOW. Thank you, Mr. President.

I am very pleased to join with a number of colleagues today representing all of those in our conference who are deeply concerned about the mound of debt that students incur when they are doing the right thing.

We say: Go to college, work hard, get skills for this new economy, come out so you can be successful. Having done that, too many of them are coming out with mounds of debt—crushing debt—that is stopping them from buying a house, starting a business, and moving forward with their future. There is something that can be done about that, and that is what we are here to talk about and invite our Republican colleagues to join us.

There was a filibuster a number of weeks ago against our student loan debt bill, the bank on students bill. We have an opportunity today to come together, rather than seeing a Republican filibuster, to join in a bipartisan way to provide incredibly important relief to millions of not only young people but older people across the country who are still struggling with student loan debt.

In every generation there are young Americans from middle-class families who have the grades to go to college but not the financial resources. They take out student loans because they know that before they can get the job they want to be able to get a fair shot at the American dream, they have got to have a degree, and that is what they are taught. That is what we all tell our children. That is what I was told as well. What they are looking for is a degree, not debt. Unfortunately, by the time students graduate, they are in fact saddled in today's world with mounds of debt.

To address this problem, Senator WARREN, Senator FRANKEN, and I and many Democratic colleagues have joined to introduce the bank on students emergency loan bill. It would allow responsible borrowers to refinance their loans at lower rates, the rates from last year, the lowest possible rates in place. These are rates that are currently only available to new borrowers. We think everyone ought to have an opportunity to do that. In fact, with lower interest rates, we have seen so many people, including many of us, refinancing their homes, taking advantage of lower interest rates, being able to use lower interest rates in other ways. But students have been prohibited—anyone with a student loan has been prohibited from refinancing. That is plain wrong, and our bill addresses that.

Passing this bill would help more than 25 million Americans. I cannot think of any one single thing we could do that would immediately help 25 million people, including 1 million hard-working people in the State of Michigan.

A mother named Frances from Macomb County outside of Detroit wrote to me on September 6, and she talked about her children. She has two children. Both of them chose jobs that serve the public. One is a teacher and one is a nurse. Because of the loans they took out when they were working hard to get their way through college, their student loan debt now is nearly \$100,000—\$100,000.

In Michigan, 62 percent of college students have debt when they graduate. The average is about \$29,000, although I have talked to people with not only the \$100,000 debt I just mentioned but young professionals with \$185,000 or \$200,000 debt if they have gone to graduate school or medical school or law school, and it can be even higher.

On the other end of the spectrum, there are some Americans who worked all their adult lives and are now retired, and in fact they are on Medicare and they are still paying student loan debt. This is wrong. We need to act to change this.

The total student loan debt in this country right now is \$1.2 trillion. That is more than credit card debt—more than credit card debt, \$1.2 trillion. If you put it another way, after every one

of the 7.2 billion people—men, women, and children in the world—if everybody in the world donated \$165 to pay off America's student loan debt, it still wouldn't be quite enough.

This is something with a great sense of urgency to it. This bill needs to pass. We need to pass it now. If this passes, it means parents can save for their children's education, for a home, can start a business, can afford their car, can begin saving for their own retirement instead of just paying off student loan debt. These aren't luxuries, these are basics, basics of the American dream.

Everyone in this Chamber can agree that America isn't strong without a vibrant middle class, and, frankly, it is outrageous that we have allowed this situation to go on where the only way to do the right thing, to get the skills needed to get ahead, is to put yourself in such jeopardy with student loan debt. We can do better than that.

I strongly urge my colleagues to join us in helping millions of American workers to manage their student loan debt more effectively, saving thousands—tens of thousands—of dollars in interest payments. We can help right now.

This is something where we could jump-start the economy, as the Federal Reserve Chairman said—jump-start the economy right now by passing this bill and being able to lower the cost of student loans.

It is now my great pleasure to turn to a champion not only on this issue but on the broader question of making sure that every American has a fair shot to make it so that we have a strong middle class in this country.

I yield 5 minutes to the distinguished Senator from Wisconsin, Ms. BALDWIN.

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

The Senator from Wisconsin.

Ms. BALDWIN. It is a delight to join Senator STABENOW on the floor to talk about this critical issue that is a growing crisis here at home in America and threatens Americans' economic strength and competitiveness.

As you have heard, today there is a debt crisis in America. Student loan debt is more than \$1.2 trillion, and that is holding back an entire generation and creating a drag on our economy. It is a crisis that demands action from Washington.

Once again, Congress is failing the American people by refusing to work together to confront it. In June the Senate took a vote on the Bank on Students Emergency Loan Refinancing Act, which I am proud to cosponsor. While it received majority support in this body, a minority of Republicans obstructed the bill and prevented it from moving forward.

The choice was clear, and opponents addressing the student debt crisis chose to protect tax loopholes for millionaires and billionaires instead of helping give students a fair shot at getting ahead and providing relief to middle-class families struggling with student loan debt.

I believe every student in America deserves a fair shot at an affordable education, and I believe college education should be a path to the middle class and not a path to indebtedness.

Nearly 40 million students and graduates in America have outstanding student loans. The total amount of student debt in the United States has tripled in the past decade. According to new data from the Federal Reserve, student loan debt grew by \$31 billion from January to March of this year. In my home State of Wisconsin, almost 70 percent of the students graduating from 4-year institutions will have student loan debt and the average debt amount will be \$28,000. That is real money. That is real money that isn't going toward buying a car or a first home. It is real money that isn't going into growing our economy at a time when we so desperately need economic growth.

To help give Americans a fair shot at getting out from under that burden of student loan debt, we should let borrowers refinance at today's lower rates. That is why we are pushing for a vote on the Bank on Students Emergency Loan Refinancing Act. This legislation will allow those with outstanding student loan debt to refinance. It is pretty simple: It is paid for through the Buffett rule by making millionaires and billionaires pay their fair share of taxes to give our students a fair shot at a bright future, and it will help strengthen the economic security of the American families who are struggling with this debt.

The Department of Education estimates that 25 million borrowers in the United States could benefit from refinancing under this legislation, including just over half a million Wisconsinites.

I have traveled the State of Wisconsin and listened to students and graduates who are struggling with student loan debt. They shared their concerns and the burdens that the cost of a higher education puts on them and their families. They asked me to bring their stories and their messages to Washington, DC.

One graduate student said she lives with her fiancé's parents to save money. Another said her husband borrowed against his 401(k) so that the couple could afford daycare for their children while she attends school. Another woman said she owes about \$27,000 in loans. When she tried to buy a \$6,500 car, she needed her grandfather to cosign because she would not have been able to get the loan on her own. I heard from a woman in Green Bay, WI, who is strapped with \$600-a-month payments for her student loans.

The failure of Washington to hear these voices and take action is holding them back, and it is holding back our economy. This money isn't going to support small local businesses that are working so hard to move our economy forward. That is why we should seize this opportunity today to pass the

Bank on Students Emergency Loan Refinancing Act. By allowing student loan borrowers to transfer their loans into the Federal program and by closing costly tax loopholes for billionaires and millionaires, we are solving a major economic crisis in a meaningful and effective way. It is the least we can do to address the student loan debt crisis, but it is not all we can do.

Last week I had the opportunity to introduce two bills to help address the larger issue of student debt and college affordability. My legislation targets working students and students enrolled in career and technology education programs. My Working Student Act will allow students who must work while in college to complete their degrees more quickly and with less debt. The new legislation increases the amount working students can earn without that income counting against them in accessing need-based Federal financial aid, including Pell grants.

In addition, some career and technical education students cannot access Federal student aid to help them advance their careers, and that is why I have introduced the Career and Technical Education Opportunity Act. This legislation simply allows CTE students enrolled in short-term programs that lead to industry-recognized credentials to also qualify for Federal student aid. CTE is one of the most effective vehicles to respond quickly to labor market changes and workforce readiness needs of business and industry.

My legislation will help ensure that Federal investments are supporting "ready-to-work" education.

One thing is clear: There is a lot more we can do in Washington to give a much needed break to people struggling to build a stronger future for themselves, their families, and for America. I am pleased that in a short while Senator WARREN will call for a vote on this important matter. We have a chance today to make a powerful difference in the lives of millions of students and graduates. Let's do so.

I yield back my time.

Ms. STABENOW. Mr. President, it is now my great pleasure to yield to the distinguished Senator from New Hampshire. I have to say that Senator SHAHEEN's voice has been strong and clear. She has been one of our strongest advocates as far as what we need to do on student loan debt and also making sure middle-class families have a shot to get ahead. We are very pleased to have the Senator from New Hampshire, and I yield 5 minutes.

Mrs. SHAHEEN. I thank Senator STABENOW and Senator BALDWIN.

I am pleased to be on the floor today joining the distinguished Senator from Michigan, Ms. WARREN, Senator FRANKEN, and all the other Senators who will be here to speak on the Bank on Students Emergency Loan Refinancing Act. This is a critical piece of legislation, and it will allow eligible borrowers who took out student loans prior to January 1, 2013, to refinance

those loans at a lower interest rate. You can refinance a car and you can refinance a mortgage, but you cannot refinance a student loan.

We have heard from literally hundreds of students and residents in New Hampshire who are no longer students but who are trying to pay back loans after years of having to try to pay back the loans and start their lives. Supporting this bill is a commonsense way we can come together to help the millions across this country who are struggling to pay back their student loans. This is especially important to New Hampshire because we rank second in the country in average debt per graduate—almost \$33,000 per graduate for student loans. According to recent estimates, almost 130,000 New Hampshire residents could benefit from this bill. These folks need some relief from their student debt burden because it often comes at interest rates that are higher than they pay for a home or a car. It is unacceptable to leave these borrowers struggling with crippling debt when we have an opportunity to address this growing problem.

It is not just for those people who are affected because of their own student loans; this has a ripple effect through our economy. I met with a group of realtors over the summer, and one of the things they talked about was how they are seeing first-time home buyers delay buying a home because of the cost of student loans.

To put this issue into perspective, I wish to talk about some of the people I have met who have been burdened by their student loans.

I first met Calvin, a young soldier from New Hampshire, at Walter Reed Medical Center. He was recovering from losing his leg after stepping on an IED in Afghanistan. He was married and had a young child. We were talking about the challenges he was facing after he recovered from his injuries. What impressed me the most about our conversation—in addition to his commitment to this country—was that the issue he was most concerned about was not losing his leg or where he was going to get a job after he got out of the military, it was how he and his wife were going to pay back their student loans.

Another college graduate—a woman from Durham, NH—wrote to me recently. She has a master's degree and is employed in the public service field. She has been working for 12 years but has not been able to buy a home for her family because she still has \$90,000 in student loan debt.

I also heard from a woman in Stratham, NH, who has a \$150,000 student loan debt. She consolidated her loan but has a 7-percent interest rate, which accrues nearly \$900 per month in interest alone. A lower interest rate would make a critical difference to this woman and her young family.

Those three young people represent thousands—almost 130,000 people across New Hampshire—who would benefit

from refinancing their student loans. This bill is important for New Hampshire, and it is important for the country.

We should take action today for the benefit of all Americans with student loan debt who deserve a fair shot at the American dream and opportunities for themselves and their families. I urge my colleagues to join me. As Senator BALDWIN and Senator STABENOW said, we have an opportunity this afternoon to make a huge step forward in addressing the student loan debt faced by too many Americans. I hope our colleagues will support the Bank on Students Emergency Loan Refinancing Act.

I thank the Presiding Officer and yield the floor.

Ms. STABENOW. Mr. President, I will yield 5 minutes to the distinguished Senator from Minnesota, and as one of the lead sponsors of this bill, I thank Senator FRANKEN for his passion and fight not only for people in Minnesota but for the 25 million people across the country who will benefit from the opportunity to be able to afford to go to college.

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

Mr. FRANKEN. Mr. President, I thank the generous Senator from Michigan, and I thank the Senator from New Hampshire for her remarks about the Bank on Students Emergency Loan Refinancing Act.

I have held college affordability roundtables around my State of Minnesota ever since I got to the Senate. It is astounding how hard students work while they are also in college. I remember speaking to the student governing body from MnSCU—the Minnesota colleges and universities student body—and I asked: How many of you work 20 hours a week? They all raised their hands. They were in the governing body. I said: How many of you work 30 hours a week? A few raised their hands. I said: How many of you work 40 hours a week? A couple raised their hands. These students work while going to college.

In Minnesota students graduate with more than \$30,000 in student loan debt. We are about fourth in the Nation. I heard Senator SHAHEEN say they are second in the Nation. This bill would help over 550,000 Minnesotans and 25 million Americans cut down their debt and keep more of their hard-earned checks.

A few months ago I had a roundtable at the University of Minnesota, and I met Joelle Stangler. She happened to be the student body president at the University of Minnesota. She was the valedictorian of Rogers High School in Minnesota with a 4.12 GPA. She doesn't lack motivation. Both of Joelle's parents were teachers. In fact, she comes from a long line of educators going back six generations.

You will see why I am telling this story.

A couple of years ago Joelle's mother Cassie Stangler made the tough deci-

sion to quit her job as a fifth grade teacher to go to work in the private sector because she could make more money in the private sector. She needed to do this because she had four kids in college. Among the fifth grade classes in Mrs. Stangler's school district, her students showed some of the highest rates of improvement in test scores. This is what I am talking about—we lost a great teacher because of the expense of postsecondary education.

Even with her mom's sacrifice, she has \$12,000 in student loans, and she estimates that her total debt will be around \$30,000 by the time she graduates.

There are so many students such as Joelle who are drowning in debt in Minnesota and across the country. Student debt totals are over \$1.2 trillion, and it is a threat to our economy. We are seeing young people delay decisions to start a business, to start a family, to buy a home, or make other types of purchases that make an economy grow. But there are commonsense solutions, and they are contained in our Bank on Students Emergency Loan Refinancing Act.

Our bill simply allows students and graduates to take advantage of lower interest rates and refinance their loans. That is what people with mortgages, car loans, and business loans can do. They can take advantage of lower interest rates and refinance their loans, but the government will not refinance student loans, and that is just not right.

In the summer of 2013 we came together in Congress to prevent the interest rate on new student loans from doubling. Thanks to that effort, undergraduate students taking out new loans now pay a lower rate. Our bill would enable students and graduates who are saddled with higher interest rates on their undergraduate loans to refinance at the same lower interest rate. The bill would similarly enable Americans with graduate student loans or PLUS loans to refinance at lower rates.

Student debt is holding Americans back, it is holding back our economy, and that is why we need to pass this bill.

I thank the Presiding Officer and yield to the Senator from Michigan.

Ms. STABENOW. Mr. President, I yield to the distinguished Senator from New York, who not only is a leader on this issue and so many other issues but is the author of a major tax credit in our Tax Code that allows middle-class families to be able to get help for college. There is not a bigger champion for middle-class families than the senior Senator from New York.

Mr. SCHUMER. Mr. President, I thank my colleague and dear friend from Michigan for the great work she has done as chair and vice chair of the DPCC. We have worked very hard on this "fair shot" agenda. We believe it is resonating with the American people.

When our colleagues on the other side of the aisle oppose simple meas-

ures such as a fair shot at getting out of poverty if a person works 40 hours a week, a fair shot for a woman to get equal pay to a man, and a fair shot to prevent jobs from being sent overseas to get a tax break, they know what we are talking about. Perhaps no issue resonates more than a fair shot for people to be able to afford college and then repay their loans with a reasonable amount of money.

Probably the greatest problem America faces is the decline of middle-class incomes. They have been declining since 2001. If they continue to decline for another decade, whoa is America, whoa is America.

America has been expanded—has grown to the greatest country in the world on the notion of opportunity. In my harbor sits a lady with a torch. That torch symbolizes the American dream to just about every American and most citizens in the world. What is the American dream? What does that torch symbolize? If we ask the average American, they wouldn't put it in fancy words or highfalutin language. They would say: It means if I work hard, I will be doing better 10 years from now than I am doing today, and my kids will be doing better than I.

Nothing keeps that American dream burning more brightly than the ability to afford a college education.

The bottom line is simple. The statistics show that in our new and technological world, those who have a college education, whether it is an A.A. degree or a B.A. degree or higher, do a lot better economically than everybody else. Amazingly enough, they do better in other ways in terms of how good their health is, in terms of their longevity, in terms of their happiness.

So college, which used to be a rare commodity 100 years ago, is now almost a necessity to millions of Americans. Yet it is so expensive. It is expensive in two ways. First, it is hard to get there. We have been working very hard on the American opportunity tax break, which my friend from Michigan mentioned, reducing the rate of student loans for those who are already in college, and many other ideas we have pursued to try to make college affordable for families who have someone in college or will enter college in future years.

There is another huge problem as well. Those who have been to college have huge amounts of debt and they are paying this government far more interest than would be paid on the market. We can refinance almost everything—mortgages, cars, loans on jewelry—but we cannot refinance college loans the government has given us. So people are paying 6, 7, 8 percent; whereas, if they went to a bank on their own, they would pay less.

How dare the Federal Government make money on the backs of young people who are struggling to pay back their debt. Boy, does it hurt those families. It prevents them from starting

businesses, buying homes, going on vacation, and many delay their marriages. So there could be nothing that would make millions and millions of Americans happier economically. There could be nothing that would help people get a fair shot and a decent education, the ability to repay, than this simple bill put together largely by the Senator from Massachusetts, ELIZABETH WARREN, who has done a great job.

It is hard to figure why our colleagues oppose this. They have some distrust in the Federal Government. In this area we do too. We think the Federal Government is demanding too much money to repay loans. Why don't they join us?

The cost of tuition goes up and up, the cost to repay goes up and up, and the burden on the backs of so many goes up and up.

So all we want is a fair shot for everyone to be able to afford college and to be able to repay. This should have been a bipartisan bill; it is not right now, but maybe there will be a change of heart. I will tell my colleagues this: This will become law, maybe not today but in the next months and next year. It has become an issue in campaigns throughout the country. This is an issue that resonates with voters—Democratic, Independent, Republican, liberal, conservative, North, South, East, and West, and we will keep fighting until every American has a fair shot at affording college and repaying their loans.

With that, I yield back to the Senator from Michigan, who has been kind enough to put together this hour of debate.

Ms. STABENOW. Mr. President, I thank my friend from New York, who has been so passionate on the broad question of how do we have a fair shot as Americans to get ahead and particularly as it relates to affordability and college loan debt.

We are so pleased to have another champion with us from the great State of Maryland. I yield now to Senator CARDIN from Maryland.

Mr. CARDIN. Mr. President, let me thank Senator STABENOW for organizing this time to underscore the importance of a fair shot for everyone to afford a college education.

Earlier this month Senator MIKULSKI and I met with students. We met with students from the University of Maryland Baltimore County. We met with students from Bowie State College. We sat around a table and listened to their stories. Bowie State College is one of our historically Black colleges and universities in America with fairly reasonable tuition costs—much lower than most State colleges and certainly a lot lower than private schools. So Senator MIKULSKI and I were shocked to find that the average amount of debt today at a State college such as Bowie is over \$27,000 for a graduating senior. That affects their decisions.

We were there during the first week of school and we talked to the presi-

dent, and the president said he still doesn't know the enrollment this year because there are a lot of students who have preenrolled, but until they have paid their costs, they are not fully enrolled, and a lot aren't fully enrolled because they didn't know how to pay for their costs. We also heard from students who said they showed up for class and several of the students didn't even have textbooks because they couldn't afford to buy their textbooks. Then we heard from students who said: Look, it is difficult enough to afford a 4-year college education, but the average length of time to get a degree was 6 years. Why? Because they have to work in order to pay for part of their schooling to keep their debt down. They couldn't graduate earlier. The courses are only offered certain times of the year, and it took them 6 years to get the required amount.

We have heard the numbers. The amount of student debt outstanding is \$1.3 trillion—more than credit card debt. In the United States, of a family's income, it takes maybe half the income to afford a college education. For the rest of the industrialized world, it is between 5 and 10 percent. We can't be competitive with that rate. Education is a great equalizer in this country and we have outpriced ourselves.

We have a chance to do something about it today. I will give one more example, if I might. I was at a 4-year college this year and I was speaking to a student who was a second-year student going into her third year, and she said she was going to drop out. I asked her: Why are you going to drop out? Are you not doing well in school? She said: I get straight A's. I am dropping out because I can't justify to my family taking out more debt, knowing what the interest costs are going to be to my family.

It broke my heart. That is the situation.

We need to have greater budget support for public colleges and universities. We need to increase Pell grants. We need to make Pell grants 12 months a year because some of these courses are only offered in the summertime and that is when students can make it up. Senator HARKIN has a bill in to do that, and we need to do that. There are a lot of steps we need to take, but today we could take a giant step forward with interest costs.

My colleague Senator ELIZABETH WARREN will be making a request. We have a chance to pass this bill today in the Senate that would say it is wrong for the Federal Government to make \$66 billion on the interest flow. From 2007 to 2012 the Federal Government made \$66 billion on the difference between what they charge in interest and what the cost is to the government. To me, that is the worst tax on the most vulnerable in our community, and we should eliminate that. That is what the Warren bill does.

The bill says let our students refinance their loans. By the way, it is not

just young people. There are several million Americans over the age of 50 who have student debt. This is a lifetime burden. Let them refinance so they can take advantage of the lower interest rates and save several thousand dollars doing that. We have a chance to do that today.

I urge my colleagues to allow us to take up this legislation and let's pass it. Let's show the people of this Nation that we want a fair shot for everyone to afford a college education. I am proud to be a part of the Senators who are on the floor urging this to happen. Again, I thank my colleague Senator STABENOW for her leadership on this issue.

Mr. REED. Mr. President, I join with my colleagues to urge the Senate to take up and pass the Bank on Students Emergency Loan Refinancing Act led by my colleague from Massachusetts, Senator ELIZABETH WARREN.

This is about fairness, it is about values, and it is about what is best for our students and our shared economic future.

Earlier this month Senator WHITEHOUSE and I held a roundtable with Rhode Islanders about student loan debt. Rhode Island ranks in the top five for the amount of debt students incur to earn an undergraduate degree. We heard from a teacher who works a second job to help make his loan payments and a parent who worries how she will be able to help her son pay for college while she is still making loan payments. We heard from Rhode Island realtors about the impact student loan debt is having on the housing market.

This is an issue that strikes home for all of us. Even our Nation's seniors are impacted. GAO recently reported that from 2002 through 2013, the number of individuals whose Social Security benefits were offset to pay student loan debt increased fivefold. Think about it. These are senior citizens who are paying off student loans. Their actual Social Security benefit checks are being affected by student loan debt. That is something I find disturbing and completely unpredictable.

If you would have asked me 2 or 3 or 4 years ago—certainly if you asked me 30 years ago when I was in my thirties or so, I would have said, no, that wouldn't happen. That would have been impossible back then because we had a country that supported students through college. The Pell grant and Stafford loans were such that people had a chance to pay them off rather quickly and then go on to buy a home, establish a family, and then use their resources for their retirement or to help their grandchildren a little bit with their student loans.

When it comes to student loans, we are in this incredible situation. Since 2003, student loan debt has quadrupled to an estimated \$1.2 trillion, and the interest rate on undergraduate student loans was 3.86 percent for the last year. Yet many borrowers are locked into loans at 6.8 percent or higher with no way to refinance.

Just last year the GAO estimated that the Federal Government would earn an estimated \$66 billion from student loans originated between 2007 and 2012. Again, in the 1950s and certainly in the 1960s—but particularly after the Pell Grants in the 1970s—we were investing in students. They were our future, not profit centers. We are now generating—over a 5-year period—\$66 billion. Student loans are supposed to be an investment to help individuals reach their potential and strengthen communities, not just a revenue generator. Approximately 25 million Americans could benefit from refinancing, including 88,000 in Rhode Island. They could lower their monthly payments if they could just refinance their student loans.

One of the ways we have been trying to help is by allowing borrowers with high fixed rates on their student loans to refinance at a lower rate. That is the simple premise behind the Bank on Students Emergency Loan Refinancing Act that I am proud to cosponsor with Senator WARREN and many of my colleagues.

In June the Senate fell just shy of the number of votes needed to move forward on this legislation. Today, once again, the Republicans will block us from taking up this legislation.

I hope my colleagues on the other side of the aisle will reconsider their opposition because student loans should help people get ahead, not weigh them down with debt, thereby holding them and our economy back.

Looking forward we also need to work together to tackle the drivers of the student loan debt—rapidly rising college costs and a rollback of the State investment in higher education.

We need to get back to the idea that educating Americans is fundamentally in our national interest and that we have a shared responsibility—at the Federal, State, local, institutional, and individual levels—for investing in our future. We need to ensure that this generation and future generations have opportunities to develop their talents and pursue their dreams in order to secure a brighter future for them and our country.

I urge my colleagues to join us in providing student loan debt relief to millions of Americans. Help us pass the Bank on Students Emergency Loan Refinancing Act. Help us relieve this burden of debt on so many young, middle-aged, and remarkably so—based on recent studies—some senior citizens.

Ms. STABENOW. Mr. President, I thank the Senator.

Let me stress what I think Senator CARDIN said so eloquently. We have the opportunity to vote today on a fair shot for everybody to go to college, so we will ask our colleagues to join us. The rules of the Senate are such that even though we have a majority—because our caucus is all supporting this effort we have a majority to get this done—if there is an objection, we go into filibuster mode, which takes a

supermajority. It is the way the rules are. We know we have a majority to pass this bill. If our colleagues don't want to vote for it, that is fine, but what we ought to be doing is having the vote.

If somebody wants to stand and say this is not important, it is not a priority to make sure everyone has a fair shot to be able to go to college and not be buried in student loan debt, if they want to say they would rather protect those we are asking to help chip in to pay for this, which are millionaires and billionaires who aren't paying their fair share in taxes right now as middle-class families are asked to do—we are paying for this refinancing by closing a loophole that, as Warren Buffett said, shouldn't be there when he as a billionaire has a lower tax rate than his secretary. So we are saying join us to close that loophole. Take those dollars and help 25 million people—25 million people—be able to cut thousands of dollars off of their payments. For me, I am laser focused on the 1 million people in Michigan this would help.

Let me share a few of those stories. Nathan Collison and his wife live in Saginaw. They are young professionals. They have a combined student loan debt of \$185,000. They have a 3-year-old little girl. I will never forget Nathan saying to me: When she is ready to go to college, I am still going to be paying off our student loan debt, and I can't afford to put money aside for my little girl to be able to go to college. That is not right. He and his wife both work and right now they are talking about \$600 a month on student loan debts. As Nathan pointed out to me, that is a house payment. That is a good house in Saginaw at \$600 a month. Yet it is only a fraction of the interest on Nathan's loans, which means his debt is going to keep growing and growing and growing. Just to make his debt stop growing, he would have to be paying \$2,200 a month. So if he was going to be paying the full amount and not deferring part of it, it would be \$2,200 a month, which is a very nice house in Michigan. He would like the ability to do more than just have a nice house. Nathan and his wife would like to put money aside for their little girl to be able to go to college and to be able to invest in their future.

So this legislation wouldn't automatically make Nathan's debt go away, but it would make it a whole lot easier. If we look at \$185,000 over a 20-year period, we are talking about tens of thousands—\$100,000 in savings.

So this is very much about having a vote today, the opportunity to vote. Our colleagues don't have to vote yes. They don't have to vote yes. We are confident we have enough votes to pass this. We just need to get through the procedural hurdle, the objections that trigger a filibuster. That is all we are asking for. I think the 1 million families and the 1 million people in Michigan and their families, the 25 million people across the country who are buried in student loan debt deserve a vote. They deserve a vote today.

We also talk about a young woman from Lambertville, MI. She went to my alma mater, Michigan State University. She graduated in 2008 and was on the Dean's list.

Of course, 2008 was a disastrous year for the economy, nationally and certainly in Michigan, as we saw what happened to auto manufacturing. It was especially brutal for young people looking for work.

Even though she graduated among the top in her class, it ended up taking her 4 years to find a job in her field. Today she is only making slightly more than minimum wage and trying to figure out how in the world she is going to pay off her student loan debt, let alone proceed with her dreams for the future.

Last week I heard from a young man who was originally from Union City, MI. He was working in North Carolina when his father was diagnosed with a terminal illness—brain cancer. He came home—as I'm sure his family appreciated—to help care for his father. He was showing the right kind of family values to come home and help care for his dad.

During the recession he lost his job in Michigan and was out of work for 2 years, which is why he ended up in North Carolina and ended up in a low-wage job with no benefits. Now he is back trying to figure out how he can help take care of his dad, figure out a job, and not be totally buried in the debt that he already has.

His debt has been turned over to a collection agency and, counting the fees, he now owes \$90,000 and counting. He tried to do the right thing not only by going to college but for his family.

I think about how things have changed over the years—the kind of support we used to give. One of the great American strengths has been creating opportunity for people to be successful. A lot of that opportunity has been in relation to going to college and getting an education.

I remember growing up in Clare. When I was going to high school my dad was very ill. We didn't have any money for me to go to school. I worked very hard. I was at the top of my small class of 93 people, and I was in a position to get a tuition and fee scholarship that allowed me to go to college.

Somebody somewhere thought at that time it was important for some redheaded freckle-faced kid they did not know had a shot to make it. That has been what is best about America. Now we have tried. We have increased Pell grants, but certainly they need to be increased much more.

We have focused on other areas, and we certainly need to do more. What we have seen over time is that more of what students have had to do is take student loans. There have been less opportunities for scholarships and less opportunities for grants.

I am very sorry to say my home State has cut K-12 and higher education. On higher education—and more

than in most States—it is in the top ten in student-loan debt and certainly not something I am proud to see happen in my home State of Michigan because of what I think have been upside-down values.

What we have seen over time is that as the economy is changing, we are telling people who are going back to school who lost their job: You need to go back and get the education, the tools, and the skills for the jobs that are available in today's economy.

We have new opportunities and a new economy, but it means we have to have new skills. We have to have an education, so students are doing that. They are doing the right thing. They are doing what they have been told to do. Then they turn around and their only option is loans.

They take a look at the fact that somehow student loans are treated differently than student loan debt. You cannot get the lowest interest rates and refinance if you are in the unfortunate situation of going into bankruptcy and can't discharge those loans in bankruptcy such as you can other kinds of debt.

I don't understand how we got into a place where somehow student loan debt is with you forever and ever. We don't have the same ability to allow people to manage that debt as they do other kinds of debt. But that is where we are in this country. There are cuts at the State level and tuition goes up.

We then see a situation where more and more people have to turn to student loans.

We can do something about that today. There is a lot we can do. I support doing all that will allow us to get us back to right-size the situation in terms of our values and supporting opportunity for education in our country.

One thing we can do right now is to have a vote on this bill. We could immediately see change happen. Put more money back into the pockets of folks across our great country who have been doing the right thing and want a fair shot to make it and the opportunity to have some kind of help as they are paying off their student loans.

I am so pleased to see our leader and the main author of this legislation join us on the floor. She understands, as we all do, and is someone that has been dedicated to education and higher education her whole life, advocating for an opportunity for people to be successful and have a fair shot.

It is my pleasure at this point to turn to the distinguished Senator, the senior Senator from Massachusetts, and support her request as she moves forward this afternoon.

I yield for the Senator.

The PRESIDING OFFICER. The Senator from Massachusetts.

Ms. WARREN. Mr. President, I wish to commend all of the incredible work that the Senator from Michigan has done on the "fair shot" agenda, how she really has been out there working hard for families across this country.

For middle-class families, for working families, for people who are just trying to get a fair shot, and on education she has been a tremendous leader. It has been a real privilege to have this opportunity to work with the Senator from Michigan. I know the Senator from Michigan and I are going to keep working on this set of issues.

I rise today to urge my colleagues to allow a debate and vote on the Bank on Students Emergency Loan Refinancing Act. Some 40 million Americans are dealing with student loan debt, and many of them are drowning in it.

A quarter of all Federal student loan borrowers are behind on their payments. Student loan debt is dragging down our young people, and it is dragging down the economy. It is keeping borrowers from buying homes, moving out on their own, buying cars and opening small businesses.

In June the Senate voted on a proposal to allow borrowers to refinance their existing student loans down to the interest rates offered to new borrowers. These are the same rates that nearly every Republican in the House and the Senate voted just last summer to offer to new borrowers. This refinancing bill would not add a single dime to the deficit. It is fully paid for by closing the tax loophole that right now lets millionaires and billionaires pay less in taxes than middle-class families. The vote on our student loan refinancing proposal asks Senators to make a simple choice: protect billionaires from paying their fair share of taxes or protect student loan borrowers who work hard to get an education and are struggling to stay afloat; protect the billionaires who have already made it big or help young people who are still trying to build a future.

A majority of the Senate, including every Democrat, every Independent, and three Republicans sided with students in support of moving forward on this bill, but the rest of the Republicans blocked it. We heard a lot of excuses from those that oppose the bill.

Some Republicans suggested that the benefit for our young people on this bill is small. I disagree. Putting billions of dollars in Federal student loan profits back into the pockets of Americans who worked hard to get an education is not small. Saving millions of Americans hundreds or thousands of dollars a year in excessive student-loan interest payments is not small. If the Republicans think the benefit is too small, then work with us to offer amendments to this bill and give students a bigger break but don't refuse to even debate the bill.

Some Republicans suggested that the \$1.2 trillion in outstanding debt just isn't a big deal, that we should focus on rising college costs instead. Yes, the rising cost of college is a terrible problem but so are the outstanding loans at 6 percent, 8 percent, 10 percent, 12 percent, and even higher. We need to fix both problems and not play rope-a-dope politics and say we can't fix this because we haven't fixed that yet.

Millions of young people are just stuck. They can't buy homes, they can't buy cars, they can't save for retirement, they can't do the things that would help this economy grow—all because they are struggling under the weight of student loan debt.

If Senators think we should do more than just refinancing, more to improve college accountability and to reduce the future costs for students, then work with us to offer amendments, but don't refuse to even debate the bill.

Some Republicans don't like that this proposal is paid for by closing tax loopholes. If Senators don't like that, if they have other ideas, then they should offer amendments. But don't refuse to even debate this bill.

Some Republicans even suggested that Democrats don't want this bill to pass. That is just plain ridiculous. Only in Washington can you vote against something, and then when it doesn't pass, you blame the people who voted for it.

These excuses don't fool anyone. They don't fool the hundreds of thousands of people who have signed petitions, attended rallies, and called their Senators asking for a vote on this bill.

This is not complicated. Senators can make a choice. It is a choice that raises a fundamental question of who this place works for. Does it work for those who can hire armies of lawyers and lobbyists who want to protect loopholes in the Tax Code to get more advantages for millionaires and billionaires? Does it work for the big banks with their armies of lobbyists who just want to maximize student loan profits? Does it work for young people who worked hard, who played by the rules, who got an education, and who are trying to build a future for themselves and their families?

We are just a few votes away from breaking the Republican filibuster and moving forward to debate this bill. I urge my Republican colleagues to allow a vote and to let us debate and pass this bill.

UNANIMOUS CONSENT REQUEST—S. 2432

I ask unanimous consent the Senate proceed to the immediate consideration of Calendar No. 409, S. 2432, the Bank on Students Emergency Loan Refinancing Act, and the Senate immediately proceed to vote on passage of the bill, with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. CORNYN. Mr. President, reserving the right to object, I want to say to my colleague from Massachusetts I appreciate her highlighting the importance of student debt in the lives of a lot of our young people who are struggling in this stagnant economy. The best thing we can do is to try to get the economy growing again. But the majority leader has chosen not to use the Senate floor for the purpose of legislating. This is the killing field for good bipartisan ideas that have come from the House of Representatives—now



more than 380 bills. Unfortunately, the majority leader refuses to take up any of those. We stand ready to work with our colleagues across the aisle on serious legislation through an open and deliberative process that our constituents are demanding. There is a reason why the approval rating of the Congress is 14 percent. People look at Washington, DC, these days and realize it is completely broken and nowhere else is it more broken than in the Senate, where Senator REID has decided to grind what used to be known as the world's greatest deliberative body to a halt.

We will now pass a continuing resolution and adjourn with 47 days left—by the time we do it—until the election.

It is really beyond dismay.

I ask unanimous consent that the Senator modify her request, and that it be in order for the minority leader or his designee to offer an amendment, and then for the majority leader or his designee to offer an amendment, and it be in order for the leaders or their designees to continue to offer amendments in an alternating fashion. In other words, we would ask for an open amendment process on the legislation that the Senator is proposing.

The PRESIDING OFFICER. Will the Senator from Massachusetts so modify her request?

Ms. WARREN. Mr. President, reserving the right to object, I thank the Senator from Texas for his remarks. As I stated previously, there are 58 Senators who have supported moving forward to debate this bill. But it has not passed the Senate because of a Republican filibuster. I welcome Republican ideas to address the exploding student debt crisis. For months Senator STABENOW, others, and I have reached out to our colleagues to put ideas forward so that we could have a real debate. But allowing an unlimited number of amendments on any topic forever is not a reasonable way forward on a student loan debt refinancing bill.

We face a student debt crisis now. We need to act on it now. If my colleague from Texas is not willing to provide a reasonable path forward to debate, improve, and vote on this bill, then I object to his request and ask that he agree to my original request that we take up and pass this piece of legislation.

The PRESIDING OFFICER. Objection is heard to modify the request. Is there objection to the original request?

Mr. CORNYN. Mr. President, I would say that the best way to get this piece of legislation resolved on the Senate floor is what used to be called the old-fashioned way. That is where both sides of the aisle get to offer amendments and vote on them. But this is what has happened to the Senate. It has become completely dysfunctional. Frankly, the American people are disgusted with all of us because they see us unable, even when Republicans and Democrats would like to debate legislation and offer solutions, to be able to do so.

This is solely within the control of the majority leader, Senator REID. He has decided it is better to shut things down than to pass legislation which both sides of the aisle would like to see pass. So I would object.

The PRESIDING OFFICER. Objection is heard.

Ms. WARREN. Mr. President, what is dysfunctional is a Republican filibuster of a bill on which 58 Senators want to move forward and debate. Allowing an unlimited number of amendments on any topic, going on forever, is not a reasonable way forward. We want to be able to debate the student loan refinancing bill. We want to be able to do it now. Young people are struggling and are counting on us.

The PRESIDING OFFICER. The Republican whip.

Mr. CORNYN. Mr. President, I appreciate the great talents and credentials that the Senator from Massachusetts brings to the Senate. Unfortunately, whether one is in the majority or in the minority, the Senate has not been able to function for the last 4 years. I have been fortunate to be in the Senate at a time when any Senator who wanted to could come to the floor and offer an amendment and get a vote on that amendment.

What to me is completely ironic is even if you are in the majority, you cannot get a vote on an amendment—if you are in the majority. How do you explain that to your constituents back home—that you were rendered completely ineffective because of the way the Senate is being operated under the current majority leader. I want to turn to another topic briefly, and that is the matter of the President's proposed strategy on the floor.

Ms. STABENOW. Out of respect to my colleague, I realize we are going into the next hour that is controlled by the Republicans. But I did want to take 1 minute to wrap up, if that is acceptable to my colleague.

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

Ms. STABENOW. I just wanted to go on record to say there are thousands of excuses always on everything for reasons not to do things. We are talking about a very specific bill, a very specific vote that would put money in the pockets of 25 million Americans. We could do that right now. People can have lots of reasons. It reminds me a lot of hearing that my kids have hundreds of excuses about why they cannot do something, whether it is because of somebody else or this, that, and the other.

I think the American people just want us to get stuff done. We want to get things done. The motion that Senator WARREN put forward is about getting things done. A vast majority—58 Senators—has already said yes, they want to move forward. Yes, they will vote yes. We need to get this piece done to help 25 million people and then move on and work with each other across the aisle to do other work.

I greatly regret the objection and indicate that we will be back and back and back until we get the American people the relief they need.

I yield the floor.

The PRESIDING OFFICER. The minority whip.

Mr. CORNYN. Mr. President, I appreciate the frustration of the Senator from Michigan at the Senate not functioning the way it should. But really her complaint ought to be with the majority leader. Republicans are happy to have an open amendment process. I say to the Senator from Massachusetts that we are not talking about amendments ad infinitum. We are talking about a reasonable amount of amendments. We have been down this lane before. We know that the majority leader rules this body with an iron grip. In the waning days now of this session, there is going to be veritably nothing done, because, of course, that is the way the majority leader has chosen to use his authority. It would make sense if we had an opportunity to offer House legislation. As I said, there are 44 different jobs bills and more than 385 bipartisan pieces of legislation that have passed the House which would be great for us to take up and to work our way through in an orderly and deliberative sort of way.

I agree the American people want to see us get things done. But they cannot. We cannot get things done when the majority leader essentially says: You know what. It is my way or the highway. Those of you who are elected from red States, where you are elected by Republicans, you cannot participate in this process. So what is the use of being elected to the Senate? What is the use of States such as Texas having two Senators and not being able to participate or shape the legislative process? That is an unreasonable demand by the majority leader.

I know our colleagues on the Democratic side, many of them, are frustrated by that too. I will tell them that if this election in 49 days turns out the way I hope it does, we will have a new Senate where Republicans and Democrats can come to the floor, offer amendments, and get votes as long as they want to get votes on amendments. That used to be the way the Senate operated. That is not the way it operates now. It is really a disservice to the American people. I am saddened by the majority leader's choice to create such a situation in the Senate.

ISIL

We will be voting, along with the continuing resolution—I am told the House will add an authorization that has been requested by the President to train and arm some Syrian rebels, which we hope will be an effective force in defeating ISIS or ISIL, the Islamic State in the Levant. This is a group that Al Qaeda kicked out because they were so barbaric that they wanted nothing to do with them. They are now one of the best financed terrorist organizations in the world, now occupying

vast swaths of Iraq and Syria, and virtually erasing the border between those two countries. This is a threat not only to the region and to the people of Iraq and Syria, but it is a threat to other countries in that region.

If you believe the King of Saudi Arabia, he said in a month they will export their terror to Europe, and they will then, a month later, export their terror to the United States. The biggest threat to the United States is there are—people who have gone from the United States and from the United Kingdom to the region and trained as fighters for ISIL.

The problem is that because of the Visa Waiver Program, many of them—if you are a passport holder from the United States or the United Kingdom, you can come back to the United States with just a passport and you do not even need a visa. So this is an opportunity for this terrorist organization to infiltrate the United States and threaten our national security and safety.

But in particular in Syria, it is ironic—indeed, it is tragic to note—that after refusing for 3½ years to provide even moderate assistance to opposition groups in Syria, President Obama is now asking Congress to give him the necessary authorization. Now, this is not an authorization to take the fight to degrade and destroy ISIL. The President said that is his military goal. That is an important goal. I agree with that. I think he would find a lot of support on a bipartisan basis for that kind of authorization. What the President has done is basically to ask for money for a very much more limited task; that is, to recruit and train so-called moderate Syrian opposition to fight ISIL in Syria.

But he has chosen to go it alone once again on this broader effort to degrade and destroy ISIL. I know the President is famous for saying what he will not do. Of course, they always add: No American boots on the ground. But this morning the chief of the U.S. military, General Dempsey has said if the air campaign is unsuccessful in degrading or destroying ISIL, then we should not take the prospect of some limited number of American boots on the ground off the table. Military expert after military expert has said: Air strikes alone will not turn the tide on ISIL in Iraq and Syria.

But I am glad the President has at least made this limited request. We ought to have a broader debate about his authority to take the fight to ISIL in Syria and Iraq. I note with interest that our colleague Senator Kaine of Virginia wrote what I thought was a compelling piece, arguing that the President should come to the Congress for that authority. That was published in the New York Times today. I thought he made a very important case.

If the President is concerned that he will come to Congress and he will not get the authority, I think cir-

cumstances have changed to where he would get that sort of bipartisan vote to give him authority. There are prudential or practical reasons why he should do so. First of all, there is the Constitution which the President seems not to care most about. But assuming the President has the authority, I think if he came to Congress, it would provide a broader basis of support both in Congress and across the country.

Of course, you do not want to go to war without the support of the American people. If you believe the public opinion polls, I think they are pretty persuasive that the American people do support air strikes against ISIL, particularly in the wake of these barbaric beheadings of both British and American citizens. But as we know, the tide of war can turn very quickly. It is important that the President have broader support here in Congress and broad support from the American people in doing what we know we have to do regardless of how popular or unpopular it may be.

But I do have questions about how the different rebel groups will be vetted and how the U.S. military aid will advance our larger policy of destroying ISIL. While I still have those questions, I will support the authority and the money to train and equip the moderate groups as part of our broader strategy.

I remain deeply concerned, though, about President Obama's understanding—or lack of understanding—of just what has gone so wrong with his policies in the Middle East. After all, the first step in fixing a mistake is to admit you have made one—not for the purpose of embarrassing the President but learning from those mistakes and then going on to correct them.

Last week he discussed his foreign policy record with a number of outside analysts at two separate meetings. According to one story in the New York Times by Peter Baker, the President “admitted no errors along the way.” It is pretty breathtaking. I do not know any human being, any mere mortal—certainly me—who has not made a mistake. These are enormously complex judgments, and I understand that, and we ought to cut the President some slack in trying to execute this war and this fight to degrade and dismantle ISIS. But to say “I have not made any mistakes. My judgments have been perfect” is not helpful. He said there are no errors. He has made no errors. There is nothing that needs correcting, no change of conditions because of misjudgments.

But we know that despite the creation of a massive terrorist enclave spanning Iraq and Syria, despite the explosion of a huge refugee crisis in Syria, Jordan, Lebanon, and Turkey—millions of Syrians have been displaced by the civil war there alone, along with about 200,000 Syrians who have lost their lives. As a result of the President's policies, we have also seen the

emergence of a failed state in Libya, where in September 2012 four Americans were killed by Al Qaeda-related affiliates. We have seen the emergence of yet another failed state in Yemen, and we have seen the embarrassing decline of U.S. influence in countries such as Egypt and other gulf nations. Despite all that, the President says he had not made any mistakes and it is somebody else's fault and not his.

I would contrast that with the conduct of President George W. Bush when he announced the troop surge in Iraq and the counterinsurgency strategy in 2007. He was admirably forthright about the fact that his Iraq policy was not working—and, indeed, it was not. President Bush said at the time, “We need to change our strategy in Iraq.”

Boy, it would be a breath of fresh air if President Obama would say, “We need to change our strategy” rather than saying, “I have not made any mistakes. There have been no misjudgments. We don't need to reconsider any of our activities abroad.” I think people understand we do.

When we look at America's Middle East policy failures under President Obama, it is painfully clear that once again we need to change our strategy, but by refusing to acknowledge his mistakes, the President raises troubling questions about the credibility of his new policies.

Despite announcing that the military aid to the more moderate rebels will now be the centerpiece of U.S. policy in Syria, the President still publicly rejects the idea that arming those rebels a few years ago would have been a good idea. And, oh, by the way, arming the rebels a few years ago was the recommendation of all of his most significant national security advisers, but the President rejected it.

If it is a good idea to arm the more moderate rebels today in hopes of countering ISIL, then surely it would have been a good idea to arm those rebels before ISIL took over large portions of eastern Syria and 200,000 Syrians lost their lives in that civil war. Likewise, if we are now sending U.S. military forces back to Iraq to conduct bombing raids against ISIL terrorists based there, then surely it was a mistake to withdraw all U.S. forces from Iraq back in 2011 without leaving a transitional force there to help be the glue in that famously sectarian-driven part of the world. But the President will admit no mistakes and no lessons learned in either Iraq or Syria.

Of course, the thing about acknowledging your mistakes, as I said earlier, is that you can learn from them, and President Obama's recent foreign policy failures are no different. The lessons we have learned can and should inform our strategy against ISIL. But first the President needs to accept, internalize, and then allow himself to be guided by those lessons. If he does that, America's military campaign against the Islamic State will have a much better chance of succeeding.



I would say again that we want the President's plan to be successful. I think it is virtually universal here in the Senate that we want our military, in conjunction with our coalition partners, to degrade and destroy ISIL because we believe it is a serious threat not just to the region but to the United States and our allies and our interests. But if the President will not learn from the lessons of the past, if he will not work with Congress to come up with an effective strategy, and if he will not listen to his own military leaders and experts, I am very concerned that strategy will end up being a failure, and that need not be.

Mr. President, I see my colleague from North Dakota on the floor.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. Mr. President, I ask unanimous consent for 10 minutes or as much time as I might need to discuss an important energy issue.

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

Mr. HOEVEN. Mr. President, I appreciate the comments of my esteemed colleague from Texas, and I want to share my agreement with the important points he made so well.

(The remarks of Mr. HOEVEN pertaining to the introduction of S. 2823 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that at 12 noon tomorrow, Wednesday, September 17, the Senate proceed to executive session to consider the following nominations: Calendar Nos. 956, 536, 548, 964, 965, 871, 924, and 912; that there be 2 minutes of debate equally divided between the two leaders or their designees prior to each vote; that upon the use or yielding back of time the Senate proceed to vote, without intervening action or debate, on the nominations in the order listed; that any rollcall votes, following the first in the series, be 10 minutes in length; that if any nomination is confirmed, the motion to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order to the nomination; that any statements related to the nomination be printed in the RECORD; and that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

Mr. REID. For the information of all Senators, we expect one rollcall vote on the Bass nomination and the other nominations listed in this agreement to be confirmed by voice vote.

The ACTING PRESIDENT pro tempore. The Senator from Kansas.

Mr. MORAN. Mr. President, I ask to speak as in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### TRIBAL GENERAL WELFARE EXCLUSION ACT

Mr. MORAN. Mr. President, I thank the Chair for the opportunity to speak this afternoon. I am also pleased to see on the floor my colleague from North Dakota, Senator HEITKAMP. She and I have a legislative interest in a matter now pending before the House of Representatives, and it is at least my desire to see the Senate utilize this opportunity of a bill passing the House to also be considered by the Senate and hopefully be approved. While it has been a challenge throughout this year and throughout this session to get legislation to the floor and voted on, I would not want us to pass up the chance for this legislation to be approved and sent to the President for signature.

The legislation we are speaking about is the Tribal General Welfare Exclusion Act. The House of Representatives, as I said, is considering H.R. 3043 this week. This is legislation I am absolutely certain will enhance the economic opportunities and the quality of life for our Native Americans in this country.

The Constitution states that a core responsibility of the Federal Government is to promote the general welfare of the people. The Federal Government has a trust responsibility to protect tribal interests. These two objectives come together in this legislation. It certainly would be an understatement to say that the Federal Government over the years has fulfilled its trust responsibility. We know that to not be the case.

In an effort to fill that void, tribal governments have taken actions to meet their tribal members' needs with initiatives such as cultural programs and education and social services and health care.

Unfortunately, over a period of time, those benefits have been treated as income and those benefits have been subject to the Internal Revenue Service Code.

We need to make certain we don't add to the burden that tribes too often have encountered from the Federal Government and that these benefits would not be subject to income taxes and these benefits and the tribes will not be subject to IRS audits because of them.

The Tribal General Welfare Exclusion Act extends to Native Americans the same tax privileges that are pro-

vided by our States; namely, that the value of government services provided by the tribes to their members, just like the services provided by a State to its citizens, would be excluded for tax purposes. Federal and State governments have enjoyed the privilege of having such services as education, social welfare, health care programs, housing, as well as cultural programs exempt from that taxation. Native Americans have not been as fortunate.

The House is close to correcting this problem, and it is my plea and hope that the Senate will follow suit this week. The IRS recently issued a notice that establishes the tribal gender welfare exclusion. It is a matter of treasury policy, and this is appreciated. It is a step in the right direction, but we want to make certain that this policy is extended and codified.

The general welfare issue should be put into law to protect against future policy changes, and among other provisions this legislation establishes a tribal advisory committee within the Department of the Treasury to advise the Secretary on Indian tax policy and also declares that any ambiguities of the act will be resolved in favor of tribal governments. It directs the IRS field agents to be educated and trained in matters of Federal Indian law and government trust responsibilities.

This is a reasonable commonsense, constitutional piece of legislation. It fosters fairness within our Tax Code and promotes better understanding of the Federal Government's trust relationships.

Four years ago similar exclusion rules for Native Americans' health benefits were passed. We have before us now the opportunity to clarify the exclusion as it should be. This legislation makes a lot of sense. It adheres to the Constitution which recognizes tribes as sovereign nations with the authority to provide for their peoples. This has been affirmed many times by Congress in the past. It is clearly part of our U.S. Constitution.

The economic benefits are obvious. Our tribal territories, reservations, our Native Americans need not be worrying about the onerous IRS audits and should not be paying taxes when no one else is required to pay taxes on similar benefits.

This legislation is revenue neutral, something that is very pleasing. The Joint Committee on Taxation has deemed any impact on the revenue of our Federal Government to be negligible.

As a person who cares a lot about the fiscal condition of our country, we ought to be reducing our deficit and boosting our economy. This piece of legislation does not increase the deficit, and it does boost the economy, particularly of tribes across the Nation. Here in the Senate, Senator HEITKAMP and I introduced S. 1507. It is a companion bill to the one the House is considering. This piece of legislation has broad bipartisan support, and more

than 20 Senators from Alaska to Georgia have joined us in this effort.

I am grateful for the members of the Finance Committee and the Indian Affairs Committee who lent their support to this legislation. I am not a member of either one of those committees, but there are four tribes in Kansas and I have an interest in their well-being as well as that of all Native Americans.

Native Americans are not seeking to play here by different rules. In fact, it is quite the opposite. They simply want to enjoy the same benefits accorded any other government in our country. They emphasize to me the principle of tribal sovereignty and self-government. This legislation reinforces those principles.

More than 40 tribes in 24 states, nearly a dozen Indian organizations and a number of regional tribal organizations representing tens of thousands of Native Americans supported this legislation. It is not just Native Americans. In fact, the U.S. Chamber of Commerce has recognized this legislation as one that will foster economic development and supports its passage.

As we are preparing to depart Washington, DC, and take time away from the Nation's Capital, it would be a terrible mistake on our part and a missed opportunity if we don't take advantage of House action this week while the Senate is here in session this week to see that this legislation is approved.

My hope is that this could be accomplished by unanimous consent, and I know Senator HEITKAMP and others and I have been talking to members of the committees as well as the leadership of the Senate to see that we accomplish this.

It is a wrong that can be righted. It is a wrong that should be righted quickly and not at a later date. This certainly is one of those pieces of legislation that is a win-win for all.

If we see the House pass the Tribal General Welfare Exclusion Act, I urge my colleagues to join with me, Senator HEITKAMP, and Republican and Democrat Senators who are supportive of this legislation, to see that this legislation arrives on the President's desk in the most expedient manner possible.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from North Dakota.

Ms. HEITKAMP. Mr. President, I ask to speak as if in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Ms. HEITKAMP. Mr. President, it is truly a great honor to stand with my colleague from Kansas as we are on the cusp of actually passing legislation that has consequences for a lot of our American citizens and especially our Native American citizens. I will tell you as someone who represents Indian Country in my State, this is the number one priority for our tribes.

It is interesting because a lot of people would look at this and say: Why this issue? I think it goes to the heart

of Native American sovereignty. What has been happening, as it relates to 1099s and the potential of taxing services provided by tribal governments, basically begs the question: Do we really understand or do we really appreciate that these are sovereign governments—the same way the States are sovereign and the same way the counties and cities would be sovereign?

I think in many ways it has very real economic consequences, but a great value in this legislation is in the symbolic consequences of having this body recognize the importance of recognizing these treaty rights, recognizing the value of treaties and trust responsibilities. As a former attorney general and as a lawyer, I view treaty rights and trust responsibilities like a contract between the United States and our Native American tribes. As a U.S. citizen, I view these treaties as sacred obligations.

We have not done a good enough job living up to our commitments to tribal nations. As a consequence tribal governments have been forced to supplement services that the Federal Government promised to provide. Yet for years the IRS has audited Indian tribes for providing health care, education or housing assistance for those in need.

Here are just some of the stories I have heard from Native Americans in North Dakota and across the country. I have heard about the IRS wanting the tribes to issue 1099s—basically saying you have something of taxable value—to tribal elders who received blankets as honoraria for performing traditional ceremonies.

I heard about the IRS questioning a tribal government's provision providing backpacks and school supplies to elementary school children as a taxable benefit to the families of the children.

I have heard about the IRS imposing a tax on the value of a handicap ramp—a value of \$2,000—erected by the tribal government to help a tribal elder access her home.

The stories go on. The status quo isn't fair and it isn't right. This practice certainly does not fully respect that tribes are governments. That is why I joined with Senator MORAN to introduce the bipartisan Tribal General Welfare Exclusion Act last year.

The bill would fully recognize that Indian tribes, as sovereign nations, are responsible for making certain government programs and services best fit the needs of their citizens. Just as State and local governments are determined to decide what is in the best interest of their citizens, such as scholarships, elder or child care or housing assistance, we have to recognize that tribal governments have the right to make those decisions without tax consequences.

With this bill, we are supporting tribal self-determination and taking a step towards living up to our trust and treaty obligations. Indian tribes and their members should not be subject to heightened IRS scrutiny.

I think Senator MORAN outlined that issue so well because some people may see that what we are doing here is carving out an exception, creating an extra benefit for tribal members that is not enjoyed by the entire citizenry of this country.

Nothing could be further than the truth. In fact, we are leveling the playing field. The Tribal General Welfare Exclusion Act will bring parity in the tax treatment of Indian governments. It will recognize the unique relationship with tribal governments that they have with their citizens and allow them the opportunity to craft programs which best fit their community need.

I want to take a moment and suggest to all of you that if you spent time in Indian Country and if you have looked at the benefits that tribal governments provide and you think about the resources of the IRS and where you might go to actually collect dollars that would enhance revenue, the last place you should look in this country is in Indian Country.

I would like to address a few other really important reasons why this bill is so critical. The IRS recently issued helpful guidance, and we are very appreciative of that work. With that being said, we also must make sure that parity provided by that guidance is in statutory language. That way, we weighed in. There is certainty that no one can do a look-back and no one can change it without that change coming to this body and coming to the House of Representatives and being enacted into law.

In addition, the Tribal General Welfare Exclusion Act includes two items that are critical to the advancement of a better relationship between tribal governments and the Federal Government.

First as a training requirement, we must make sure that IRS field agents are well versed in Federal Indian law and unique treaty and trust relationships that the Federal Government has with their tribes.

Second, as the training is taking place, our bill also suspends all audits of examination of tribal governments for one year to allow this education to take place.

It isn't rare for Congress to pass legislation that supports guidance issued by the Federal agencies to give more weight to the issues and make sure that there is no potential misinterpretation.

That is what we are doing this week with the help of a lot of our colleagues who believe in this legislation as well. We want to supplement the IRS guidance to expand rather than restrict the safe harbor provisions.

When I joined the Senate, I promised to be a partner—to honor and respect the sovereign rights of Native Americans just as I always have. This bill is a step in the right direction. I fully anticipate that as we move forward this week, we will, in fact, enact this legislation. I fully anticipate that we will

send the right message to tribal governments that we see you the way you are.

You are a sovereign government entitled to make the decisions that you need to make to the benefit of your citizens without undue and irrational interference from the IRS.

I think the bipartisan nature of this bill is a tribute to my friend from Kansas who understands completely what we are attempting to do. It is one of those rare moments that I have had since I have been in the Senate, where you see a good bill being debated—a good bill being discussed—and then having an opportunity to actually do the right thing. I thank my friend from Kansas for the opportunity to join with him as a cosponsor of this legislation.

It is critically important that this message get sent and that we have an opportunity in the future to continue to work with tribal governments to act in the best interests of tribal citizens and provide the services that are essential for a growing population of Native American citizens but also of a population that lives in a great deal of poverty.

I thank my friend from Kansas. I look forward to seeing this bill signed into law—which I think will happen. I think that the stars are aligning. It will be a great day and a very important step in securing a better relationship of all governments with the Native American people.

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

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

The assistant legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### MORNING BUSINESS

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### OBSERVING THE ANNIVERSARY OF THE CONSTITUTIONAL CONVENTION

Mr. LEAHY. Mr. President, tomorrow we will mark Constitution Day—a day set aside to reflect on our Nation's charter and how it has shaped what it means to be American. On September 17, 1787, George Washington, James Madison, and their fellow Framers made the momentous decision to sign the Constitution and send it along to the American people for ratification marking a new beginning in our Nation's profound experiment in democracy.

As important as the original charter continues to be, the Founders did not

design it to be immutable. One of its most notable features is article 5, which established the process for improvement in the form of constitutional amendments. This key provision rooted in both intellectual humility and constitutional faith—ensured that our Nation's constitutional journey would not conclude in Philadelphia in 1787. Instead, it would continue to unfold in the decades and centuries that followed, tasking each generation of Americans with improving the charter in order to build “a more perfect Union.”

Since the ratification of the Bill of Rights in 1791, our Constitution has been amended 17 times. These changes have helped to make the Constitution the revered document it is today. As I have noted on previous Constitution Days, Americans must celebrate not just the original Constitution of Washington, Madison, and the founding generation, but the whole Constitution, including its 27 amendments. This is all the more important as we approach a key set of anniversaries—the 150th anniversaries of the 13th, 14th, and 15th Amendments, which many scholars have rightly described as our nation's “Second Founding.”

Ratified by President Lincoln and his generation after the Civil War, these Second Founding amendments transformed our original charter—ending slavery, banning racial discrimination in voting, and elevating liberty and equality to a central place in our constitutional order. Perhaps most importantly, these amendments gave Congress the authority it needed to protect the civil rights of all Americans—authority that we have used to pass landmark civil rights laws such as the Voting Rights Act of 1965.

Before our Nation marked the original Constitution's bicentennial in 1987, Congress established a commission led by Chief Justice Burger to organize a national celebration. Americans from across the political spectrum came together in a spirit of unity and pride to honor the founding generation's profound achievements. With the 150th anniversary of the second founding, President Lincoln and his generation deserve the same.

It is deeply saddening to me that the anniversary of the 13th, 14th, and 15th Amendments coincides not with such a celebration, however, but with what can be called nothing short of an attack on the principles of equality and liberty they protect. The Supreme Court's decision in *Shelby County v. Holder* and the wave of recent State laws undermining the right to vote demonstrate a dangerous erosion of these monumental Amendments that provide us the tools we need to build a fairer, freer, and more equal society.

Tomorrow, as we celebrate the signing of our Constitution 227 years ago, I hope we also reflect on the unfinished work ahead that is necessary to live up to the core principles enshrined in our Nation's charter—including those of the second founding. The racial tensions exposed by the police shooting of

Michael Brown in Ferguson, MO are not new, but they should serve as a clear reminder that our work is not done. I am heartened by the national dialogue that has been sparked by that young man's tragic death, and it is my sincere hope that we can harness that energy, directing it not toward greater distrust and divide but toward meeting the challenge to build “a more perfect Union” left to us by our Founders.

#### 50TH ANNIVERSARY OF THE LAKE MEAD NATIONAL RECREATION AREA

Mr. REID. Mr. President, I rise today to recognize the 50th anniversary of the Lake Mead National Recreation Area.

In the early 1900s, the populations of Nevada, southern California, and Arizona were beginning to grow. New communities were in need of water for irrigation, electrical power, and a way to control the seasonal flooding of the mighty Colorado River. On December 21, 1928, President Calvin Coolidge signed the Boulder Canyon Project Act, which authorized funds for three dam projects along the Lower Colorado River, the largest of which became the Hoover Dam, and this monumental dam created our Nation's largest reservoir, Lake Mead.

On October 8, 1964, 18 years after the completion of the Hoover Dam, the Lake Mead national recreation area was established, making it the first National Recreation Area in the country. Since its founding, Lake Mead has become essential to Southern Nevada. The reservoir supplies local communities with drinking water, provides low-cost electricity throughout the Southwest, and is a beacon for outdoor recreation, which attracts millions of dollars annually to local and regional economies. In 2013, the Lake Mead National Recreation Area visitors contributed \$260 million to communities surrounding the lake, and this helped support approximately 3,000 jobs in the area.

Today, Lake Mead is one of the most popular destinations in America, with more than 6 million visitors every year. Lake Mead boasts more than 900 plant and 500 animal species, 24 of which are threatened or endangered. Within the national recreation area, there are 9 wilderness areas that help support the rehabilitation of these important species and over 1,300 recorded archeological sites that tell the story of the region's rich cultural heritage. In addition to the area's many hiking trails, Lake Mead also has several boat marinas and the Black Canyon Water Trail, which was recently dedicated as Nevada's first National Water Trail by the Secretary of the Interior.

I recognize Guy Edwards, Robert Rose, Ben Thompson, George Baggle, Charles Richey, Roger Allin, Glen Bean, William Briggles, Gary Bunney,