

We were talking about the elections not long ago, and I said: I have never prayed to win an election, and this election I didn't either. She said: Well, I did. That is how she feels about MARK PRYOR.

I am really honored to have served with MARK PRYOR, who is such a genuine person, so sincere. He has been an invaluable asset, his service here in the Senate. I congratulate MARK on his exemplary service here in the Senate.

MARK will always be my friend. There is a quote that bears directly on my feelings about Senator PRYOR: "A good friend is hard to find, hard to lose, and impossible to forget." I will never ever forget MARK PRYOR. He is a unique, one of a kind, kind, thoughtful, considerate man.

#### RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Republican leader is recognized.

#### TRIBUTE TO NANCY ERICKSON

Mr. McCONNELL. Mr. President, this morning I would like to wish a fond farewell to a woman we are all going to miss: Nancy Erickson, the Secretary of the Senate.

It is her birthday today. Nancy is the kind of person you would expect to get cards from Democrats and Republicans on a day like this. And it is no secret why. She is fair, she is honest, she has always had a warm smile on her face. And that is no small matter, because Nancy has a really tough job. The title doesn't do it justice. Nancy admits she had to Google "Secretary of the Senate" when the position was offered to her.

Let me tell you a little more about what Nancy does. On the one hand, there is an administrative element to her position. That is true. We would run out of printer paper without her. But she is also the keeper of this institution.

Nancy respects the Senate. In fact, she loves the Senate. Her greatest joy is overseeing preservation of the Senate's storied art and history.

I am particularly grateful to her efforts to secure and repair an important painting of my personal hero, Henry Clay. I understand it was a painstaking process, but it was a credit to the Senate and to our common history as America.

Here is the point: Nancy may be a "Secretary," but only in the way you would think of John Kerry or Condoleezza Rice being a "Secretary." In other words, Nancy is pretty important.

She presides over the Chamber. She signs the bills we pass. And, importantly to the Senate staff, she signs the checks they receive. So, you see, Nancy is actually a minor celebrity around here on payday.

But she is something else entirely on game day. Nancy is one of the biggest

Packers fans you will ever meet. There is no interrupting her when the green and gold take the field. Fortunately for Nancy, her home-State Senator JOHN THUNE feels the same way. So you often see the two South Dakotans—one a Democrat, the other a Republican—debating the finer points of last night's game.

There is a reason I say this. Nancy goes out of her way to build trust across the aisle, even in unconventional ways. The folks in my office who work closest with Nancy have nothing but kind words to say about her. Some call her a personal friend. In fact, the remarkable woman I nominated to replace Nancy, Julie Adams, is just such a person. I know Nancy couldn't be happier for Julie, and neither could I.

And while Nancy is going to miss the Senate, I know she is also looking forward to seeing more of her family. I know how important Nancy's parents are to her in particular. We are glad Nancy will be able to see more of them, even though we are going to miss her.

#### TRIBUTE TO SHEILA DWYER

The Senate is also going to miss Nancy's deputy. Sheila Dwyer is another Democrat my staff can't speak highly enough of. Sheila has had a long run here in the Senate. She has seen it from a lot of different angles. She has been a page, a scheduler, and now Assistant Secretary of the Senate. Along the way, she has worked for members such as Moynihan, Hollings, and Robb. It is an impressive career. It makes you understand why, as Leader REID mentioned earlier, Sheila is known around here as the "Mayor of Capitol Hill."

#### TRIBUTE TO ROBERT PAXTON AND MARK TRATOS

We also can't forget to wish a fond farewell to Robert Paxton and Mark Tratos.

Robert, Nancy's chief of staff, is a fellow Kentuckian who has worked in the Senate for more than a quarter century. And we understand that Mark, Robert's No. 2, is expecting his first child soon.

So we wish both Robert and Mark all the best, just as we offer Sheila well-deserved recognition for a job well done, just as we bid the fondest of farewells to Nancy—and a very happy birthday as well.

Mr. President, I yield the floor.

#### RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

#### PROTECTING VOLUNTEER FIRE-FIGHTERS AND EMERGENCY RESPONDERS ACT OF 2014

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the message to accompany H.R. 3979, which the clerk will report.

The legislative clerk read as follows:

Motion to concur in the House amendment to the Senate amendment to H.R. 3979, an act to amend the Internal Revenue Code of 1986 to ensure that emergency services volunteers are not taken into account as employees under the shared responsibility requirements contained in the Patient Protection and Affordable Care Act.

Pending:

Reid motion to concur in the amendment of the House to the amendment of the Senate to the bill.

Reid motion to concur in the amendment of the House to the amendment of the Senate to the bill, with Reid amendment No. 3984 (to the amendment of the House to the amendment of the Senate to the bill), to change the enactment date.

Reid amendment No. 3985 (to amendment No. 3984), of a perfecting nature.

The PRESIDING OFFICER. The Senator from Michigan.

#### FAREWELL TO THE SENATE

Mr. LEVIN. Mr. President, after 36 years as a Member of the United States Senate, this is likely my last opportunity to address its Members as colleagues, and to address the people of my State as constituents, and to thank them for placing their trust in me.

The highest honor any citizen of a democracy can receive is to be elected to represent his or her fellow Americans to be their fiduciary.

To the Senate staff, including the floor staff, the Capitol Police, and those throughout the Capitol complex who work so hard to keep things here moving, thank you for your service and support for us through the long days and nights.

To my staff, thank you for your strong loyalty to the people of Michigan, to our Nation, and to me. And thank you for believing in public service. I am immensely proud of what the men and women who have worked on my staff for the last 36 years have helped to accomplish.

My staff back in Michigan has helped make communities across our State safer and more prosperous. Countless times they have helped individual constituents resolve an issue, making a real difference in thousands of lives.

The Armed Services Committee and Permanent Subcommittee on Investigations—PSI—staffs have worked tirelessly through long hours and complex issues, sacrificing nights and weekends and vacations to help address the pressing issues of our Nation.

My personal office staff has been instrumental in addressing a breath-taking range of issues—from preserving our American auto industry, to making our tax system fairer, to protecting our irreplaceable Great Lakes, to making medicine available to fight addiction, and much, much more.

As to my mentor, my big brother Sandy, Congress is keeping the better half of "Team Levin," as I retire to Michigan while Sandy remains in Congress.

To Barbara, my wife of 53 years, to our three daughters Kate, Laura, and Erica; to their husbands Howard, Daniel, and Rick; and to our six grandchildren, Bess and Samantha, Mark,

Noa, and Ben Levin, and Beatrice and Olivia Fernandez—thank you for your love and support, which has meant so much to me.

I have been asked many times if I am leaving the Senate out of frustration with gridlock. The answer is: No. My family and friends, and those of you with whom I serve, know how much I love the Senate and that I will love my work until the last day here, and that I will leave here with unabashed confidence in the Senate's ability to weather storms and to meet the Nation's needs.

I know firsthand the challenges before this Senate. I believe one of the greatest is the need to meet the fundamental economic challenge of this era: the growing gap in our society between a fortunate few and the vast majority of Americans whose fortunes have stagnated or fallen.

While I believe that the economists who tell us this inequality is holding back economic growth are right, this isn't just about economic data. It is about our Nation's heart and soul. This growing gulf between a fortunate few and a struggling many is a threat to the dream that has animated this Nation since its founding, the dream that hard work leads to a better life for us and for our children.

To restore the connection between hard work and greater opportunity, I hope the next Congress will act on many fronts, strengthening education and worker training programs, making greater investments in infrastructure and research that foster growth. And as I have said here many times, it should pay for these needed investments by closing egregious tax loopholes that serve no economic purpose, but enrich some of the wealthiest among us and our most profitable corporations.

Many foresee a continuation of polarization and partisanship in the Senate and say it is naive to suggest that the next Congress might come together, break out of gridlock, and accomplish great things. But I know the Senate can do better because I have seen it happen with my own eyes.

The Senate has indeed demonstrated, even in our own era, that bipartisanship is not extinct. The Senate Armed Services Committee has upheld a more than 50-year tradition of bipartisan cooperation to produce an annual Defense Authorization Act that advances the security of our Nation. I am grateful to the members of the U.S. military and their families for their selfless sense of duty. But I am also grateful for the way they have inspired us, year after year, to come together across lines of party and ideology to support them. They not only protect us, they unite us. Congress has come together over the years to make improvements in pay, benefits, and health care for the men and women of the military; to reform the way in which we buy the weapons they use to carry out their missions; to adopt policies to protect them from sexual assault; and to pro-

vide improved education benefits through a modern GI bill, and reform the way in which we care for our wounded warriors. We are training and equipping the militaries of nations under assault by extremists and religious fanatics so that those nations can depend more on themselves for their own security and less on America's sons and daughters.

We have passed a defense authorization bill to accomplish these things each year for more than half a century by laying aside partisan differences for the common good. We have never allowed disagreements over policy to interfere with our duty to our troops and their families, and I am deeply grateful to the many ranking Republican partners I have been fortunate to work with in that endeavor: people such as JOHN MCCAIN and John Warner and JIM INHOFE.

JOHN MCCAIN, my great friend, who has demonstrated extraordinary courage in war and in this Senate, will take the gavel of the Armed Services Committee, and my trusted wingman and friend JACK REED will become ranking member. At a pivotal moment for the Senate and for this Nation, the Armed Services Committee will be in strong hands.

I have seen firsthand additional powerful evidence that the Senate can work together to meet the Nation's needs, and that is in the work of the Permanent Subcommittee on Investigations—PSI—which I have been privileged to chair for 10 years, working with Republican partners—and I use the word partners advisedly—such as TOM COBURN, JOHN MCCAIN, and SUSAN COLLINS. Our subcommittee has exposed the tax avoidance schemes of some of the most powerful corporations and wealthiest individuals. We have shined a light on abusive credit card practices. We have investigated wasteful and ineffective government programs. We have confronted market manipulators and exposed conflicts of interest, mortgage fraud, and reckless schemes by some of the most powerful banks, schemes aided by some of the largest accounting and law firms. We have demonstrated how those activities helped bring our economy to its knees, destroying jobs, reducing the value of our homes, and damaging our neighborhoods. The work of PSI has helped lead to reforms that have strengthened our financial system and reduced credit card abuses.

The power of PSI lies in the in-depth work of our staffs, and in the willingness to confront powerful and entrenched interests. Like the Senate Armed Services Committee, PSI is strengthened by a dedication to bipartisanship and a respect for the rights of the Senate minority. We have recognized the danger of using investigative power for partisan or political purposes, and we have ensured that our great staffs, majority and minority, participate together in every investigation.

Indeed it is protection of the minority that is the singular hallmark of the Senate. The majority cannot always have its way. The Senate is more than just a place where the hot tea is cooled in the deliberative saucer that President Washington famously spoke of. Protections for the minority make the Senate more than just a place to slow things down; those protections make it a place where we work things out. It is those protections that force compromise that is essential to unifying and governing our country. Making progress in the Senate requires solutions that while they may not provide everyone with everything they want, are broadly accepted as in the common interest. When compromise is thwarted by ideological rigidity or by abuse of the rights that our rules afford us, the Senate can become paralyzed, unable to achieve the lofty task that the Founders set forth before us.

Polarization is exacerbated by forces outside this Chamber. For instance, we seem to make news more often these days by our responses in the corridors outside this Chamber to reporters questioning us about the latest breaking story or rumor than we do by debating or legislating inside this Chamber. The viral nature of information and disinformation and the expectation that public officials will be immediately responsive to every news flash with but a few seconds to think through the implications or consequences or pros and cons has led too often to less thoughtful discourse, and that has helped drive rhetorical wedges between us.

The incoming Senate has an opportunity to restore a greater measure of bipartisan compromise by revisiting one of the most contentious issues we face, one that we struggled with at the beginning of this Congress; that is, the Senate rules.

I believe the excessive use of the filibuster to obstruct confirmation of President Obama's nominees was damaging to the Senate and to the Nation. Any President—Democratic or Republican—should have the ability to choose his or her team. But the Senate majority eliminated obstructions to Presidential nominations through the use of the nuclear option, effectively accomplishing a rules change outside the rules, a method I could not support. In doing so, a precedent was established that the majority could effectively change the rules as it wished by overruling the Chair and the Parliamentarian. That precedent will not serve the country well in the future because it leaves the minority with no protection, diminishing the unique role of the Senate.

I hope the Senate next year considers reversing that precedent while simultaneously—and I emphasize simultaneously—amending the rules so as to assure the President's ability to fulfill his or her constitutional duties. Put simply, I believe the Senate should do the right thing in the right way. It

should amend the Senate rules, as provided for in the rules, to adopt the substance of the changes we made last year. I know my good friend Senator LAMAR ALEXANDER, who was part of the bipartisan Group of 8 who worked closely and successfully together on this issue in 2012, has proposed something similar. Such action by the Senate next year would be a welcome victory for comity and for compromise, and it would I hope represent a step back from a precedent that leads to effective rules changes by simple majority. It would be a step toward a better functioning Senate.

No leader alone, no single Senator, neither party by itself, can determine the Senate's course, but together the Members of this body can move the Senate forward and in doing so help move forward the Nation we all love. I will enjoy reading about the Senate's progress in the years ahead as Barbara and I are sitting on a Lake Michigan beach or showing the world to our grandchildren.

I thank the Chair, I thank my dear friends, the leaders of this body, and I see my brother sitting here, and I am not allowed to refer to my family in the Gallery, so I will not do that.

(Applause, Senators rising.)

The PRESIDING OFFICER. The Senator from Maine.

#### TRIBUTES TO CARL LEVIN

Ms. COLLINS. Mr. President, during his 36 years representing Michigan in the Senate, Senator CARL LEVIN's character and expertise have been described in many ways. He has been named by Time magazine as one of the 10 best Senators. He has been hailed by our military as a leader on national security. He is recognized by families in Michigan and throughout our country as a dedicated champion for economic opportunity and fairness.

But perhaps the best description of Senator LEVIN's philosophy of public service is a word he himself used in an interview for the George Mitchell Oral History Project at Bowdoin College in Maine. That word is "fiduciary."

It is the word that embraces the concepts of trust and confidence, of ethics and responsibility. In that interview Senator LEVIN elaborated on what the word means to him as a public servant. He said it meant to be accessible and open, to listen to other points of view, and to be well informed. Then when it is time to decide, to use his best judgment and vote for what is best for his State and his country, even though it may not be the popular choice at the time.

"Fiduciary" may indeed be the best word to describe our colleague Senator LEVIN; but to me, based upon decades of firsthand experience, there is another phrase that also comes to mind. He is truly a Senator's Senator. My colleagues may be surprised to learn that I have known Senator LEVIN far longer than most of the Members of this Chamber. You see, when he was first elected to the Senate in 1978, the

same year as Maine Senator Bill Cohen, for whom I was working at the time, both of them served on what was then known as a Senate Governmental Affairs Committee and also on the same subcommittee, Oversight of Government Management, for which I was first the minority staff director and then the majority staff director. So I have known and worked with Senator LEVIN for the entire time he has been a Member of this Chamber. From the very start, Senator LEVIN's diligence as a watchdog for the American people impressed me.

Ten years after I left the committee, I returned as Senator Cohen's successor and sought a seat on the Governmental Affairs Committee precisely because, thanks to the example of Senator LEVIN and Senator Cohen, I saw the importance of accountability in government and business practices. As the chairman of the Permanent Subcommittee on Investigations, it was my honor to begin my Senate service with Senator LEVIN as our ranking member, who was a far more experienced Senator than I was at the time.

So I have seen firsthand how deeply Senator LEVIN cares about the Senate as an institution and its unique place in our Constitution and in its role in our system of government. He is a person of extraordinary integrity and has a sense of purpose that sets a high standard for all of us in public service.

He works well with Senators across the aisle because he works hard. From the very first time I saw Senator LEVIN in action back in 1978, I saw the importance that he placed on extensive, exhaustive preparation for our committee investigations and hearings. As many evasive or ill-prepared witnesses learned to their chagrin, the eyes behind those trademark reading glasses focused like a laser because he has always done his homework.

If Senator LEVIN were to be remembered for his contributions to just one area of policy, it would be our Nation's defense. He has been a member of the Armed Services Committee throughout his time in the Senate, including 10 years as both the chairman and the ranking member. During our work together on that committee, I saw his mastery of such complex matters as emerging global threats and advanced weapons systems. Above all, his focus has always been on the men and women in uniform and their families, from improving their standard of living to better caring for our wounded warriors.

As a fiduciary of the principles that are our Nation's foundation, CARL LEVIN has been a faithful trustee and truly a Senator's Senator. I cannot imagine this body without him, without his wisdom, his integrity, his insight. So I thank him for his years of extraordinary service, and I wish him all the best in the years to come.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, Senator CARL LEVIN has been my Senator

for 36 years, and it has been one of the great honors of my life to serve for the last 14 years as his partner, as well as his friend, representing Michigan.

The year he was elected, "Grease" was the year's highest grossing movie and "Staying Alive" was music's biggest hit, and you should see Senator LEVIN dance. So Senator LEVIN has outlasted disco, the Soviet Union, and all six of the people who challenged him in elections, including an astronaut. That is because integrity never goes out of style.

Senator LEVIN has never wavered in his devotion to Michigan and to his country. As we heard today and as we each know, he has brought that patriotism to the Armed Services Committee. No one has done more to ensure that our men and women in uniform are battle-ready, with the supplies and technology they need to be the best military in the world, than Senator CARL LEVIN, or to make sure they receive fair pay and full health benefits. CARL LEVIN puts his coalition together year after year to make that happen.

He has never lost faith in government's capacity to be a force for good, and we heard that again in his comments today. This was passed down to him from his parents, who saw how the New Deal rescued families from desperate poverty.

A young CARL LEVIN admired President Harry Truman—especially Truman, the Senator who drove cross-country, stopping in cities where defense contractors were committing fraud and waste at the expense of America's wartime economy.

Truman himself would be very proud to see Senator LEVIN leading the Permanent Subcommittee on Investigations. As a former civil rights attorney, Senator LEVIN relished the chance to cross-examine those he suspected of dishonesty toward taxpayers and the American people. It is not literally a trial-by-fire, but that committee room has definitely become a sweat lodge for unscrupulous executives or anyone who has tried to get rich by getting one over on average Americans. They sweat because they know Senator LEVIN has done his homework—boy, has he done his homework. He digs so deep, he knows more about what they are going to say than they do.

David used a slingshot to bring down Goliath, but CARL LEVIN can topple a tycoon with nothing but a binder full of subpoenaed documents, and we have all seen him do it. In 2007 he shined a light on abusive practices of credit card companies, leading to laws that have brought about more transparency. Thanks to Senator CARL LEVIN, your credit card statement contains more disclosures so you know what is going on.

Those of us in Michigan also see a softer, gentler side. His heart is in Detroit, where he was born and raised and now lives with his wife Barbara. His soul is nourished by the tranquility he finds in northern Michigan in the

Upper Peninsula—Isle Royale, a place to which he has made many trips.

If you have been to Detroit recently, you know the city is in the midst of a spectacular comeback. I believe it is the most spectacular comeback in modern history. Everywhere you look, you see evidence of Senator CARL LEVIN's hard work. He led the way on getting Federal funding for Detroit's International Riverfront, which is spectacular. He worked with me and others in leading the effort to secure critical funding for the M-1 Rail project, championing that every step of the way—a streetcar that will inject even more vibrancy to the historic Woodward Avenue, which is already attracting scores of entrepreneurs and small businesses.

Five years ago I was proud to stand with Senator LEVIN as we passionately worked to rescue our American automobile industry and give them a chance to grow and move forward, and I saw his commitment and fiery passion for making sure we did not let them down, the men and women who worked so hard in Michigan and across the country. That revival has done so much to lift the economy of greater Detroit and all of Michigan.

Senator LEVIN knows that manufacturing is the backbone of our State's economy, but he also knows that the landscapes, the soil, and the water are all part of who we are, including our Great Lakes. It is in our DNA, and I know it is in his. That is why he has pushed for years to help Sleeping Bear Dunes be recognized as a national lakeshore, and we are seeing the outcome of his work as we look at this beautiful national resource. He fought for the Federal sanctuary at Thunder Bay and for the creation of the Keweenaw National Historic Park. It has been an honor for me to stand with him as he chaired our Great Lakes Task Force, our bipartisan task force, and fight for funding for the Great Lakes Restoration Initiative, which has had a miraculous effect on the quality of freshwater that is vital for Michigan and the Nation.

I could stand here for hours talking about his accomplishments, the footprints and handprints and marks he has made on Michigan and, most importantly, the people and communities of Michigan. But, as we heard this morning from colleagues and will continue to hear, they are small in comparison to the testament of his character, his compassion, his humor, and the unassailable strength of his convictions.

Senator LEVIN, you will be missed in Michigan and certainly by me and the Senate. I know you and Barbara and your daughters and grandchildren, including your one grandson—who is kind of outnumbered—will be grateful to have you so you can show them the world from your perspective and show them the continued beauty of Michigan. You have given so much, and we are grateful.

The PRESIDING OFFICER. The Senator from Missouri.

Mrs. MCCASKILL. Mr. President, I wish to talk about Senator LEVIN from a different perspective than my colleagues have. There is a seduction that goes on around here. You can get lulled into a false sense of security by excellent staff. CARL LEVIN is fortunate that he has excellent staff, but what many of us are tempted to do at times is to allow staff to do the arcane and tedious work of checking statutory language.

I have been blessed to have a front-row seat to watch CARL LEVIN work. From my seat on the Armed Services Committee and on the Permanent Subcommittee on Investigations, I have not only watched his excellent staff, I have watched CARL LEVIN. This is a man who understands every nook and cranny of statutory construction. He would never be lulled into a false sense of security that he understood the bill just because of what he was told.

I will think of CARL LEVIN fondly in one way: his shoulders slightly stooped, his hand grasping a piece of paper, not an electronic device, him walking quickly toward me with his head down, peering over those ubiquitous glasses, saying: CLAIRES, have you read the language? CLAIRES, have you read the language? Read the language. Read the language.

He understands the hazards of a misplaced comma. He understands the danger of using an "and" instead of an "or." He understands that the essence of our work is to make sure we craft language that lives up to our purpose and ideals.

CARL LEVIN is a Senator's Senator. There are no sharp elbows, no heated rhetoric, and, frankly, there is no star power on cable TV. No one is dying to get CARL in front of a camera because he will say something incendiary or pick a fight, which all of our friends are anxious for us to do—if we would only pick a fight.

CARL is methodically doing the grind-it-out work of legislating. He has the tools of a great Senator: intellect, integrity, good manners, and an unsurpassed work ethic. I will always call him my most important mentor in the Senate. He has taught me more than I can ever say. I will try desperately to live up to the ideal he has set for all of us.

I thank the Presiding Officer.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. I thank Senator MCCASKILL for her comments. We are talking about a Senator's Senator, a man who reads the language of the legislation and knows how to legislate.

I came here 18 years ago and have served on the Armed Services Committee that entire time, and my admiration and respect for CARL LEVIN has grown every year. It has grown because it is deserved. He is a remarkable leader. He never showboats and always wants to do the right thing. He serves his country first, and he runs a com-

mittee that is, in my mind, the best-run committee—according to the ideals of the Republic of which we are a part—that exists in either House today. It just works the way it is supposed to.

His subcommittees work. We have amendments in subcommittees that are disputed. If you don't like the result, you bring it to the full committee, and the full committee meets, and if it takes 2 full days, it takes 2 full days; everybody gets to bring up their amendments.

Senator LEVIN is always brilliantly able to solve differences through proper wording of the committee's legislation. As Claire suggested, he has an extraordinary lawyer's ability to get the right words and make the bill say what the committee wants it to say. I think that is special, and I am pleased to have been a part of it.

The Armed Services Committee authorizes one-half of the discretionary budget of the United States. It impacts the lives of men and women in harm's way right now. We need to get it right. It involves a lot of money and a lot of responsibility. It is a well-run committee that sets an example for what we ought to see more of in the Senate.

There is a fairness about his work. Somehow we have always passed an authorization bill, and somehow it is almost always unanimous or very close to unanimous. There may be one or two issues that maybe should not have been tacked on to the bill that causes someone not to vote for it, but when it is over, normally every Member—Republican and Democrat—is satisfied with the ability to have their voice heard and their ideas put into the bill, if possible. But if you lose in subcommittee and you lose on the floor and you have had your say in both places, it kind of makes you feel like, what more can I do? If the rest of the bill is OK, I will try to support it. These markups take time because we are dealing with a large portion of federal funding.

Finally, I would like to say how much I appreciated his wisdom he shared with us as we dealt with the nuclear option—the so-called nuclear option that changed the rules of the Senate. Senator LEVIN, who is a lawyer's lawyer, said something that was very profound, and it was reflected again in his remarks today, and that is, if a majority can change the rules, there are no rules. If a majority can change the rules of the Senate at a given moment to overcome objections from the minority, then there are virtually no minority rights—you have a pure majoritarian body. I think that is what CARL was sharing with us in his brilliant speech that all of us ought to read.

I thank our chairman for the leadership he has given and for the courtesy he has shown to me and all our Members. I wish him great success in his future endeavors, and I hope he will continue to contribute his wisdom to the body politic.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON. Mr. President, it has been summed up here, and I want the Senator from Michigan to hear what has been summarized so meaningfully by all of our colleagues, because this is the best of this institution in terms of how it performs. It has been embodied here in the public service of CARL LEVIN for 36 years. What we have heard from testimonies on both sides of the aisle is that because of how he has conducted himself as an individual and how he has conducted himself as a public servant and how he has conducted himself as a leader in this Senate is an example of exactly how this institution is supposed to function.

Isn't it rather symbolic that on the last couple of days of the session, the bill that will be passed is the bill Senator LEVIN has ushered through the Senate? He never broke tradition. He made sure the defense authorization bill was going to be passed by hammering out the differences with the House and shepherding it through the parliamentary process. And it has happened every year because of his extraordinary leadership.

I will close simply by saying that because he is all of the things we have heard—the consummate gentleman, the humble public servant, his razor-sharp mind, and the best lawyer, by the way, in the entire Senate—because he is all of those things, he also is the embodiment of a Senator because when he gives someone his word, that is it. A person does not have to worry anymore.

The future Senate should take a lesson from the life and the leadership of CARL LEVIN from Michigan.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Mr. President, I rise with honor and pleasure to be able to say thank you to my dear friend. I am the most junior Member, besides the Presiding Officer, in this body today. When I first came to the Senate, I asked to be on the Armed Services Committee. West Virginia has a proud heritage of an awful lot of people—percentage-wise probably more than most States—having served in all of the branches of the military. So that is very near and dear to me, and our National Guard is very near and dear to our State. So there were many reasons why I wanted to be on the Armed Services Committee.

When I got here, it was one of the most toxic times of the political arena, if you will. It was not what I expected, to say the least. And seeing the toxic atmosphere that I came into, people would say it didn't used to be this way; it used to work. The process worked. The whole aura of the Senate was there, and we are losing that. That was their excuse for telling me that is why it is not working today, but it used to work.

Then I became part of this committee called the Armed Services Committee with this unbelievable chairman whose name is CARL LEVIN. I watched and observed. I didn't say a whole lot at first because freshmen aren't supposed to, but I watched and I learned and I saw the system the way I imagined it probably was 20, 30, 40 years ago when it did work. I saw the Senate, and I was thinking, Why can't the rest of the Senate work the way the Armed Services Committee works? There is one reason. We don't have enough CARL LEVINS. We just don't have enough CARL LEVINS.

CARL LEVIN is practical, reasonable, and sensible. It made sense to me what he would say.

Just recently I have had difficulties on a piece of legislation that is very important. CARL spoke to me in terms that my father would have spoken to me, and I understood very well: State your opposition, record your opposition, and look at the whole situation as the betterment and the good of the bill, which is better than basically this piece that you oppose. He said I could explain my opposition.

CARL LEVIN would say this, too. He would say: Listen, I can't tell you what to do. I can't tell you what to do. Really, you have to do what you think is right, but let me give you some points to think about. He has been an unbelievable mentor who will give us the ability to kind of process this whole system we are in.

Let me say this, CARL. I am sorry that I didn't have the honor and the opportunity and the pleasure to serve with you for many more years. I really am. Or I am sorry I didn't get here soon enough, whatever the case may be. But the Senator from Michigan has left an impression on me as to how this place should work.

Robert C. Byrd, my predecessor, felt as passionately as you do. There is a process here and there is a reason for the process, which is to make us talk to each other, to make this place work. There should never be a situation we would get into that is important to the American citizen or this country where we can't work it out and can't get at least 60 votes. There should never be a time that we cannot get 60 votes. If we do that, then basically just changing a rule is not going to change the attitude and the atmosphere we create. I believe very strongly in that. And I appreciate the Senator's fight.

In the hills of West Virginia, we have a saying: They are good people. You meet somebody and someone says, They are good people.

CARL, you are good people. Thank you.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, one of the great honors of serving in the U.S. Senate—and it is a great honor to serve in this body—is the fact that I have had the opportunity to serve with CARL LEVIN. I think Senator LEVIN rep-

resents the very best of our political system, the very best of the U.S. Senate, and why I am so proud to be a part of this institution.

I must tell my colleagues I came from the House of Representatives and I had the great pleasure to have as one of my closest friends in the House of Representatives CARL's brother, Sandy. Sandy is an incredibly talented person who believes in public service, as does his brother CARL, and the two of them have devoted their family reputation to public service and they have given so much back.

CARL, what you have done for our national security, for our national defense, the type of attention you have paid to make sure this country is as well prepared as it needs to be, you have done that in an exemplary way. I can tell you what you have done for the people in Michigan, the type of Senator you have been. You have been a great U.S. Senator for your State, as well as a great U.S. Senator for the United States. That is not always an easy balance, but you have been able to do it.

As so many colleagues have said, when we seek advice, when we need a Senator to help us understand something, we go to CARL LEVIN. Some of my constituents have a hard time believing that we read the bills around here. CARL LEVIN reads the bills around here. He has found typographical errors in some of my legislation. He has found ways to correct us when we didn't express ourselves the way we should have. He writes me notes all the time. I thank him for that dedication.

As several of our colleagues have pointed out, there is no one here who has a greater love for the traditions—the best traditions—of the U.S. Senate, a Senate that debates and respects each other. One of the great opportunities I had was to sit in a room with LAMAR ALEXANDER and CARL LEVIN and others and talk about that, and how we could restore the best traditions of the U.S. Senate.

So, Senator LEVIN, I want you to know, I will always be indebted to serving in this body with you and learning from you and recognizing just what one person can do to carry out the honor and dignity of public service. You really define public service. For that, I am very grateful, the people of Michigan are grateful, and the people of America are grateful. Congratulations on your great service.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Mr. President, it is no surprise to any of us that the first thing CARL LEVIN did when he spoke today was thank his staff. He thanked them, and then he thanked the police force and the groundskeepers and the food service people and the people who too many in this world ignore. That was the first thing he did.

The second thing CARL did in his address was to talk about the gulf between the fortunate few and the struggling many. That has been what I most

admire about CARL LEVIN—that he is always aware of that and always fighting the fight for people who have a lot less privilege than those of us do who dress like this and get really great titles. And no one, frankly—no one in this body—has stood up against special interests for the most powerful interests in this town more effectively and more energetically than CARL LEVIN. For that, I am grateful, and I know so many in this country are grateful as well.

Thank you, Senator.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, when I came here in 2009, we were in the middle of an enormous meltdown due to high-risk trading inside our major banks. I wondered whether we as an institution were capable of undertaking this challenge of changing the circumstances around that in order to not have another 2007, 2008 meltdown that would do so much damage to families across this country. So I put out an email to everyone that said, Is anyone interested in taking on this issue for the future stability of our financial system? The next day I came to the floor and Senator LEVIN said, the email you sent out, I want to talk to you about that. I want to partner in taking this on. Immediately, he basically said: “We will work together. I am not the senior Senator who wants to take over this effort,” although I would have been glad for that to happen. There was not the ego in it; there was the intellect and the passion and the determination to fix a problem. To me, the Senate should be about people coming together to fix problems to make this Nation work better.

That event is deeply burned into my mind. The result, because of Senator LEVIN’s efforts, was the Volcker rule that said high-risk trading should not be done on the banks’ books, proprietary trading and high-risk instruments. It will make a significant difference in the years to come.

But what I want to thank my colleague for is the attitude of coming together to solve the important problems for America, even if that means taking on very powerful special interests. I hope we will see a lot more of that from this Senate in the years to come, but it will be a much bigger challenge without the Senator here. We will miss him greatly.

Thank you so much, Senator, for your service to our Nation.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, the Senate at its best has been said to be the one authentic piece of genius in the American political system. CARL LEVIN is the Senate at its best. I thank him for his courtesy, his decency, his scholarship, and his sense of public service. I thank him for his reminder that if we are going to have the trust of the American people to write rules for them, we should follow our own rules.

It has been a privilege to serve with Senator LEVIN.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, I too want to spend a couple of moments reflecting upon my long friendship and association with Senator CARL LEVIN from Michigan.

Much has been said this morning about CARL the person and the Senator. Let me say this: I don’t know of anyone in this body who has exhibited more of an intellectual honesty, a calm demeanor, and a sense of fierce loyalty and perseverance. I don’t know who exhibits those qualities more than CARL LEVIN.

CARL embodies the best of what I think it means to be both a citizen and a U.S. Senator. Barbara and CARL, Ruth and I have enjoyed many meals together over the years, having great conversations about everything. I want to say to my friend CARL, I hope that Michigan and Iowa are not so far apart, and that we can continue to get together in the future.

I will say, CARL, right now I hope you don’t hold it against me for all of the times the Hawkeyes will beat the Wolverines in the future. Don’t let that be a stumbling block.

I yield the floor.

The PRESIDING OFFICER (Mr. BROWN). The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I will be very brief because I know we have some other things coming up before going on to the NDAA, and I will be standing here with my good friend and brother CARL at that time. I recall when I was first elected to the House of Representatives—it is hard for me to believe that was 28 years ago—and I became good friends with a guy named Levin. It was not CARL. It was his brother. There was a real sincere, lovable attitude about him. I can remember talking over some of these sitting by him during some of the debate on very partisan things. I thought this guy is really neat. It is the kind of thing where you can’t dislike him. Then I came over here 20 years ago, and there is another one. I have two major committees, Environment and Public Works and the Senate Armed Services Committee. I thought this is remarkable because while on occasion we will differ—I am talking about the chairman and me—and I am the ranking member of that committee—occasionally we will come up on an issue where we don’t agree. On two occasions, last year and this year, we had to go into this process of the “big four.” That is where it gets contentious because at that point you have to come up with a bill. There was never a time that, yes, we have to give in. I don’t know whether he gave in more than I gave in. But whatever it was, it all had to happen and it did happen and it happened because of CARL more than me.

Chairman LEVIN and I can both say the same thing, and people will hate

me and they love him. I always wonder how you get by with doing that, but you do. He is a lovable guy whom I will sincerely miss and that relationship, and I hope you will be back often so you can be here to remind other people what a real statesman is.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. I want to take a moment to thank CARL LEVIN for his friendship. It has been previously noted that CARL is recognized as having perhaps the greatest intellect in the Senate. CARL has been, for so many years, a forceful fighter against waste in the military, and in recent years he has led the Senate in telling us it is absurd that large multinational corporations are able to avoid hundreds of billions of dollars in taxes by storing their money in offshore tax savings.

He has been a leader on that and for those of us who are concerned about the needs of our kids and elderly and infrastructure, all of the terrible problems facing this country, this is an issue we have to focus on.

I think Senator CARL LEVIN has been a Senator’s Senator. He has been a model of what a good Senator should be, and it is not surprising that people from all political persuasions will come to the floor to thank him for his service.

Senator LEVIN, thank you very much for your time.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. FRANKEN. I want to echo what everyone has said. I had the honor of traveling on a codel with Chairman LEVIN to Pakistan, Afghanistan, when I had been here just a few weeks. So I was traveling with the chairman of the Armed Services Committee. The respect he got from everyone—from the generals down to the privates, especially in Afghanistan—was remarkable. CARL fought to increase the ratio of our troops to contractors. When we took the majority back in 2006, CARL started doing the kind of oversight of the contracting that had led to a lot of waste, fraud, and abuse in Iraq. He has used PSI in the way it was intended by Harry Truman. I thank him especially for the work he did on the credit rating agencies, Wall Street credit rating agencies. Right now Standard & Poor’s is being prosecuted by—or sued by the DOJ for about \$5 billion. Part of what they are using are emails the Permanent Subcommittee on Investigations obtained, in which basically the credit rating agencies internally were saying we better give this a AAA rating; otherwise, we are going to lose our business. That in no small way led to the meltdown we had because all this junk was getting AAAs and those were bets on bets on bets and that is what led to the meltdown.

CARL always seems to go to where that kind of top-down fraud or malfeasance is going. When we talk about—as



he opened, as SHERROD mentioned when he talked about the disparities and how this is rigged very often from the top down, talking about the offshoring and the work they did in PSI, the Permanent Subcommittee on Investigations—that is, on tax havens on inversions—and I hope to take that up as CARL leaves.

CARL leaves a lot of unfinished business. Everything that has been said is who CARL is. Everyone should know that. One thing that has not been said is hamisha. CARL, you are one of the most hamish men I have ever known. Thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine is recognized.

Mr. KING. I wanted to speak very briefly, because as Senator MANCHIN pointed out, I am the most junior person in the place.

I want to say a couple of things about CARL LEVIN. As has been said here repeatedly, CARL is a man of immense intellect and character, and I wanted to explain how that came to be. I thought that would be important to lay on the Record.

It came to be because CARL LEVIN and his brother spent their boyhood summers in the State of Maine. That imparts character to anyone who is lucky enough to have that experience.

Secondly, I want to mention—because it has been mentioned several times—about the travel. I had the great good fortune to travel after having been here about 6 months. CARL and I—as members of the Armed Services Committee—went to Turkey and Jordan to try to get some insight into the situation in Syria. My only advice to anyone in this body is if you are ever invited to travel with CARL LEVIN, spend the prior 2 or 3 months in the gym. I have never been so exhausted in my life, and we would be at 10 p.m., after all-day meetings and touring of refugee sites, and CARL would say: Can't we have another meeting? Isn't there someone else we can talk to? His absolute passion for information and data upon which to make decisions is I think exemplary.

The final thing I want to note is—and it has been talked about how he is a Senator's Senator, which is certainly true. My observation and in fact my experience this year in the markup of the National Defense Authorization Act is the highlight of my experience in this body. The reason it is, is cause it worked like it is supposed to work. We had 2/2 days of markup. They were about 10-hour days, as I recall. There were over 200 amendments. Through CARL's leadership, most of those amendments were compromised and worked out between the parties and between the individuals who were moving the amendments, but we ended up with about 20 we couldn't resolve in that way. I was so struck by this. I went back and looked at the record of that markup. Of the 20 amendments that were voted on in the committee, not a

single one of those amendments was decided on a party-line vote. There were votes of 13 to 12 or 16 to 4 or whatever the vote was but not a single party-line vote. I think that in itself is an extraordinary achievement in a body that is often driven by partisan divisions. I think it is attributable in large measure to CARL LEVIN's leadership.

Everybody had their say. Everybody had their opportunity to put their thoughts forward. Everybody had an opportunity to get a vote if they felt that was necessary. Of course, in the end, the bill came out of the committee—I think it was 25 to 1—and that is what legislating is supposed to be all about. That is a lesson for us because people felt they got their amendments, they got their discussion, they got their ideas out. Even if they weren't successful, at the end, they voted for the bill because they were invested in the process. That is what I learned from this man who I think has been an inspiration for those of us who are coming along behind. Again, I am so honored. One of the great joys of my life has been to serve with you for 2 years. One of the great sadnesses of my life is it is only 2 years, but I deeply appreciate what you have done for this body and for the United States of America.

Mr. LEVIN. Thank you.

Mr. KING. Bless you.

The PRESIDING OFFICER. The senior Senator from New York.

Mr. SCHUMER. My good friend from Iowa is waiting patiently, so I will curtail my remarks. I would like to say to my dear friend CARL—whom we will all miss—if we had to put a headline on what is happening today, it is: “Mr. Integrity Retires from the Senate.”

There is no one in this body on either side of the aisle whose integrity is more respected than yours. At these times in America, where people have such distrust of government and elected officials, to have somebody who is so widely trusted by his constituency and by the Members of this body who have worked with him closely over the years on both sides of the aisle is a real tribute. You are Mr. Integrity. That is one of many reasons we will miss you.

Again, I have more to say, but in deference to my dear friend from Iowa, who I see is ready to roll, I will yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. I will be brief as well and say that I am going to miss my colleague, and I told him that personally. I want to share a couple of reasons. One, as a new Member on the other side of the aisle, when I first got here, CARL—whom I had gotten to know a little bit through his brother, who I see is on the floor today, who has fought many fights with him on the squash court, but they remain dear friends. He came to me and said: You ought to join the Auto Caucus. I am not a big caucus guy. Most caucuses

don't do much in this place, and then I saw what he was doing with the Auto Caucus and he agreed to allow me come on as cochair. We had an opportunity to help fight for the auto-workers in Michigan and Ohio and around the country make sure that the renaissance of the auto industry is sustained. As I am sure has been said by many here today, he went out of his way to make it not just by bipartisan but nonpartisan. He does his homework.

We share some committee assignments. We don't always agree. Sometimes we disagree on fundamental issues. He is always prepared and does his homework and has the best of intentions. That says a lot for him and the reason he is viewed as such a leader of the Senate. When I got here, I was honored to serve on the Armed Services Committee. There we were able to work together on a number of projects, including ones that frankly he may not have normally thought were priorities but because I was a new Member and interested in helping my State and on specific projects, he stood up for me. I will not forget that. We have done legislation together and had the opportunity to work together on important projects that have to do with the Great Lakes, including Great Lakes restoration, where he has been a nonpartisan partner. I join my colleagues on both sides of the aisle and say this is one of those giants of the Senate who will be missed.

Although I have only been here for 4 of his many years of service, I was privileged to serve with him.

I yield the floor.

Mr. HATCH. Mr. President, I wish to pay tribute to the senior Senator from Michigan, CARL LEVIN. I have known CARL for many years and am grateful for his friendship. Throughout his career, CARL has always put the needs of Michigan and this nation above his own.

Senator LEVIN was born in Detroit in 1934 and has called Michigan his home nearly his entire life. As a young man, he left only briefly to attend Swarthmore College and later Harvard Law School. After passing the Michigan Bar, CARL worked for five years in private practice in Detroit before beginning his career in public service. He first served as General Counsel for the Michigan Civil Rights Commission from 1964 to 1967. CARL then entered elected office, serving on the Detroit City Council from 1969 to 1977.

In 1978, Senator LEVIN successfully ran for a U.S. Senate seat and has never looked back. He has since won five more elections to become the longest-serving Senator in Michigan history. CARL chaired the Armed Services Committee from 2001 to 2003 and again from 2007 to the present. Whether it was pushing for higher pay or ensuring that our veterans received proper medical treatment, CARL has always made sure that our soldiers and their families were well taken care of.

Senator LEVIN has also served as chairman of the Senate Permanent Subcommittee on Investigations. He has never had any patience for corruption or abuse, and so has been perfectly suited for this job. As chairman, CARL launched numerous investigations into high-profile issues, including the Enron scandal and abusive credit card practices. The findings of these investigations were crucial in helping us draft legislation to prevent future abuses.

Mr. President, Senator LEVIN has dedicated his life to public service, and his retirement is well deserved. He is an honest man who has served his country well. I wish him, his wife Barbara, and their family the very best.

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

Mr. LEVIN. I know that Senator HARKIN is waiting to speak. Senator HARKIN is truly one of the greatest Senators I have ever served with and Senator HARKIN is one of the greatest people I have ever known. He, Ruth, Barb, and I have spent quality time, which is not always true for many of us in the Senate to have that opportunity.

I thank everyone. The words have meant so much to me and my family today.

I am going to join my family now. I know TOM will forgive me for not listening, but I will be reading what you say. You, Ruth, Barb, and I will have some more quality time together—perhaps not as much fun as being in the Senate, but we will make the best of it. I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

#### FAREWELL TO THE SENATE

Mr. HARKIN. Mr. President, almost 2 years ago I announced I was not going to seek a sixth term in the Senate. That decision and that announcement didn't seem all that difficult or hard at that time. After all, 2 years was a long time off. Since then, I have been busy with hearings, meeting constituents, getting legislation through the HELP Committee, and working on appropriations.

But now, knowing this will be my final formal speech on the floor of the Senate; knowing that in a few days a semitruck is going to pull up to the Hart Senate Office Building and load hundreds of boxes of my records of 40 years—30 in the Senate and 10 in the House—and haul all of that off to Drake University and the Harkin Institute on Public Policy and Civic Engagement in Des Moines, IA; seeing my office at 731 Hart Senate Office Building stripped almost bare and the shelves cleaned; when I will soon cast my last vote; when I will no longer be engaged in legislative battle; when I will no longer be summoned by the Senate bells; and when I will soon just be No. 1,763 of all of the Senators who have ever served in the Senate—now the leaving becomes hard and wrenching and emotional. That is because I love the Senate. I love my work here.

It has been said by a lot of pundits that the Senate is broken. No, it is not.

The Senate is not broken. Oh, maybe there are a few dents, a couple of scrapes here and there—banged up a little bit—but there is still no other place in America where one person can do big things—for good or for ill—for our people and our nation.

I love the people with whom I work. This is a deaf sign. “I-L-Y” means “I love you.”

To the Senators, staff, clerks, Congressional Research Service, doorkeepers, cloakroom, police, restaurant employees, and, yes, the pages—and especially to those who labor outside the lights, the cameras, and the news stories—who make this Senate function on a daily basis, I thank you.

I particularly thank my wonderful, dedicated, hard-working staff, both present and past, both personal and committee staff. When I say committee staff, I mean the Appropriations Subcommittee on Labor, Health and Human Services, Education, and Related Agencies, which I have been privileged to chair or be ranking member of since 1989; also the Committee on Agriculture, on which I have served since 1985 and which I chaired twice for two farm bills, once in 2001 and 2002 and the second one in 2007 and 2009; and the Committee on Health, Education, Labor and Pensions, which I have chaired since the untimely death of Senator Ted Kennedy in 2009.

I first heard PAT LEAHY say this, so I always attribute it to him: We Senators are just a constitutional impediment to the smooth functioning of staff. This is truer than most of us would probably like to admit.

Also in thanking my staff, I don't just mean those who work in Washington. I would never have been re-elected four times without the hands-on, day in, day out constituent service of my Iowa staff. The casework they have done in helping people with problems is every bit as important as any legislative work done in Washington.

In 2012 our office marked a real milestone—100,000 constituent service cases that we processed since 1985. I cannot count the number of times Iowans have personally thanked me for something my staff has done to help me.

There is a story out our way that I have heard for a long time. It is a little story. If you are driving down a country road and see a turtle—see that image of a turtle—sitting on a fence post, you can be sure of one thing: It didn't get there by itself.

I can relate to that turtle. I didn't get here by myself. My staff helped. I thank my staff, both past and present, who so strongly supported me when I was right and so diplomatically corrected me when I was wrong and who all labored in a shared commitment to provide a hand up, a ladder of opportunity to those who had been dealt a bad hand in the lottery of life.

Mr. President, I ask unanimous consent to have printed in the RECORD a list of the names of my staff so they will be forever enshrined in the history of the Senate.

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

My Personal Office Staff: Brian Ahlberg, Elizabeth Stein, Lindsay Jones, Lilly Hunt, Sonja Hoover, Mandy McClure, Kate Waters, Susannah Cernojevich, Jim Whitmire, Richard Vickers, Katharine Jones, Jayme Wiebold, Joseph Petrzela, Eric Jones, Elizabeth Messerly, Lauren Scott, Mark Halverson, Eldon Boes, Tom Buttry, Michele Reilly Hall, and Richard Bender. Those staffers serving me in Iowa: Robert Barron, Amy Beller, Alexander Lynch, Pamela Ringleb, John Moreland, Jule Reynolds, Omar Padilla, Robert Hamill, Ryan Helling, Kimberly Taylor, Tamara Milton, Tom Larkin, Alison Hart, Jessica Gordon, Suellen Flynn, and Sandi O'Brien. My LHHS Subcommittee on Appropriations staff: Adrienne Hallett, Kelly Brown, Lisa Bernhardt, Mark Laisch, Mike Gentile, Robin Juliano, and Teri Curtin. Lastly my HELP Committee Staff: Derek Miller, Lauren McFerran, Molly Click, Abraham White, Jenelle Krishnamoorthy, Wade Ackerman, Andi Fristedt, Brian Massa, Colin Goldfinch, Caitlin Boon, Mildred Otero, Aissa Canchola, Amanda Beaumont, Brit Moller, Leanne Hotek, Libby Masiuk, Mario Cardona, Liz Weiss, Michael Kreps, Sarah Cupp, Zachary Schechter Steinberg, Kia Hamadanchy, and Lee Perselay.

Mr. HARKIN. Most of all, I thank my wife, Ruth, the love of my life, my wife of 46 years. You have been my constant companion, my soul mate, my strongest supporter, and my most honest critic. You have been my joy in happy times and my solace when things just didn't go right. So I am looking forward to more adventures, love, and excitement with her in the years ahead.

To our two beautiful, smart, caring, and compassionate daughters, Amy and Jenny, I thank you for always being there for your dad, for giving me such wondrous joy in being a part of your growing up. I am so proud of both of you.

To my son-in-law Steve and to my grand kids, McQuaid, Daisy, and Luke: Look out, because here comes grandpa.

There is so much I want to say, but I want to be respectful of those who have come to share this moment with me—my staff, here and there, my family, friends, and fellow Senators.

But I want to state as briefly as I can why I am here, what has propelled me, and what has been my guiding philosophy for all these years.

It has to do with that ladder of opportunity I just mentioned. You see, there is nothing wrong in America with being a success. There is nothing wrong with having more money, a nicer home, a nicer car, sending your kids to good schools, having nice vacations, and a great retirement. That is a big part of the American dream.

But I believe when you make it to the top, and you make it to the top, and you make it to the top, and I make it to the top, one of the primary responsibilities of our free government is to make sure we leave the ladder down for others to climb. Now, mind you, I said a ladder. I didn't say an escalator. An escalator is a free ride. Don't believe in that.

If you follow my analogy a little bit more, with a ladder you still have to



exert energy, effort, and initiative to get up. But, in order to do that, there must be rungs on that ladder. That is where government comes in, to put some rungs there—the bottom rungs—everything from maternal and child health care programs, Head Start, the best public schools, the best teachers, affordable and accessible college, job training.

Sometimes people fall off that ladder. Sometimes, through no fault of their own, they have an illness, they have an accident. That is why we have a safety net, to catch them—programs like disability insurance, workers' compensation, and job retraining programs to get them back up on that ladder once again.

Thirty-five years ago we looked around America and we saw millions of people who, no matter how hard they tried, could never climb that ladder of success. No matter how hard they tried, they could never do it.

These were our fellow Americans, our brothers and sisters with disabilities. So what did government do? We built them a ramp and we called it the Americans with Disabilities Act.

Again, we didn't build a moving walkway, did we? See, with a ramp, people still had to show energy and initiative to get up. I have often said there is not one dime, not one nickel in the Americans with Disabilities Act given to a person with a disability.

What we did is we broke down the barriers. We opened the doors of accessibility and accommodation, and we said to people with disabilities: Now, go on, follow your dreams, and in the words of the Army motto, be all you can be.

I can remember standing on the floor and leading the charge on the Americans with Disabilities Act. Once again, I felt a lot like that turtle, with a lot of people helping. When I think of the Americans with Disabilities Act, I think of people in the Senate such as Senator Lowell Weicker, Senator Bob Dole, and Senator Ted Kennedy; in the House, Tony Coelho, Steve Bartlett, and STENY HOYER; and in the executive branch, at the head of it all, President George Herbert Walker Bush, Attorney General Dick Thornburgh, and Boyden Gray. On the outside, there are people like Ed Roberts, Marca Bristo, Bob Kafka, and the indomitable Justin Dart.

Here the one person who worked his heart out to bring it together—it is that staff again I tell you about—is Bobby Silverstein. It would have never happened without him.

So I believe government must not be just an observant bystander to life. It must be a force for good, for lifting people up, for giving hope to the hopeless.

I have never had an "I love me" wall in the office. What I did have were two items by my door when I walk out to vote or go to a committee meeting or whatever. One is a drawing of a house in which my mother was born and lived in until she was 25 years of age when she immigrated to America. That little

house was in Suha, Yugoslavia, and is now Suha, Slovenia. That little house had a dirt floor and no running water. That was my mother's house.

The second item on my wall is my father's WPA card. It says: Notice to Report for Work on Project, WPA Form 402, to Patrick F. Harkin, Cumming, IA. You are asked to report for work at once on a project as a laborer for \$40.30 per month. There is a signature by a supervisor. It is dated 7/1939, 4 months to the day before I was born.

My father was then 53 years old. He had worked most of the time in a coal mine in southern Iowa, was not in the best of health. There were no jobs—no jobs. Life looked pretty bleak. Things looked hopeless. And then my father, who only had a sixth-grade education—as he told me later—got a letter from Franklin Roosevelt. He always thought Franklin Roosevelt sent this to him personally. He always said: I got that letter from Franklin Roosevelt, and I got a job.

That was important for a lot of reasons, not only for the money and the dignity of work, but it gave my father hope—hope that tomorrow would be better than today and that our family would stay together. You see, there were five kids and a sixth one on the way—me. It gave him hope that his kids would have a better future.

The project he worked on is called Lake Ahquabi. My friend Senator GRASSLEY knows about Lake Ahquabi. It is right south of Des Moines. It is a State park now, with a lake and recreation, and people still use it today.

Every Federal judge who is sworn in takes an oath to "do equal right to the poor and to the rich." Let me repeat that: to "do equal right to the poor and to the rich." Can we here in Congress say we do that, that we provide equal right to the poor and the rich alike? Our growing inequality proves we are not. Maybe we should be taking that oath.

There are four overriding issues I hope this Senate will address in this coming session and in the years ahead:

No. 1, as I mentioned, the growing economic inequality in America. It is destructive of lives, it slows our progress as a nation, and it will doom broad support for representative government. When people at the bottom of the economic ladder feel the government is not helping them and, in fact, may be stacked against them, they will cease to vote or they will turn to the siren song of extreme elements in our society. History proves this to be true.

I don't have a cookie-cutter answer or a solution, but it must include more fair tax laws and trade laws, more job training and retraining, rebuilding our physical infrastructure, and manufacturing. I believe it must include some things seemingly unrelated, such as quality, free early education for every child in America.

The answer to closing the inequality gap must include rebuilding labor unions and collective bargaining. If you traced the line over the last 40 years of the growing economic inequality

in America and also put that over another line showing the loss in the number of union workers, they are almost identical. I do not believe it is a stretch to say that organized labor—unions—built the middle class in America, and they are a part of the answer in strengthening and rebuilding our middle class.

I believe another part of the answer is raising the minimum wage to above the poverty line and indexing it for inflation in the future.

We need more flex-time laws, especially for women in our workforce.

We need to strengthen Social Security, as in Senator BROWN's bill—not cutting, not raising the retirement age, but strengthening Social Security.

We need a new retirement system for all workers in America—not another 401(k) but a system in which employers and employees contribute and which can only be withdrawn as an annuity for life after one retires. I ask you to look at what the Netherlands has, that type of retirement system. Lack of a reliable retirement is one of the most underreported, unexamined crises on our national horizon, and it is a big part of our growing inequality.

Finally, we must continue to build on the Affordable Care Act. The cost and availability of good health care has in the past widened that inequality gap, and we are now starting to close that element of the inequality. I believe we need to add a public option to the exchange as another choice for people. We must continue support for prevention and public health, moving us more and more from sick care to real health care.

I believe that the second overriding issue confronting us is the destruction of the family of man's only home—our planet Earth—through the continued use of fossil fuels. We know what is happening. The science is irrefutable, the data is clear, and the warning signs are flashing in neon bright red: Stop what you are doing with fossil fuels. We must shift massively and quickly to renewable energy, a new smart electric grid, retrofitting our buildings for energy efficiency, and moving rapidly to a hydrogen-based energy cycle.

The third issue I commend to the Senate for further development and changes in existing laws is the underemployment of people with disabilities. As you all know, ensuring the equal rights and opportunities for people with disabilities has been a major part of my work in the Senate for the past 30 years.

We have made significant strides forward in changing America to fulfill two of the four goals of the American with Disabilities Act; those two are full participation and equal opportunity. We have done all right on those. The other two goals—independent living and economic self-sufficiency—need more development.

I ask you all in the next Congress to do two things to advance these two

goals of independent living and economic self-sufficiency: First, help States implement the Supreme Court's decision in the Olmstead case to more rapidly deinstitutionalize people with disabilities and provide true independent living with support services. This will save money, and the lives of people with disabilities will be better and more truly independent. Second, we must do more on employment of people with disabilities in competitive integrated employment.

We all get the monthly unemployment figures every month. Last month unemployment held steady at 5.8 percent officially. My friend Leo Hindery has better calculations to show the real rate is probably about twice that figure. Also, we know the unemployment rate among African Americans is about twice that—11.1 percent. How many of us know, though, that the unemployment rate among adult Americans with disabilities who can work and want to work is over 60 percent? Yes, you heard me right, almost two out of every three Americans with a disability who want to work and who can work cannot find a job. That is a blot on our national character.

Thankfully, some enlightened employers have affirmative action plans to hire more people with disabilities. Employers are finding many times that these become their best employees; they are more productive, and they are the hardest working, most reliable workers.

I ask you to meet with Greg Wasson, the CEO of Walgreens, and Randy Lewis, who was the senior vice president there and is now retired. Walgreens has hired many people with disabilities in their distribution centers, and now Mr. Wasson has set a goal of 10 percent of all of their store employees will be people with disabilities. This needs to be emulated by businesses all over America. There are others making strides in this area. I will mention a few: Best Buy, Lowe's, Home Depot, IBM, Marriott. These are some of the other large companies that are moving forward, hiring people with disabilities. We need to learn from them what we, the Federal and, yes, maybe the State government can do to help in this area. We also need to implement policies to help small businesses employ more people with disabilities.

I dwell on this perhaps because I feel I haven't done enough on this issue of employment for people with disabilities, and we have to do better. I will say, however, that our HELP Committee passed this year and President Obama signed into law a new reauthorization of the old Workforce Investment Act, now named the Workforce Investment and Opportunity Act. In this law there is a new provision I worked on with others to get more intervention in high school for kids with disabilities to prepare them for the workplace through things such as summer jobs, job coaching, internships. However, this is just starting and fund-

ing is tight, but it will do much for young people with disabilities to enter competitive integrated employment. I thank all members of the HELP Committee for their support of this bill but especially Senator MURRAY and Senator ISAKSON for taking the lead to get this bill done, along with Senator ENZI, Senator ALEXANDER, and me.

While I am mentioning the HELP Committee, let me thank all members of the HELP Committee for a very productive last 2 years, during which we passed 24 bills signed into law by the President. These are important bills dealing with things such as drug track and tracing, compounding drugs, the Workforce Investment Act that I just mentioned, the Child Care and Development Block Grant Newborn Screening Act, and many more.

I would like to publicly again thank Senator LAMAR ALEXANDER for being such a great partner in all these efforts. Senator ALEXANDER will be taking the helm of this great committee in the next Congress. Senator ALEXANDER certainly has the background to lead this committee, but he also combines that background with a keen mind and a good heart, and I wish him continued success as the new chairman of the HELP Committee.

The fourth issue I hope future Senates will take care of concerns the U.N. Convention on the Rights of Persons With Disabilities. I don't think anything has saddened me more in my 30 years here in the Senate than the failure of this body to ratify the Convention on the Rights of Persons With Disabilities, or the CRPD, as it is known. It has been ratified by 150 nations. It is modeled after our own Americans with Disabilities Act. It has broad and deep support throughout our country—supported by the U.S. Chamber of Commerce, the Business Roundtable, veterans groups, every disability organization, every former living President, every former Republican leader of this Senate: Senator Dole, Senator Lott, Senator Frist. In November we received a letter from the National Association of Evangelicals supporting it.

I would also point out that Senator Dole has worked his heart out on this. If you remember, he was here on the floor 2 years ago this month, right before we brought it up. I thought we had the votes for it. Under our Constitution it takes two-thirds, and we failed by six votes. But Bob Dole has never given up on this—never.

Well, I hope the next Senate will take this up and join with the rest of the world in helping to make changes globally for people with disabilities.

I came to Congress—the House—in 1974 as one of the Watergate babies. But with my retirement and the retirement in the House of Congressman GEORGE MILLER and Congressman HENRY WAXMAN, we are the last of the so-called Watergate babies, with two exceptions. Among all of the Democrats elected in that landslide year of 1974, there were a few Republicans, and

one is left—my senior colleague from the State of Iowa, Senator CHUCK GRASSLEY.

I have the greatest respect for and friendship with CHUCK. Several weeks ago, here on the floor, he said some very gracious things about me, and I thank him for that. I especially appreciated his observation that even though he and I are like night and day when it comes to political views, there is no light between us when it comes to Iowa. We have collaborated on so many important initiatives for the people of Iowa, and I think we made a heck of a good tag team on behalf of our State. So, again, I salute and thank my friend and colleague of nearly 40 years, CHUCK GRASSLEY. Carry on, CHUCK.

The other exception I mentioned is again my lifelong dear friend, RICK NOLAN, who was in the 1974 class who voluntarily left Congress after three terms, returned to the House in 2012, and was recently reelected.

So 40 years later, this Watergate baby has grown up, gray.

I came to the Senate 30 years ago as a proud progressive, determined to get things done. As I depart the Senate, I can say in good conscience that I have remained true to my progressiveness.

I have worked faithfully to leave behind a more vibrant Iowa, a more just and inclusive America, and a stronger ladder and ramp of opportunity for the disadvantaged in our communities.

You might say that my career in Congress is the story of a poor kid from Cumming, IA—population 150—trying his best to pay it forward, saying thank you for the opportunities I was given by leaving that ladder and ramp of opportunity stronger for those who follow.

If I have accomplished this in any small way—if any Americans are able to lead better lives because of my work, I leave office a satisfied person.

So I am retiring from the Senate, but I am not retiring from the fight. I will never retire from the fight to ensure equal opportunity, full participation, independent living, and economic self-sufficiency for every disabled person in America. I will never retire from the fight to give a hand up and hope to those who have experienced disadvantage and adversity. And I will never retire from the fight to make this a land of social and economic justice for all Americans.

Let me close with a single word from American sign language.

On July 13 of 1990, I stood here and gave an entire speech in sign language. It confused Senator Kerry who was sitting in the Chair. He didn't know what to do. And the recording clerks didn't know what to do, either. But then I had to give it verbally. Well, I didn't want to do that today.

But there is one sign I want to leave with you. It says something powerful—powerful. One of the most beautiful signs in American Sign Language. And might I teach it to you?

Take your hands and put them together like this, put your fingers together, put your hands together like

that. You kind of close them, and it looks like an A when you do that. Now move it in a circle in front of your body.

That is it, pages, you have got it.

This is the sign for America.

Think about it. Think about it. All of us interconnected, bound together in a single circle of inclusion—no one left out. This is the ideal America toward which we must always aspire.

With that, Mr. President, for the last time, I yield the floor.

(Applause, Senators rising.)

The PRESIDING OFFICER (Mr. KAINE). The Senator from Iowa.

#### TRIBUTES TO TOM HARKIN

Mr. GRASSLEY. Mr. President, my colleagues who are waiting to speak to honor Senator HARKIN, I am not going to take the amount of time I did on his birthday. I want to tell my colleagues that what I said on his birthday, on November 19, I probably should have waited and said today.

But I want to speak about our working relationship, and I want Senator HARKIN to know that I have enjoyed my working relationship with him, together working for Iowa. I compliment him on the many accomplishments he has made. I consider him a friend. And as he goes back to Iowa, we will maintain that friendship, I am sure.

I would ask my colleagues if they would think about looking at what I said before on his birthday, because I am not going to repeat that here. But I think we ought to recognize that Senator HARKIN worked hard up to his last day in the United States Senate, because one of his works over the last 25 years was on inhumane labor issues around the world, and he traveled to Oslo very recently to honor a person who received the Nobel Peace Prize for that crusade, as well as all the good work that Senator HARKIN has done on it. And probably that person received the award because of Senator HARKIN so long suggesting that the individual deserved that attention.

I am going to be very brief today, since my prior remarks outlined our friendship and his record in some detail. It is in the CONGRESSIONAL RECORD for posterity.

Senator HARKIN and I have been a duo from our home State of Iowa for a long period of time. His voice is familiar. So is his point of view, so is his work ethic for the people of Iowa.

He has been a champion for individuals with disability, for the elderly, for early childhood education, nutrition, and wellness; for conservation, renewable energy, and the environment. We could go on and on about his passion for these causes, and many others.

Senator HARKIN's legislative accomplishments are numerous. He leaves a lasting body of work that improves the quality of life for people who don't always have a high profile in the Halls of Congress.

One of Senator HARKIN's greatest legacies is his ability to translate his drive and passion into legislative ac-

complishments. As the saying goes: He doesn't just talk the talk, he walks the walk.

Senator TOM HARKIN lives and breathes the causes important to him, and the United States and Americans have a better quality of life because of it.

It will be a new era when the Senate doesn't see him rising to speak in his characteristic fiery delivery. And it may not have been so fiery today, but he did speak with emotion about the things he believes in.

I am grateful for his friendship and his long service to the people of Iowa and the Nation. While I will miss him around the Capitol, I am confident I will see him at home in Iowa. Senator HARKIN is not one to turn off his enthusiasm for important issues, and I feel sure—and he has already told us today—he will continue his contribution to public service wherever and whenever the spirit moves him. And we know by his statement today it is already moving him. He has plans for the future to continue these crusades.

With that in mind, I will say so long rather than goodbye. Thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, I start by saying that as Senator HARKIN was so eloquently speaking today, it reminded me of a story of those going by the casket of President Roosevelt.

A reporter stopped someone and said: Did you know President Roosevelt?

And he said: No, but he knew me.

There are people across this country—people with disabilities, workers, folks trying hard to get up that ladder—who want to know there are rungs on it, or want to be able to stay in the middle class, who may not be able to say they know Senator TOM HARKIN personally, but he knows them.

We are so grateful, and I am personally grateful, for your friendship and your leadership and mentorship.

I want to speak for a moment as Chair of the Agriculture, Nutrition, and Forestry Committee, where I had to follow the tough act of Senator TOM HARKIN writing the previous two farm bills.

He has shaped agriculture and food and nutrition policy in the House and Senate for 40 years, having a tremendous impact, more than we can even imagine, in terms of not only advocating for Iowa farmers—and I knew every day what Iowa needed; that is for sure—and having both Senator HARKIN and Senator GRASSLEY on the committee gave the one-two punch for Iowa. But I have to remind all of my colleagues that Senator HARKIN really is the father of modern conservation, of protecting our water and our soil and our air, our wildlife habitat, our forests.

Senator HARKIN is the father of modern conservation. He wrote the conservation stewardship program that he created in 2002 and expanded on in 2008,

and we protected it in the last farm bill.

Mr. HARKIN. Thank you.

Ms. STABENOW. And he gave new strength to the farm safety net for all of our growers. He has been at the forefront of an energy future that he talked about today, driven by renewable energy and moving forward to get us to cleaner sources of energy. That creates jobs, as I know has happened in Iowa because of his leadership. So we thank you.

There are so many things—the fresh fruit and vegetable program in schools where children in low-income schools have an opportunity to eat an apple rather than something out of the vending machine that isn't good for them, the opportunities for children to have healthier choices. Senator HARKIN has led over and over and over again. I can go over every part of our agriculture and food policy improvements that have been made that have been led by Senator TOM HARKIN, and we are so grateful.

Senator TOM HARKIN has been a personal mentor for me. In the toughest times of getting this last farm bill done, Senator HARKIN gave me words of advice and wisdom—and many times encouragement—and for that I am very grateful, and have learned so much.

I secondly want to thank Senator HARKIN for being a hero for generations of people with disabilities, including people in my own family, who have had doors opened because of what he has done. The Americans with Disabilities Act revolutionized the possibilities and the opportunities for people. And it is about opportunity; it is not about giving people something for free, but opening doors which they still have to walk through. Senator HARKIN has done that in a way that will be with us forever, when we look at building structures and opportunities in workplaces for people who want to work but just need a little different kind of opportunity and now have that available.

It was clear when Senator HARKIN spoke about his family how it shaped his sensibilities and passions. I remember his speaking about growing up in a two-bedroom house in Cumming, IA, that he shared with his parents and five siblings. That is pretty challenging. Growing up with his brother Frank who was born deaf gave him an understanding of the obstacles to those with disabilities and a commitment came from his heart and soul about making life better—and he has. You have.

I recall also when he talked about his father losing his 40-acre farm, and the New Deal giving him a chance to support you and to support your family despite the fact that he had a sixth grade education. He had the opportunity to move ahead and work hard because somebody out there, who didn't know his name, gave him an opportunity to do so, which is what is our job to do.

I know Senator HARKIN's crusades to protect workers on the job was influenced by witnessing his father struggle with black lung disease, looking at him as a coal miner and what he went through.

I believe Senator HARKIN is the definition of a self-made man. He grew up taking advantage of opportunities as well as enduring the challenges and the circumstances of his life, transforming and using that experience to create better opportunities for everyone across the country.

He is a patriot, having served in the Navy. He gained his education through the GI bill and understands that is an important part of creating opportunity and giving back to people who serve for us and lay their lives on the line for us.

I know you are totally committed in your heart and soul to education starting at birth right on through for the rest of our lives.

So I want to thank you, finally, for your leadership on the HELP Committee, your hard work and your passion in health care, your support working with me on mental health care, your efforts on education, your efforts in pensions—which, by the way, are promises we need to keep. All of the things you have done through the HELP Committee are things that will last for a long time to come.

I know in Iowa, thanks to you, there are 8 times more community health centers than there were 25 years ago—wow—so somebody can see a doctor and they can take their children to a doctor, which will live on in their lives.

I want to thank you for being someone who knows how to make laws, somebody who wants to solve problems, who in his heart and soul is passionately, lovingly concerned about our country. I know that you and Ruth and your daughters and your grandchildren will have many more opportunities to enjoy each other's lives but know there are people in this country who are enjoying opportunities because of you, and we salute you.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Senator HARKIN's legacy is he stands as a champion of Americans with disabilities. It will be a long time before there is a greater champion of Americans with disabilities in this body and I salute him for that.

I salute him secondly for his leadership and style of leadership. I had the privilege of the last 2 years as ranking member of the HELP Committee. Senator Kennedy used to say that we have 30 percent of the jurisdiction of the Senate, and it seems like it sometimes. If you know our committee, down one row is the murderers' row of liberals or progressives who are of the Democratic persuasion; and down the other side is a pretty good row of conservatives of the Republican persuasion—12 on this side, 10 on this side. So we have plenty of differences of opinions and we don't

hesitate to express them. Yet during these 2 years, Senator HARKIN and his leadership style have found a way for there to be 24 pieces of legislation, signed by the President of the United States, many of them very significant, some of which took several years to do, whether it was the compounding pharmacy, which was so important in our State, the tragedy of meningitis from unsterile products; whether it was the track-and-trace legislation or the changes in workforce development that gave more discretion to Governors and the citizens in their communities. His style of leadership permitted that to happen and I am grateful to him for that. I would suggest to the Senate as we look forward to a time when the Senate might be more functional and more productive that one way to earn the respect of the people of this country for this body, which is supposed to be the one authentic piece of genius of the American political system, is to look at the way the Health, Education, Labor, and Pensions Committee has operated over the last 3 years under the leadership of Senator HARKIN. I salute him for his service and I thank him for that.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. FRANKEN. I rise to talk about Senator HARKIN. As the soon-to-be Chairman of the HELP Committee, Senator ALEXANDER is right about the HELP Committee, it is an important committee. Sometimes I say it is not that important unless you care about your health, your kids' health, your parents' health, your kids' education or your education, if you want to work sometime in your life, and you plan to retire. Other than that, it is not very important.

But I want to talk a little bit about TOM HARKIN, not as a Senator but as a staffer. We have seen today when the Senators give their final speeches, they talk about their staff. TOM came in 1969 as a staffer for Neal Smith from Iowa. The staffers, as much as we treasure our staffers, they love this work for their Member and they love working in this institution, and they love working in Congress—at that point he was in the House. So at this point he is, I believe, 29 or 30 years old. This was during the Vietnam war, and there was something called Vietnamization. President Nixon asked a congressional delegation to go to Vietnam to look at how Vietnamization was working and what was going on. While TOM HARKIN was there as a staffer, a couple of Congressmen were told about some conditions on an island called Con Son where there were prisoners that the South Vietnamese Government was abusing very badly. The Congressmen requisitioned a plane to go to Con Son, about 100 miles off the coast of the mainland of Vietnam, and I believe the supervisor of the group who was there to talk about the Vietnam prison system said this was sort of like a Boy Scout recreational camp—that is exactly what he said.

So when they landed there, TOM took a couple staffers and Members, got a map from someone who had told him about this secret prison, and found it, where there were people being horribly abused. TOM took pictures. TOM was told to turn over the film. TOM didn't turn over the film. TOM was then told that his employment in the Congress depended on him turning over that film—a 30-year-old staffer at the beginning of what most staffers hope is a career. That film showed up in "Life" magazine and had a profound effect, and TOM's career was over.

That takes a lot of guts. That takes courage. That takes the courage of your convictions, and that is what I have seen in TOM HARKIN. I learned about this when Franni and I went with Ruth and TOM on a codel to Vietnam. I just spoke about CARL LEVIN and talked about a codel with him, and I talked about this codel with TOM. I have got to go on more codels, I just figured out.

This is what I observed, because this was the Chairman of the HELP Committee, and I got to watch that courage and that courage of his convictions, as well as what LAMAR talked about, working well across party lines.

I hold the seat that Paul Wellstone formerly held. I would say that TOM was Paul's best friend. TOM every once in a while talks about his brother and the experiences behind TOM's signature achievement, the Americans with Disabilities Act. Paul Wellstone led on mental health and mental health parity, and that was because of his brother. And that is the legacy I want to carry on. I have not had Paul here to be a role model, but I have had TOM HARKIN, and it has been a privilege.

I thank the Senator.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, we are going to continue with the Minnesota theme, and I think Senator HARKIN knows that our two States, Minnesota and Iowa, share more than just a border. We share a lot of people with relatives on either side of the border. I cannot tell you how many of my friends have their roots in Iowa and how many people in Iowa have their kids in Minnesota.

We also share citizens who have a strong sense of involvement. We have some of the highest voter turnouts in the country. We both have notorious caucus systems where people like to turn out and make their views known, and our States have produced politicians such as TOM HARKIN and Hubert Humphrey, who came up through that tradition and understand that you are there to represent the people of your State because when you go home, they actually come up to you in grocery stores, on the street, call you by your first name, and understand that you are there to represent them.

We also share farming and we share this enormous belief in science. We actually share Norman Borlaug. There is

a new statute—the Presiding Officer must go see it—of Norman Borlaug in Statutory Hall. He was born in Iowa and studied in Iowa, but also studied at the University of Minnesota. He created the Green Revolution, which has helped so many impoverished people in countries all over the world by reducing hunger.

TOM HARKIN has followed in that tradition. He believes in science, believes in investing in agriculture research, and believes in investing NIH.

The other thing about TOM and me that I knew no other Senator would address is our Slovenian heritage. When TOM leaves—and I see Senator BROWN is here—and with the former Senator from Ohio, Senator Voinovich, no longer here, I will remain, I think, as the only Slovenian Senator here. I am hoping someone will come forward and tell me they have Slovenian blood. For a while 3 percent of the U.S. Senate had roots in Slovenia, which is very interesting given how infinitesimal the population of the country is compared to the rest of the world.

TOM loves his Slovenian roots. Like TOM, my ancestors came from Slovenia to America to work in the mines. It is a big part of our lives and what we believe in.

One time TOM came to my Minnesota Morning breakfast and saw that every Thursday I serve potica to my constituents, and that is unique to Slovenians. It is a rolled dough with either apples or walnuts in it. My grandma used to make it. She would literally borrow card tables and roll the dough throughout her entire kitchen.

I found a number of places on the Iron Range of northern Minnesota, where my dad grew up, that make this potica, and we bring it in.

TOM came and tried it and decided that for Christmas he would send a potica to every Member of the Senate for Christmas. He called my office and said they don't make it in Iowa. I said, let me give you the name of a baker on the Iron Range. He personally called this woman and said: This is TOM Harkin. I am the Senator from Iowa. I am calling to order 100 poticas from you, one for every Member of the Senate for Christmas. And in very gruff Slovenian fashion, she said: I am sorry, it is Christmas, and we are booked. We do not have the poticas to send to Washington, DC. Then he said: I don't know if you know who I am. I chair the Agriculture and Forestry Committee—big forestry area—of the Senate. And she said: I know exactly who you are, but we do not have the poticas to send to Washington.

So at that moment, he called me. I gave him the names of a number of other bakers, he found one, and every Senator got a potica for Christmas.

The last thing I will say about TOM that we share in common—we both represent States that believe in helping people who are the most vulnerable. He did that with his support for small farmers with the farm bill, and he did

that in his support for the disability community.

I was at the House this week talking about the ABLE Act with some of the Members, and to a tee, every Republican brought up—because TOM could not be there—TOM's work on the ABLE Act. They knew we would not have the bill that Senator CASEY worked on without TOM Harkin, and, as you know, this is just the next step for the disability community. It will allow parents and grandparents and friends and neighbors to set up funds so that if they are not there when this young person grows up, there will be money set aside for them.

TOM Harkin was Paul Wellstone's best friend in the Senate. Paul would say: Politics is about improving people's lives. That is what TOM has done every day in the Senate.

Thank you, TOM.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. Mr. President, in January of last year, I walked onto the Senate floor for the second time in my life. The first time that I got to be on the Senate floor was in 1995 when I was an intern for my Senator, Chris Dodd. Back then it was a little bit easier for interns to come here, and he brought me down to the Senate floor one afternoon.

I knew what I wanted to do. I had a small handful of people I wanted to meet. I don't know if I ever told this to TOM, but I wanted to meet TOM HARKIN, and I got to do that. Twenty years ago he was a giant in the Senate. The one point I wish to make is this—I had the chance to serve with TOM on the HELP Committee and I have seen his legislative ability and the respect he commands here, but I have only known him for 2 years.

Anyway, the point I want to make is that the effect he has had on the legislative process stands as an achievement in and of itself. I would argue that I am one of tens of thousands of public servants who decided to go into this line of work, decided to care about the kind of things I care about because I watched TOM HARKIN on TV growing up.

I came from a family that was non-political. My parents were both registered Republicans. There is no genetic reason why I do this other than seeing people like TOM fight on behalf of the disabled and the disenfranchised and the dispossessed. He gave me the idea that there was some worth to being in this line of work. If you grew up after Vietnam, you were taught this was crooked or not worth being a part of, and then there was a handful of people like TOM HARKIN who told you it was worth being a part of.

The legacy that Senator HARKIN will have—whether it is the farm bill, the Americans with Disabilities Act, or the Workforce and Investment Act, that is all you need to leave this place fulfilled. But to think there are tens of thousands of people who, like me, are

doing this kind of work and trying to keep up the legacy you are going to leave is something to be proud of as well. I feel lucky to be a Member of this body in part because I got to meet TOM HARKIN 20 years ago, I was able to follow his lead, and I was able to be inspired by him.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. TOM HARKIN is my hero. TOM HARKIN has never shied away from a fight when it comes to workers rights not only for Iowa but for workers all across the country and workers around the world.

He has come to many of us repeatedly and said: Don't forget what our obligation is to the community of men and women around the world who labor with their hands, who fight challenges every day, who are abused in the workplace, who are abused as children in the workplace, and TOM HARKIN has been the single strongest voice for as long as I can remember for those workers.

TOM comes from a right-to-work State. It is not always easy to stand up for labor unions and organized labor. We have a press and media in this country which is consistently anti-labor.

We have a political class in this country at every opportunity that tries to undermine organized labor and undermine the rights of human beings to organize and bargain collectively, and TOM recognized that is one of most important rights that human beings have.

TOM HARKIN, being from a right-to-work State, knows he will face a difficult election darn near every 6 years. One of the little-noted historical facts about TOM HARKIN—and I have not heard anyone else mention—is that Senator HARKIN has defeated more incumbent Members of Congress than any elected official in United States history, and that is not because of the luck of the draw or some lottery in Des Moines or Iowa City or Davenport. It is because TOM HARKIN doesn't shy away from his strong beliefs in the rights of humanity—organizing and collective bargaining rights. When you are willing to stand up day after day—not just in quiet groups in the Democratic Caucus—on this floor and you are willing to stand up in Dubuque and the more conservative parts of southwest Iowa and argue for labor rights, you are saying to the other side: Bring them on. Bring on big money, bring on anti-labor forces. He expected to have tough elections, and that is why TOM HARKIN is my hero and always will be.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, I too rise to share a few comments about my friend TOM HARKIN who has contributed so much to this fight and to put rungs on the ladder so ordinary people across America have a fair shot to thrive.

When I first came out here as an intern in 1976, you were already over on



the House side—no, not yet. It was about 1974, and I was working away, so I didn't get to meet you then. But there were a series of speeches by Senators when I was an intern here on the Senate side, and one of them was by Hubert Humphrey.

Hubert Humphrey was well known for saying that a society should be judged by how they treat those in the dawn of their lives, children, the twilight of their lives, seniors, and those who are in the shadow, the sick and disabled. When I think of that vision, I see TOM HARKIN. I see TOM HARKIN fighting for children who are oppressively working around the world under unacceptable circumstances. TOM HARKIN carries out the fight for those children and for children's health care.

I have seen him fight for our seniors, and just this week he was speaking passionately about the obligations we have to honor the retirement strategy so people can serve their senior years in dignity. He fights for those who are disabled, which we have heard about so much today.

I thank TOM HARKIN for taking his years on this planet and dedicating them to this battle for those in the dawn of their life, for those in the twilight of their life, and for those in the shadows. No one has done a better job.

I also wish to thank TOM for the recent battles I have had a chance to be a part of—the fight to end discrimination in the workplace for our LGBT community, which you shepherded through your committee and got to the floor for the first time in which this bill has been enforced since 1996, and proceeded to pass by a 2-to-1 bipartisan majority because of that firm foundation laid out in the committee.

I wish to thank you for your minimum wage bill and for saying to America: Here is a vision: No one who works full time should live in poverty. That is absolutely right. We didn't win the battle over minimum wage, but we advanced the conversation—you advanced the conversation. I thank you for doing so, and for carrying out battle after battle, and in so many cases, succeeding. And in those cases when the circumstances weren't yet all lined up, you continued the fight, carried the voice so we would find that moment in the future when we could secure a victory for ordinary working people, for those who are disabled, for our children, and for our seniors.

I thank you for your service in the Senate. Well done.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. The Senator from Oregon has thanked TOM for his service in the Senate. I wish to thank him for his service before he was in the Senate when he and I were kids—well, not exactly—but when we served in the United States services. We spent some time in airplanes—not in the same airplane, but roughly at the same time. A lot of times people come up to me and thank me for my service in the Navy—

and I am sure they do that with you—and I tell them that I loved it. I loved the men and women I served with, I loved the missions, and it was an honor to do that. I wanted to start off by thanking you for that, and to say that is one of the bonds which has drawn us together as friends right from the start.

The Senator from Oregon mentioned your strong effort to raise the minimum wage, which ultimately was not successful. I want to mention a couple of issues I have had the privilege of working on with you that I think have been very successful. There is a battle that needs to continue to be fought, and I plan to continue to do that, and my hope is that you and others will do it too.

As veterans, I know how important the GI bill was for me and for you as well. I think we got about \$250 a month on the GI bill, and I was happy to have every dime of it. I moved from California to the University of Delaware when I got out of the Navy, got an MBA, and I still flew for the Navy and the Reserves, and it was a huge help for me.

The folks who get the GI bill today come back from Afghanistan and Iraq or wherever, and if they have served for 3 years they get the GI bill, as you know, and that means they get full tuition. If they go to the University of Iowa, Delaware State, Iowa State, they get free tuition. They get free books, fees, tutoring. In my State they get a \$1,500-a-month housing allowance. That is the GI bill today.

There are a bunch of colleges around the country that—just as they did when my dad came back from World War II or when my Uncle Ed came back from the Korean war, others have come back from Vietnam and so forth—there are scam artists involved with postsecondary training schools, sometimes colleges, and they see the GI with that benefit, and they see it as if it were a dollar sign on their back, and they want to go after the dollar sign and separate the value from the benefit.

The Senator from Iowa has worked on this so hard, trying to make sure—there are plenty of for-profit postsecondary schools and such that do a good job, and there are some that don't. Nobody has been as active in trying to make sure that we clean this up as you have been, my friend, and my friend from Illinois, DICK DURBIN, and I am pleased to be the wingman on this. I promise that Senator DURBIN and I aren't going away. The folks who do this job right, the for-profits that are doing a good job by veterans and taxpayers, we salute them; and those who do not, we are going after them. So I thank you and your staff for standing up for veterans consistently.

The other thing I wanted to mention is that many people are having lunch right now across the eastern part of our country, maybe getting ready, over in Iowa, to have some lunch. If people go into a chain restaurant where there

are 15 or more restaurants in that chain across the country—I think it is 15 or 20—they look at the menu to order, and right there they see the calories. If they want more information about the fats, trans fats, the amount of sodium in the food—all kinds of information—they get it.

We are a nation where obesity is a huge problem, a huge cost driver in health care. I thank the Senator for leading the charge on menu labeling, which is the reality in our country, and you should feel good about that. I feel very good about that.

It has been a blessing knowing you and serving with you, TOM. There is an old saying: Flattery won't hurt you if you don't inhale. You are having a lot of flattery thrown at you here today, so don't breathe too deeply and you should be OK.

We thank and salute you and your wife Ruth and your family. In the Navy, when people have done a really good job, we say words like "bravo zulu," and I say bravo zulu to you. When people are ready to weigh anchor and sail off into the sunrise, we say things like "fair winds and following seas," and I say that to you as well. God bless you.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. I will speak briefly because I put a statement in the RECORD, but I just want to say, TOM, that next to the State of Illinois, I spend more time campaigning in your State of Iowa than any other State. Obviously the Presidential caucus brought me over there, and I have come to know your home State of Iowa and to appreciate that even though there is an extraordinary Iowa-Illinois democratic organization, it is a tough State and there are elections that are hotly contested.

I recall that when I was running for the Senate in 1996, you called into our headquarters and spoke to my campaign manager, who said: How is it going, Senator HARKIN?

And you said: I am besieged.

It was a tough campaign, but you survived it and many others. I think it is because of two things: No. 1 is your dogged determination, and No. 2 is your commitment to values that you have never given up on.

I think there is an authenticity to TOM HARKIN that has saved him in tough years. People who disagreed with you respected you because you stood up for what you believed in. Some of the ideals you and I believe in may not be as fashionable politically as they once were. There was once a time when I worked for a man named Paul Douglas who called himself in the Senate "a good liberal." You don't hear that word much anymore, do you? But the fact is, those of us who believe there are moments in our Nation's history and in the lives of ordinary people where the American family, through our government, needs to step in and help—and you have done it. You have done it so

many times. I won't repeat all that has been said, but whether you were fighting for working families, fighting for the poor, fighting for the disabled, fighting to make sure every family had peace of mind when it came to food safety—I am not sure that has been mentioned, but the Senator from Iowa worked on that, and I thank him for that leadership and inspiration.

Finally, let me say I have been happy to team up with you on this issue involving for-profit schools.

I will tell my colleagues that the Senator's hearings set a standard in terms of asking the right questions and hard questions of an industry that by and large exploits young people and their families, sinking these kids deep in debt at the expense of American taxpayers and doing it many times with the promise of nothing but a worthless diploma when it is all over.

I know, because I have tried, that the industry—the for-profit colleges have friends in high places in Washington, DC. I can promise you this: As long as I can do it physically, I will continue to wage this battle in your name and in your memory because of all your leadership in this area.

Thank you for being a friend. Thank you for being a neighbor. And thank you for really standing up for the right causes over the course of your public service.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Mr. President, I am going to be brief. The truth is that the Senator we are honoring right now, TOM HARKIN, will go down in history as one of the great Senators of this particular period in American history. Not many Senators, if any, have a list of enormous accomplishments anywhere close to what Senator HARKIN has accomplished.

I would like to tell my colleagues a little story. It turns out that coincidentally, really, I have traveled with Senator HARKIN to a number of places around the world as part of congressional delegations. Like most congressional delegations, we meet with the leadership of the country, the President and so forth. But what was interesting in traveling with Senator HARKIN is wherever you go, he gets honored by ordinary people in those countries.

We went to Vietnam a number of years ago. Many people will not remember, but the truth is that one of the very first people ever to expose the terrible prison conditions that the South Vietnam Government had established was TOM HARKIN. So we go there and we meet people who had been imprisoned in tiger cages, and they said: Senator HARKIN, thank you very much for exposing those conditions and improving our lives.

There was a very emotional response.

Then I go with him to Ghana, and it turns out that in Ghana and in countries in Africa, TOM HARKIN had been a leader in fighting against child labor. There were kids 8 or 9 years of age who

should be in school who were out picking crops. And TOM HARKIN, working with people all over the world, had a real impact on getting those kids into school.

We went to a school, a beautiful school which is partially funded by the U.S. Government. We have bright kids who are in school, and they were so proud of the assistance we had given them, where they were in school and not working in fields.

Then we go to Chile. We go to Chile and we meet with the President of Chile, all the dignitaries of Chile. Who knew this? We go to Chile, and TOM HARKIN gets an award from the government.

In the very dark days of the Pinochet government, when the democratically elected President of Chile, Salvador Allende, was overthrown in a violent coup by Pinochet—with, unfortunately, the assistance of the U.S. Government—and people were rounded up and put into prison camps and tortured and killed, TOM HARKIN goes knocking on the door to one of the prison camps. He goes knocking on the door—pretty crazy, but that is what he did. He was met with soldiers with guns. But he exposed that particular prison camp and played a role in facilitating the ending of some of the more barbaric actions of the Pinochet government.

Those are three trips I made with him. That is about all. I am sure he has gone on other trips. That is a pretty good record, internationally.

Then, back home, in terms of disability issues, I can remember and others can remember that 30, 40, 50 years ago, families had kids born with disabilities, and often those kids were institutionalized, they were hidden, they were an embarrassment to the family. Something bad happened; there was a child with a disability—Down syndrome, whatever it may be. Think about the revolution that has taken place, the mainstreaming of those kids. I know in Vermont and all over this country, kids with disabilities who are sitting in classrooms right now, loved and respected by their fellow students, educating their fellow students, making them more human, more compassionate. I think many of us have been to high school graduations where people with disabilities get their diploma and people stand up and applaud those kids.

There has been a transformation of the culture in terms of how we deal with people with disabilities through the Americans with Disabilities Act. That didn't happen by accident. TOM HARKIN wasn't the only person who did it, but he helped lead the effort here in the U.S. Congress to say that people with disabilities are part of the human community and we are going to treat them with the dignity they deserve.

Then we have all the other issues that people have talked about. Probably nobody in the Congress has been a stronger fighter for working people and organized labor than TOM HARKIN.

I think people come here, regardless of political persuasion, to try to make a difference and do what they think is right. We disagree about what is right, but I think when we look at the list of accomplishments and the enormously hard work that has gone into those accomplishments, this man, TOM HARKIN, will go down as one of the great Senators of our period.

TOM, thank you so much for all you have done.

Mr. HATCH. Mr. President, I wish to recognize a dear friend, Senator TOM HARKIN. Senator HARKIN will be retiring at the end of the month, but his influence will be felt long after he leaves this Chamber. I speak for all of my colleagues when I say he will be sorely missed.

I consider myself lucky to have worked with TOM, and even luckier to call him a friend. TOM has devoted his life to public service.

Like any good statesman, TOM is humble about his achievements. Humility is a trait so often lacking in accomplished men, but TOM is an exception. The allure and glamor of Beltway life never held sway over TOM, and his years spent in the Nation's capital have only shown that he is an Iowa man through and through.

The only thing that runs deeper than TOM's Iowa roots is the corn that grows there. TOM still lives in the very same house in the very same town where he was born—Cumming, IA, population: 383—a far cry from this bustling metropolis. His family still keeps a farm in Cumming, and I am sure he looks forward to spending many peaceful days there in his retirement.

TOM grew up in a family of modest means. His father was a coal miner and his mother a Slovenian immigrant who passed away when TOM was just 10 years old. From an early age, TOM developed his signature work ethic by taking various odd jobs on farms, at construction sites, and even in a bottling plant.

TOM's service to our Nation began long before he came to Congress. He attended Iowa State University on a Navy ROTC scholarship and served as an active-duty Navy pilot for 5 years after graduation. Even after his full-time military service, he continued to serve as a pilot in the Naval Reserve. TOM is a man who always has and always will put our country first. Even though he and I often disagreed on matters of policy, I always knew that TOM had the best interests of our Nation and those of his constituents in mind.

TOM and I first became good friends when I joined him in sponsoring the Americans with Disabilities Act in 1989. At the time, TOM was a first-term Senator approaching reelection, and to support the ADA was politically risky. But true to form, TOM bucked political expediency to champion a law that the

late Senator Ted Kennedy would describe as the “emancipation proclamation” for those with disabilities. Although the ADA faced serious opposition, passing this legislation was personal for TOM, whose brother, Frank, grew up deaf, and whose nephew was quadriplegic. In the lives of these loved ones, TOM saw how lack of opportunities for persons with disabilities could make their lives all the more challenging.

My friendship with TOM was forged in the battles we fought to move the ADA through both chambers of Congress. I will never forget the day the Senate passed the bill in 1989. After the vote, TOM and I left the floor and walked into the anteroom, where there were hundreds of persons with disabilities in wheelchairs, on crutches, and with various other disabilities waiting to receive us. Overcome with emotion, both of us broke down and cried. It was a moment I will never forget.

I am not exaggerating when I say that TOM’s work on this hallmark legislation will have resounding effects for generations to come. Because of the ADA, millions of Americans with disabilities can now pursue the American Dream.

Throughout his Senate career, TOM has always been there to help those who could not help themselves. His work has affected the lives of millions. Senator HARKIN deserves not only our recognition, but also our gratitude. I want to wish him, his wife Ruth, and their family all the best.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I have a parliamentary inquiry. It is my understanding that we were to begin at 12 o’clock for 3 hours until the first motion on the NDAA, and that would begin now, it looks like, about an hour late; is that correct?

The PRESIDING OFFICER. Under the previous order, there will now be 3 hours of debate, with 1 hour each for the Senator from Oklahoma, Mr. COBURN, and the Senator from Nevada, Mr. REID, and with 30 minutes each for the Senator from Alaska, Ms. MURKOWSKI, and the Senator from Oklahoma, Mr. INHOFE, or their designees.

Mr. INHOFE. Thank you, Mr. President. Before the Senator from Iowa leaves, let me make one comment. I look at him and all of those who are saying nice things about the Senator from Iowa—and I am from Iowa, so I can say this. My colleagues need to remember that even conservatives can love TOM HARKIN. I think it is important for people to understand that.

I have to say that I have been to I think at least 10 of the airshows, and spending 90 percent of my time—my wife and his wife, the four of us together, because we are both pilots—sitting around and lying about airplanes, we got real close to each other.

I can say the same thing about my good friend Senator SANDERS, and I have said this on the floor before: The

two of you are two of my favorite in-the-heart liberals because you are not ashamed of it. You stand up—exactly what the Senator from Vermont just said. The things that I have seen you do, you have a big heart. You have your own philosophy. You are not a demagogue. You live your philosophy.

So I just want you to know there are a lot of Republicans who love Senator HARKIN just as much as the liberals do. All right. Thank you.

We should have started with Senator LEVIN and myself kicking this off. I think we were a little bit late in starting, so Senator LEVIN is not here now. He will be here in about 30 minutes.

Let me make one comment about Senator LEVIN. I did so this morning. This person chairing these committees—and he has been through 16 of the NDAs in the past, and no one else can say that. No other Member has ever done that. Over his 36 years of service, he has concentrated on his concern for the defense of America. This is interesting because as the ranking member on the Senate Armed Services Committee, he and I have worked together. We even participated in two of the events called the Big 4.

The Chair knows this, but some of my colleagues may not. When it comes time and the committees are unable to pass a bill, then the ranking member and the chairman of the House and the ranking member and the chairman of the Senate—the Big 4—get together and they draft a bill. That is what happened this year and last year.

Last year I was getting panicky because we didn’t pass that bill until December 26. What would happen if we didn’t, then it would be a crisis on December 31. So I want to say, Senator LEVIN, I have enjoyed—I regret we won’t be able to have the same positions because, of course, Senator LEVIN is—such as our friend from Iowa—retiring after this term.

Let me mention the NDAA bill is the most important bill we do every year. I don’t think anyone is ever going to debate that. We had the 52 consecutive years—and this is going to be the 53rd consecutive year we have been able to pass it. It seems as though each year it is always hard to do, because at the last minute there are other people who want to get things in the bill that were not there. But we have to keep in mind, in defense of the big-four approach to this, we passed this bill. We passed it out of the Senate Armed Services Committee on May 23. We have been wanting to get it on floor since May 23.

Senator LEVIN and I have come down countless times and begged our colleagues on the Democratic side and the Republican side to get their amendments down so we could consider their amendments. We had a lot of amendments that did come down. Of the amendments that came down, I am very proud to say that we incorporated almost all of them. Forty-seven of those amendments are a part of this

bill. So it is not as if the amendments were considered.

I know some people who are opposed to this bill may come along later and say we didn’t consider all the amendments. We considered almost all of them but adopted 47 of the amendments which is a record. In spite of the pushing for months on the NDAA—I don’t know what the reasons were and I am not going to point the fingers, but we didn’t get it on the floor—we have to do it at the last minute. I want to just say, in my heart I believe—I know the House wound up most of their business—but if we don’t pass this bill, there is no other train leaving this station. There is no other way to do it, because in this bill, when people stop and think about it, there are some things I don’t like about the bill. I have to admit that, but there are so many good things. If we go through December 31, and this is the reminder we have to have in our own minds, we have right now 1,779,343 enlisted personnel who are in service right now. They will lose their benefits if we don’t pass this bill. I am talking about reenlistment bonuses.

I asked the chair, do you realize—I think he does but not many people do—just flight pay. There is a huge pilot shortage right now because the private sector is hiring them up and we are having a hard time keeping them. We have a flight pay incentive. That incentive would go away.

Does it mean anything? Yes. It is a \$25,000 incentive, and it lasts for—it goes for 10 years each year. But if they wake up on January 1 and find out they don’t have their flight pay incentive, how many of these existing warriors in the sky are going to drop out and go to work for one of the airlines? I don’t know. But a lot of them will, I can assure you of that.

I think we need to remind people how much it costs to train a new one. Instead of a \$25,000 bonus to reach the standards of the level of an F-22 pilot, it costs \$17 million. Stop and think about the millions and millions of dollars that would be lost just from the flight pay. These things are happening.

A lot of good things are in this bill and some are controversial. The housing starts are in this bill—none of the housing starts. I am talking about military construction for our kids that are out there. One of the controversial areas is in Gitmo. This is one of the very few areas where Chairman LEVIN and I disagreed with each other. Gitmo is a resource that can’t be replaced. He would be for closing it.

We are now keeping the restrictions we have right now and keeping it open for another year so we can look at it next year and spend more time on it.

We have the counterterrorism partnership funds, and so many of these things are in this bill that I think are very significant. We are supporting the needed Aircraft Modernization Program. You hear a lot about the F-35. The F-22 was terminated by the President and terminated 6 years ago. So

what we have in the fifth-generation aircraft, that is it, the F-35.

What we are doing is continuing with that modernization program, a controversial area. The support for ground support is the A-10. The A-10 is probably the ugliest airplane in the sky, but you ask any of our troops on the ground what they want to see coming when they are in danger, it is the A-10. That is going to continue. There is not going to be one reduction in that.

I know the Armed Services Committee next year will look at that freshly and maybe make changes. AWACS, the President wanted to take seven of the AWACS planes out, and that would be 25 percent of the AWACS fleets. That is a great big plane that has a circle on the top that goes out and brings back information to save lives. That is there.

The authorizing the military construction of family housing projects that has been started, they would come to a stop without this bill. That means we would have paid the contractors. There are going to be breach-of-contract lawsuits and everything else.

I will only mention one other thing—the Russian-made rocket engines. A lot of people hear about that and they say: Why in the world, with all the problems with Putin, with what is going on in the Ukraine, around the world—I just got back from Lithuania, and I also went over to Ukraine. I am seeing things with our allies over there that they would ask the question: Why are you buying Russian-made rocket engines? We are, but those are being fazed out. We have directed the Secretary of Defense to develop a U.S. rocket to replace that rocket. That is going on right now.

By the way, I have to say this. I mentioned Ukraine. I can't tell you, when we look and see what is happening over there—I had a great experience. I was over there just 3 days before our elections. It happened to be 3 days after their elections. In the Ukraine, President Poroshenko was so proud, and he sat there and told me: In Ukraine, we have to get 5 percent of the vote to have a seat in Parliament. The Communists, for the first time in 96 years, didn't get 5 percent. So there will not be one Communist in Parliament in Ukraine. That is incredible. Those are our friends over there. They are the ones we need to keep our defense strong, and we directly address that in this bill.

I will only say one thing about the lands package. It is the most controversial part of this bill because it is something which has nothing to do with Defense. On the other hand, when we are in negotiations and there are some things that should not perhaps come in, in this forum, and I thought—I even characterized it as outrageous at the time that that was made part of this bill. I have to say this—any changes in the bill, by the way, are going to result in not having a bill, and all the things I just mentioned would

happen. But I started reading some of these provisions from a conservative Republican's perspective, getting in and being able to produce and drill in some of the public lands, let some of our public lands rejoice in this revolution that we are having out there with shale. The ranchers in Oklahoma tell me the grazing rights issues that are in these land packages are good. I hear some people saying, well, there is something to do with a women's committee starting or something like that.

Let's keep in mind, I say to my fellow conservatives, that if MARSHA BLACKBURN's bill that became a part of this bill—now, it shouldn't have happened, but nonetheless it did. It is so overriding we pass a bill and not allow something like that to actually kill the bill.

I would say we are still a nation at war right now. We will be back to discuss this further, and I do want to have an opportunity to respond to some of the critics of this bill. Keep in mind. This is the last opportunity we have before December 31—before January when we come back in—and on December 31 it would be a crisis. I say to my good friends on the left and on the right, we have to have the bill. This is the last bill we can pass.

I would like to recognize Senator AYOTTE, the very courageous Senator who has been a major part of the provisions to this bill, and I will go so far as to say as the most active member of the Senate Armed Services Committee. I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Ms. AYOTTE. Mr. President, I want to thank the senior Senator from Oklahoma, Mr. INHOFE, for his leadership, along with Senator LEVIN, working hand in hand to get the Defense authorization done this year. This is so important. I know all of us would like to have a process where we can have an open amendment process here, but I know that Senator LEVIN and Senator INHOFE worked very hard. We had this ready to go a long time ago. I thank you for your work and your commitment on this, and I thank you for the way you and Senator LEVIN have run this committee in a respectful bipartisan manner.

As we look at the importance of the Defense authorization, making sure that we get this done before we go home, we have to understand with the threats we are facing around the world right now, now would not be the time for the first time in over 50-plus years not to pass the Defense authorization, given what it means to support for our men and women in uniform, their readiness, their equipment, the training, the support for their families, military construction, investment in technology that they need to keep us safe.

So I want to thank Senator INHOFE for his work on this. I also want to take the opportunity to thank Senator LEVIN, who is retiring this year, for being an incredible chairman of this

committee. I have to say this has been one of the best experiences I have had since I have gotten to the Senate. I have been here for 4 years, and Senator LEVIN has conducted this committee and treated everyone with respect. He has gotten us all to work together, where almost every year we passed out the Defense authorization almost unanimously—how often does that happen—and most times unanimously in a divided Congress.

I wish Senator LEVIN the best, because he has been so knowledgeable and so committed to ensuring that our Nation is safe and committed to our men and women in uniform.

On a personal note, he has been so respectful to me and someone who I think has run the committee so very well and has served our country with such dignity and such dedication. I wish he and his wife Barbara the best in the future.

He is someone whom this body will miss. Certainly as the chairman of the Armed Services Committee, he has treated everyone on both sides of the aisle with incredible respect and given us opportunities to raise issues that are important to us. I think he is a model of how we should conduct ourselves. We can disagree with each other but still find ways in common ground where we can work together to get things done for the American people.

I come to the floor to discuss the Defense authorization and the provisions in it that are so important to not only my home State of New Hampshire but to the country and also to address some of the provisions I want us to keep an eye on as we go forward. With skill and courage, our men and women in uniform are doing their job. It is essential we do our job as well. In a time of war, we cannot neglect our constitutional duty to provide for the common defense.

As a member of the Armed Services Committee I have been privy to many briefings, as the Presiding Officer has, as a member of the committee about the threats facing our country and the needs of our men and women in uniform, the concerns we have of ensuring our troops are ready and that we are prepared to address potential threats to the country.

In this bill, my home State of New Hampshire, we are a State that is very dedicated to serving, just as the Presiding Officer's State of Virginia is very dedicated to serving. There are many provisions in this bill that I have introduced and supported that I am proud of that will make a difference to our national security and to our men and women in uniform.

I would like to talk about some of those provisions. In terms of supporting our troops and our families, it is very important that we pass this bill every year because it authorizes expiring benefits for our troops that if we don't reauthorize, they would expire, including dozens of specific special incentive pays for our troops and their

families, particularly those who are serving us overseas and facing great danger as we stand here today.

The Defense bill also authorizes more than one dozen provisions to enhance protections for victims of sexual assault and extends to the Secretary of the VA the authority to provide rehabilitation and vocational benefits to servicemembers with severe illnesses and injuries.

It also strengthens the Department of Defense's suicide prevention efforts. Unfortunately, suicide is happening to too many of those who have served our Nation and is an issue that we are so concerned about on a bipartisan basis.

The bill also authorizes \$6.3 billion for needed military construction and family housing projects. Included among that authorization are military construction projects at Pease Air National Guard Base in New Hampshire to prepare for the arrival of the KC-46A, not to mention a very important energy conservation project at the Portsmouth Naval Shipyard. The shipyard has continued to invest in energy conservation and to save taxpayer dollars while doing so, and I am pleased it is included in this bill.

The Defense bill also maintains critical close air support capability in the Air Force, which our troops need, in that it ensures that the Air Force cannot prematurely retire the A-10 aircraft in fiscal year 2015.

Having traveled to Afghanistan and hearing directly from the men on the ground, I know how important it is they have the very best air support to keep them safe.

The bill also authorizes continued funding for the *Virginia* Class 10-boat multiyear procurement program, including two in fiscal year 2015, which is very important because keeping the 10 boat multi-year production and procurement program on track—and I know the President shares this concern—will help achieve savings in excess of 15 percent, compared to purchasing only one per year. It makes cost sense, and we need to continue to invest in our attack submarine program.

With the help of the skilled workers at the Portsmouth Naval Shipyard, these submarines will protect vital shipping lanes and U.S. national security interests around the world for decades to come. With the administration's discussion of a shift to the Asia-Pacific and the importance of that area of the world to our economy and our interests, our attack submarine fleet is so critical in meeting our needs around the world.

These measures, which are included in this bill, will help ensure that Portsmouth and Pease will remain valuable national security assets. I am so proud of the members of our National Guard, everyone who serves at the Portsmouth Naval Shipyard, and the incredible workers there who do the maintenance of our attack submarine fleet.

The bill also includes provisions of "never contracting with the enemy"

legislation. This is legislation which I have previously introduced which has allowed our military to ensure that dollars don't flow to our enemies. So when we are contracting in places such as Afghanistan, we have given them tools to cut off contracts sooner to make sure the contracts aren't going to the wrong people.

This legislation will extend those authorities across the Federal Government, to USAID, and to the State Department to ensure that our taxpayer dollars don't go to people who are acting against our interests. So I appreciate USAID and the State Department working with me on this legislation, and I am very pleased it is included in these provisions.

These are a few of the positive examples of the importance of this Defense authorization bill. There are many other important provisions in this bill. That is why it is important that we get this done today or tomorrow.

There are two areas of issues that I want to address briefly which I am a little concerned about on this bill. As a Member of the Senate Armed Services Committee—and I am also married to a veteran—I plan to vote for this bill because of the positive components. But one of the areas with which I am concerned is that we are again looking at compensation and we are looking at housing allowances of our men and women in uniform. It reminds me a little bit—it is not an exact analogy—of when we had the budget agreement over 1 year ago. There was an adjustment made to the cost-of-living increases. It was a cut, really, in the military retirement of some of those who have served our country.

I was someone who came to the floor to reverse this reduction to the cost-of-living increases, which for some of our men and women in uniform, who had served so admirably, would have cost them up to \$80,000 a year in their retirement. We are talking about enlisted people who worked so hard, and it would make such a big difference for them.

One of the reasons I came in that regard to fight against what was included in the budget agreement was because there seemed to be a disconnect.

That budget agreement made changes to civilian retirement but only prospectively to those who were just joining the retirement program. When it came to making the cuts to the military retirement and to their cost of living, it was affecting current recipients. So there seemed to be a disconnect. How could we ask those who have given the most—have sacrificed so much to defend us—to make a sacrifice when we were treating other civilian employees differently. I am pleased Congress reversed that.

What came out of that is that we need to have a greater understanding of the unique sacrifices our men and women in uniform make. The sacrifices they make are different than that of other workers—the traveling they do,

the danger they face. Often their spouses can't have second careers because they are constantly moving.

Since 2000, collectively as a Congress, we worked hard to correct the pay-and-benefit structure for those who wear the uniform to close what was a 13.5-percent gap between the private sector and what our men and women in uniform were getting. We eliminated out-of-pocket housing expenses—that used to be 20 percent—and expanded health care for retired military personnel over the age of 65.

But as I look at the provisions of this bill, I don't want us to erode the work we have done to recognize our men and women in uniform and the positions and the danger they face. In this bill, generally, the dollar amounts associated with the provisions about which I am concerned are much smaller than those involved with the COLA debate earlier this year. Again, we are back looking toward our men and women in uniform in several areas.

These problematic provisions relate to the compensation and health benefits for our servicemembers and their families. More specifically, they relate to the basic allowance for housing or BAH, TRICARE pharmacy copays, and basic pay for our servicemembers.

BAH is currently designed to cover 100 percent of servicemembers' monthly housing costs. The BAH provision in this NDAA will allow the Secretary of Defense to reduce BAH payments so they only cover 99 percent of a servicemember's monthly housing costs.

Obviously, that is a small reduction. But it is the significance of the reduction I am concerned about. We can't keep going down this road, where we are trying to choose between military readiness and making sure our men and women in uniform have the compensation they need in terms of compensation and support for their families. That is why I am concerned about this provision.

In terms of pharmacy copays, while the Pentagon's budget request is important to understand, they requested a much greater increase in future years in copays than this body would accept—than the Armed Services committees would accept. The negotiated NDAA would still permit a \$3 pharmacy copay increase for non-Active-Duty TRICARE beneficiaries who fill prescriptions outside of military treatment facilities.

Congress has worked hard to close the military-civilian pay gap, but this year's NDAA is once again only set to give our military a 1-percent pay raise for the second straight year.

I believe our military servicemembers deserve a higher pay raise. I will continue to push for that in the future, and I hope it is something we can work together on because we have to keep up with inflation for our men and women in uniform. It is very important.

One of the reasons it is important is that they are our greatest treasure. The reason we have such a wonderful



military—we can have the very best equipment, we can have the greatest technology—but the reason we have the best military in the world is because of our great men and women in uniform.

We can never lose sight of that. We can never lose sight of the importance of our all-volunteer force. As we look at where we are with defense spending, one thing that very much concerns me is the incoming impact of sequester again in 2016 and 2017. It is my hope this body will understand and work together in addressing sequester for our defense because I see us continuing to be in a situation where our military leaders come to us and ask us to take from the men and women in a way that is unacceptable because they are worried about sequester, they are worried about the readiness of our troops, and they are concerned they won't be able to provide the training and equipment our troops need to meet and face the threats around the world and to ensure that our men and women in uniform never become part of a hollow force.

The Presiding Officer serves on the Armed Services Committee with me. It is my hope as we look at this NDAA that we don't set a precedent where we are continuing to take from our military, that we continue to look to how we can work together to address sequester in the coming years, because there is a big disconnect of where we are now. If we impose the sequester in 2016 and 2017 with the threats we face around the world, with what our men and women need to address those threats to keep this country safe, what they deserve in terms of our support, given what we are asking them to do—they are the very best, and they go out and do it on our behalf every single day. It is my hope we can work together.

I have addressed these issues in my additional views to the 2015 Defense authorization, and it is my hope we will recognize the treasure that is our men and women in uniform going forward, that we will cut through the partisan politics, that we will address sequester, and that our men and women in uniform will know that we will continue to stand by them.

This Defense authorization is important, but it also prefaces the challenges we face coming forward in 2016 and 2017, which I believe we will not be able to fully meet unless we come together and address sequester.

We do need to get the Defense authorization done today. There are provisions that are very important for our national security. The issues I have addressed as concerns today I hope we aren't addressing them again next year. I hope we can correct them and make sure that we are giving the men and women in uniform a pay raise that is better than this year. I hope that together we can continue to work on a bipartisan basis in the Armed Services Committee, as Chairman LEVIN has championed, as Senator INHOFE, as the

ranking member has done as well, and I look forward to doing that in the future.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

#### OMNIBUS SPENDING BILL

Mr. SANDERS. Later today or tomorrow, we are going to be dealing with the \$1 trillion omnibus bill, and I will explain why I will be firmly voting against that bill.

But before I do, I think it is important to put the budget in the broader context of what is happening in America. We can't look at a budget in the abstract; we have to see it in the context. The context is that right now most Americans understand the middle class of this country is disappearing.

Median family income has gone down by \$5,000 since 1999. Today the median male worker is making \$700 less in inflation-adjusted dollars than he made 41 years ago. The median female worker is making \$1,300 less than she made 7 years ago. Meanwhile, while the middle class disappears and we have more people living in poverty than at almost any time in modern American history, the gap between the very rich and everybody else is growing wider. We have massive wealth inequality in America. One family, the Walton family, owns more wealth than the bottom 40 percent of the American people. The top one-tenth of 1 percent owns more wealth than the bottom 90 percent of the American people. Today, unbelievably, 95 percent of all new income is going to the top 1 percent and corporate profits are at an all-time high. That is the overall reality of what is going on with the American economy today. And in the midst of that, we have the budget. So let's talk a little about this \$1 trillion budget and how it addresses or doesn't address the problems facing our country.

Are there good things in this budget? The answer is: Absolutely. I am chairman of the Senate Veterans' Affairs Committee, and I want to thank Chairman MIKULSKI and others for making sure that our VA gets the kind of budget they need. Included in that budget, by the way, is also a provision called advanced appropriations for the VA, which will mean that in the event of a government shutdown, veterans will still be able to get the disability benefits they desperately need. And there are other provisions in there that are very good.

But overall, if you look at the budget in the context of contemporary American society, this is simply not a good budget. Let me pick up three points where I have strong disagreements.

I think the vast majority of the American people understand that we have huge unmet needs in this country. I expect in the Chair's State of Virginia, in Vermont, and all over this country we all know our infrastructure is crumbling—our roads, bridges, water systems, wastewater plants. Our rail system is falling behind Europe, Japan,

China. We have enormous work to be done. The American Society of Civil Engineers tells us we have to invest \$3 trillion into rebuilding our infrastructure.

In terms of college, we know there are hundreds of thousands of bright young people who can't afford to go to college. Others are graduating school saddled forever with these terrible debts from college or graduate school.

This budget doesn't address those problems. It doesn't address the crisis of childcare, and the fact that in Vermont and around the country it is very hard for working-class families to get quality, affordable childcare.

But what this budget does do—people don't know it—roughly 60 percent of the budget goes to defense spending. It goes to defense spending. Sixty percent of the discretionary budget goes not to our kids, not to our elderly, not to students, not to working people, not to the infrastructure, not to all of the huge unmet needs we face as a country, but it goes to the military.

Does anyone here deny we need a strong military, a strong National Guard? I don't. We do. But sometimes, in tough times, you have to make tough decisions. And I think spending \$554 billion on the military is too much.

I would point out, Mr. President, what I am sure you know; that it is clear—it has been admitted—that the military can't even audit itself. We don't even know effectively and appropriately how the military is spending its money. They do not even have the computer technology to tell us where they are spending.

What we also know is that cost overruns in the military are extraordinary. Time after time after time an agreement is reached about how much a weapons system will cost, and it turns out the contractor was just joking because there is a huge overrun. And then we have fraud. Fraud. Virtually every major military contractor has been involved in fraud resulting in either convictions or settlements with the government.

So we have folks here who last year were talking about cuts in nutrition programs, education, health care—you name it, programs that are life and death for working families—yet when it comes to the military, we can spend \$554 billion. I think that is too much.

Second of all, when you look at the global economy and you look at our international partners, I find it interesting that every other major country on Earth provides health care for all of their people as a right except the United States; yet in terms of their defense spending, they are spending a heck of a lot less than we are. We are spending now almost—almost—as much as the entire rest of the world combined.

So I object in this bill to the significant amount of money being spent on the military, and I would have hoped

there would be more opposition to this large military expenditure.

The second point I want to make, and it has not gotten a whole lot of attention, is the impact this legislation will have on working people in terms of cuts in pensions. There are provisions in this bill, written in secret, which allow significant cuts in benefits for retirees who are members of multiemployer pension plans.

Let me quote from a recent Washington Post article regarding the change in this bill:

The change would alter 40 years of federal law and could affect millions of workers, many of them part of a shrinking corps of middle-income employees in businesses such as trucking, construction and supermarkets.

Reuters mentions this:

The centerpiece is a provision that would open the door to cutting current beneficiaries' benefits, a retirement policy taboo and a potential disaster for retirees on fixed incomes.

What does that mean? When you go to work for a company, you get wages, you get benefits, but you also, in some cases, get a promise in terms of a pension—what you will get when you retire after 20 years, 30 years, 40 years of work. What this bill does is allow companies to renege on that promise. It is my understanding that, in some cases, the cuts in pensions could be draconian. I am talking about a 50-percent cut.

Imagine somebody who has worked his or her entire life, expects to retire with a certain level of income, and suddenly, after 20, 30, 40 years of work, wakes up in the morning and finds out that promise has been cut in half. Wow. That is awful. That is totally awful.

I remember back, as the American people do, that Wall Street—the CEOs of Wall Street—engaged in illegal and reckless behavior, which drove this economy into the worst recession in modern history, impacting millions and millions of people's lives. And what happened to Wall Street? Well, Congress bailed them out. Congress bailed out the folks on Wall Street whose criminal action caused the recession. Yet now we have working people who have done nothing wrong except work their entire lives—10, 20, 30 years—and through no fault of their own, they are not getting bailed out. They are going to see a 50-percent reduction in their pensions.

That is unacceptable and that opens—it just opens up a future in terms of pensions which I think is very frightening for the American people. So I can't support that provision as well.

The last point I want to make is getting back to Wall Street. In my very strong opinion, we have reached the stage with Wall Street where the major financial institutions are just too big, they are just too powerful. Anyone who thinks that Congress regulates Wall Street has got it backwards. The reality is that Wall Street, with their incredible wealth and lobbying capabili-

ties and campaign contributions, regulates the United States Congress. You cannot see a better example of that than what is in this legislation.

This is the headline from a recent article in the New York Times: "Banks' Lobbyists Help in Drafting Financial Bills."

Mr. President, I ask unanimous consent to have printed in the RECORD this article.

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

[From the New York Times, May 23, 2013]

**BANK'S LOBBYISTS HELP IN DRAFTING FINANCIAL BILLS**

(By Eric Lipton and Ben Protess)

WASHINGTON.—Bank lobbyists are not leaving it to lawmakers to draft legislation that softens financial regulations. Instead, the lobbyists are helping to write it themselves.

One bill that sailed through the House Financial Services Committee this month—over the objections of the Treasury Department—was essentially Citigroup's, according to e-mails reviewed by The New York Times. The bill would exempt broad swathes of trades from new regulation.

In a sign of Wall Street's resurgent influence in Washington, Citigroup's recommendations were reflected in more than 70 lines of the House committee's 85-line bill. Two crucial paragraphs, prepared by Citigroup in conjunction with other Wall Street banks, were copied nearly word for word. (Lawmakers changed two words to make them plural.)

The lobbying campaign shows how, three years after Congress passed the most comprehensive overhaul of regulation since the Depression, Wall Street is finding Washington a friendlier place.

The cordial relations now include a growing number of Democrats in both the House and the Senate, whose support the banks need if they want to roll back parts of the 2010 financial overhaul, known as Dodd-Frank.

This legislative push is a second front, with Wall Street's other battle being waged against regulators who are drafting detailed rules allowing them to enforce the law.

And as its lobbying campaign steps up, the financial industry has doubled its already considerable giving to political causes. The lawmakers who this month supported the bills championed by Wall Street received twice as much in contributions from financial institutions compared with those who opposed them, according to an analysis of campaign finance records performed by MapLight, a nonprofit group.

In recent weeks, Wall Street groups also held fund-raisers for lawmakers who co-sponsored the bills. At one dinner Wednesday night, corporate executives and lobbyists paid up to \$2,500 to dine in a private room of a Greek restaurant just blocks from the Capitol with Representative Sean Patrick Maloney, Democrat of New York, a co-sponsor of the bill championed by Citigroup.

Industry officials acknowledged that they played a role in drafting the legislation, but argued that the practice was common in Washington. Some of the changes, they say, have gained wide support, including from Ben S. Bernanke, the Federal Reserve chairman. The changes, they added, were in an effort to reach a compromise over the bills, not to undermine Dodd-Frank.

"We will provide input if we see a bill and it is something we have interest in," said Kenneth E. Bentsen Jr., a former lawmaker turned Wall Street lobbyist, who now serves

as president of the Securities Industry and Financial Markets Association, or Sifma.

The close ties hardly surprise Wall Street critics, who have long warned that the banks—whose small armies of lobbyists include dozens of former Capitol Hill aides—possess outsized influence in Washington.

"The huge machinery of Wall Street information and analysis skews the thinking of Congress," said Jeff Connaughton, who has been both a lobbyist and Congressional staff member.

Lawmakers who supported the industry-backed bills said they did so because the effort was in the public interest. Yet some agreed that the relationship with corporate groups was at times uncomfortable.

"I won't dispute for one second the problems of a system that demands immense amount of fund-raisers by its legislators," said Representative Jim Himes, a third-term Democrat of Connecticut, who supported the recent industry-backed bills and leads the party's fund-raising effort in the House. A member of the Financial Services Committee and a former banker at Goldman Sachs, he is one of the top recipients of Wall Street donations. "It's appalling, it's disgusting, it's wasteful and it opens the possibility of conflicts of interest and corruption. It's unfortunately the world we live in."

The passage of the Dodd-Frank Act, which took aim at culprits of the financial crisis like lax mortgage lending and the \$700 trillion derivatives market, ushered in a new phase of Wall Street lobbying. Over the last three years, bank lobbyists have blitzed the regulatory agencies writing rules under Dodd-Frank, chipping away at some regulations.

But the industry lobbyists also realized that Congress can play a critical role in the campaign to mute Dodd-Frank.

The House Financial Services Committee has been a natural target. Not only is it controlled by Republicans, who had opposed Dodd-Frank, but freshmen lawmakers are often appointed to the unusually large committee because it is seen as a helpful base from which they can raise campaign funds.

For Wall Street, the committee is a place to push back against Dodd-Frank. When banks and other corporations, for example, feared that regulators would demand new scrutiny of derivatives trades, they appealed to the committee. At the time, regulators were completing Dodd-Frank's overhaul of derivatives, contracts that allow companies to either speculate in the markets or protect against risk. Derivatives had pushed the insurance giant American International Group to the brink of collapse in 2008. The question was whether regulators would exempt certain in-house derivatives trades between affiliates of big banks.

As the House committee was drafting a bill that would force regulators to exempt many such trades, corporate lawyers like Michael Bopp weighed in with their suggested changes, according to e-mails reviewed by The Times. At one point, when a House aide sent a potential compromise to Mr. Bopp, he replied with additional tweaks.

In an interview, Mr. Bopp explained that he drafted the proposal at the request of Congressional aides, who expressed broad support for the change. The proposal, he explained, was a "compromise" that was actually designed to "limit the scope" of the exemption.

"Everyone on the Hill wanted this bill, but they wanted to make sure it wasn't subject to abuse," said Mr. Bopp, a partner at the law firm Gibson, Dunn who was representing a coalition of nonfinancial corporations that use derivatives to hedge their risk.

Ultimately, the committee inserted every word of Mr. Bopp's suggestion into a 2012

version of the bill that passed the House, save for a slight change in phrasing. A later iteration of the bill, passed by the House committee earlier this month, also included some of the same wording.

And when federal regulators in April released a rule governing such trades, it was significantly less demanding than the industry had feared, a decision that the industry partly attributed to pressure stemming from Capitol Hill.

Citigroup and other major banks used a similar approach on another derivatives bill. Under Dodd-Frank, banks must push some derivatives trading into separate units that are not backed by the government's insurance fund. The goal was to isolate this risky trading.

The provision exempted many derivatives from the requirement, but some Republicans proposed striking the so-called push out provision altogether. After objections were raised about the Republican plan, Citigroup lobbyists sent around the bank's own compromise proposal that simply exempted a wider array of derivatives. That recommendation, put forth in late 2011, was largely part of the bill approved by the House committee on May 7 and is now pending before both the Senate and the House.

Citigroup executives said the change they advocated was good for the financial system, not just the bank.

"This view is shared not just by the industry but from leaders such as Federal Reserve Chairman Ben Bernanke," said Molly Millerwise Meiners, a Citigroup spokeswoman.

Industry executives said that the changes—which were drafted in consultation with other major industry banks—will make the financial system more secure, as the derivatives trading that takes place inside the bank is subject to much greater scrutiny.

Representative Maxine Waters, the ranking Democrat on the Financial Services Committee, was among the few Democrats opposing the change, echoing the concerns of consumer groups.

"The bill restores the public subsidy to exotic Wall Street activities," said Marcus Stanley, the policy director of Americans for Financial Reform, a nonprofit group.

But most of the Democrats on the committee, along with 31 Republicans, came to the industry's defense, including the seven freshmen Democrats—most of whom have started to receive donations this year from political action committees of Goldman Sachs, Wells Fargo and other financial institutions, records show.

Six days after the vote, several freshmen Democrats were in New York to meet with bank executives, a tour organized by Representative Joe Crowley, who helps lead the House Democrats' fund-raising committee. The trip was planned before the votes, and was not a fund-raiser, but it gave the lawmakers a chance to meet with Wall Street's elite.

In addition to a tour of Goldman's Lower Manhattan headquarters, and a meeting with Lloyd C. Blankfein, the bank's chief executive, the lawmakers went to JPMorgan's Park Avenue office. There, they chatted with Jamie Dimon, the bank's chief, about Dodd-Frank and immigration reform.

The bank chief also delivered something of a pep talk.

America has the widest, deepest and most transparent capital markets in the world," he said. "Washington has been dealt a good hand."

Mr. SANDERS. And let me quote from that article:

In a sign of Wall Street's resurgent influence in Washington, Citigroup's rec-

ommendations were reflected in more than 70 lines of the House committee's 85-line bill. Two crucial paragraphs, prepared by Citigroup in conjunction with other Wall Street banks, were copied nearly word for word.

In other words, it is not even Members of Congress writing these bills, it is Wall Street writing the bills and getting them into this legislation.

Now what does this legislation do? Well, we suffered the worst economic crisis since the 1930s because of the greed, recklessness, and illegal behavior on Wall Street. What Wall Street did is engage in absolutely reckless speculation, and then the chickens came home to roost. People could not pay back the debts they incurred on subprime mortgages, and the entire financial system of the United States of America and the world was on the verge of collapse. So Congress, a few years ago, passed Dodd-Frank. It didn't go anywhere near as far as I would go. I believe we should break up these major financial institutions. I don't believe you can control them. I don't believe you can regulate them. They regulate the Congress. But Dodd-Frank took some steps toward that, and there was one provision I will quote—section 716.

Mr. President, I ask unanimous consent to have printed in the RECORD this section I am going to quote from.

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

**SEC. 716. PROHIBITION AGAINST FEDERAL GOVERNMENT BAILOUTS OF SWAPS ENTITIES.**

(a) PROHIBITION ON FEDERAL ASSISTANCE.—Notwithstanding any other provision of law (including regulations), no Federal assistance may be provided to any swaps entity with respect to any swap, security-based swap, or other activity of the swaps entity.

(b) DEFINITIONS.—In this section:

(1) FEDERAL ASSISTANCE.—The term "Federal assistance" means the use of any advances from any Federal Reserve credit facility or discount window that is not part of a program or facility with broad-based eligibility under section 13(3)(A) of the Federal Reserve Act, Federal Deposit Insurance Corporation insurance or guarantees for the purpose of—

(A) making any loan to, or purchasing any stock, equity interest, or debt obligation of, any swaps entity;

(B) purchasing the assets of any swaps entity;

(C) guaranteeing any loan or debt issuance of any swaps entity; or

(D) entering into any assistance arrangement (including tax breaks), loss sharing, or profit sharing with any swaps entity.

(2) SWAPS ENTITY.—

(A) IN GENERAL.—The term "swaps entity" means any swap dealer, security-based swap dealer, major swap participant, major security-based swap participant, that is registered under—

(i) the Commodity Exchange Act (7 U.S.C. 1 et seq.); or

(ii) the Securities Exchange Act of 1934 (15 U.S.C. 78a et seq.).

(B) EXCLUSION.—The term "swaps entity" does not include any major swap participant or major security-based swap participant that is an insured depository institution.

(c) AFFILIATES OF INSURED DEPOSITORY INSTITUTIONS.—The prohibition on Federal as-

sistance contained in subsection (a) does not apply to and shall not prevent an insured depository institution from having or establishing an affiliate which is a swaps entity, as long as such insured depository institution is part of a bank holding company, or savings and loan holding company, that is supervised by the Federal Reserve and such swaps entity affiliate complies with sections 23A and 23B of the Federal Reserve Act and such other requirements as the Commodity Futures Trading Commission or the Securities Exchange Commission, as appropriate, and the Board of Governors of the Federal Reserve System, may determine to be necessary and appropriate.

(d) ONLY BONA FIDE HEDGING AND TRADITIONAL BANK ACTIVITIES PERMITTED.—The prohibition in subsection (a) shall apply to any insured depository institution unless the insured depository institution limits its swap or security-based swap activities to:

(1) Hedging and other similar risk mitigating activities directly related to the insured depository institution's activities.

(2) Acting as a swaps entity for swaps or security-based swaps involving rates or reference assets that are permissible for investment by a national bank under the paragraph designated as "Seventh." of section 5136 of the Revised Statutes of the United States (12 U.S.C. 24), other than as described in paragraph (3).

(3) LIMITATION ON CREDIT DEFAULT SWAPS.—Acting as a swaps entity for credit default swaps, including swaps or security-based swaps referencing the credit risk of asset-backed securities as defined in section 3(a)(77) of the Securities Exchange Act of 1934 (15 U.S.C. 78c(a)(77)) (as amended by this Act) shall not be considered a bank permissible activity for purposes of subsection (d)(2) unless such swaps or security-based swaps are cleared by a derivatives clearing organization (as such term is defined in section 1a of the Commodity Exchange Act (7 U.S.C. 1a)) or a clearing agency (as such term is defined in section 3 of the Securities Exchange Act (15 U.S.C. 78c)) that is registered, or exempt from registration, as a derivatives clearing organization under the Commodity Exchange Act or as a clearing agency under the Securities Exchange Act, respectively.

(e) EXISTING SWAPS AND SECURITY-BASED SWAPS.—The prohibition in subsection (a) shall only apply to swaps or security-based swaps entered into by an insured depository institution after the end of the transition period described in subsection (f).

(f) TRANSITION PERIOD.—To the extent an insured depository institution qualifies as a "swaps entity" and would be subject to the Federal assistance prohibition in subsection (a), the appropriate Federal banking agency, after consulting with and considering the views of the Commodity Futures Trading Commission or the Securities Exchange Commission, as appropriate, shall permit the insured depository institution up to 24 months to divest the swaps entity or cease the activities that require registration as a swaps entity. In establishing the appropriate transition period to effect such divestiture or cessation of activities, which may include making the swaps entity an affiliate of the insured depository institution, the appropriate Federal banking agency shall take into account and make written findings regarding the potential impact of such divestiture or cessation of activities on the insured depository institution's (1) mortgage lending, (2) small business lending, (3) job creation, and (4) capital formation versus the potential negative impact on insured depositories and the Deposit Insurance Fund of the Federal Deposit Insurance Corporation. The

appropriate Federal banking agency may consider such other factors as may be appropriate. The appropriate Federal banking agency may place such conditions on the insured depository institution's divestiture or ceasing of activities of the swaps entity as it deems necessary and appropriate. The transition period under this subsection may be extended by the appropriate Federal banking agency, after consultation with the Commodity Futures Trading Commission and the Securities and Exchange Commission, for a period of up to 1 additional year.

(g) **EXCLUDED ENTITIES.**—For purposes of this section, the term “swaps entity” shall not include any insured depository institution under the Federal Deposit Insurance Act or a covered financial company under title II which is in a conservatorship, receivership, or a bridge bank operated by the Federal Deposit Insurance Corporation.

(h) **EFFECTIVE DATE.**—The prohibition in subsection (a) shall be effective 2 years following the date on which this Act is effective.

(i) **LIQUIDATION REQUIRED.**—

(1) **IN GENERAL.**—

(A) **FDIC INSURED INSTITUTIONS.**—All swaps entities that are FDIC insured institutions that are put into receivership or declared insolvent as a result of swap or security-based swap activity of the swaps entities shall be subject to the termination or transfer of that swap or security-based swap activity in accordance with applicable law prescribing the treatment of those contracts. No taxpayer funds shall be used to prevent the receivership of any swap entity resulting from swap or security-based swap activity of the swaps entity.

(B) **INSTITUTIONS THAT POSE A SYSTEMIC RISK AND ARE SUBJECT TO HEIGHTENED PRUDENTIAL SUPERVISION AS REGULATED UNDER SECTION 113.**—All swaps entities that are institutions that pose a systemic risk and are subject to heightened prudential supervision as regulated under section 113, that are put into receivership or declared insolvent as a result of swap or security-based swap activity of the swaps entities shall be subject to the termination or transfer of that swap or security-based swap activity in accordance with applicable law prescribing the treatment of those contracts. No taxpayer funds shall be used to prevent the receivership of any swap entity resulting from swap or security-based swap activity of the swaps entity.

(C) **NON-FDIC INSURED, NON-SYSTEMICALLY SIGNIFICANT INSTITUTIONS NOT SUBJECT TO HEIGHTENED PRUDENTIAL SUPERVISION AS REGULATED UNDER SECTION 113.**—No taxpayer resources shall be used for the orderly liquidation of any swaps entities that are non-FDIC insured, non-systemically significant institutions not subject to heightened prudential supervision as regulated under section 113.

(2) **RECOVERY OF FUNDS.**—All funds expended on the termination or transfer of the swap or security-based swap activity of the swaps entity shall be recovered in accordance with applicable law from the disposition of assets of such swap entity or through assessments, including on the financial sector as provided under applicable law.

(3) **NO LOSSES TO TAXPAYERS.**—Taxpayers shall bear no losses from the exercise of any authority under this title.

(j) **PROHIBITION ON UNREGULATED COMBINATION OF SWAPS ENTITIES AND BANKING.**—At no time following adoption of the rules in subsection (k) may a bank or bank holding company be permitted to be or become a swap entity unless it conducts its swap or security-based swap activity in compliance with such minimum standards set by its prudential regulator as are reasonably calculated to permit the swaps entity to conduct its swap or security-based swap activities in a safe

and sound manner and mitigate systemic risk.

(k) **RULES.**—In prescribing rules, the prudential regulator for a swaps entity shall consider the following factors:

(1) The expertise and managerial strength of the swaps entity, including systems for effective oversight.

(2) The financial strength of the swaps entity.

(3) Systems for identifying, measuring and controlling risks arising from the swaps entity's operations.

(4) Systems for identifying, measuring and controlling the swaps entity's participation in existing markets.

(5) Systems for controlling the swaps entity's participation or entry into in new markets and products.

(1) **AUTHORITY OF THE FINANCIAL STABILITY OVERSIGHT COUNCIL.**—The Financial Stability Oversight Council may determine that, when other provisions established by this Act are insufficient to effectively mitigate systemic risk and protect taxpayers, that swaps entities may no longer access Federal assistance with respect to any swap, security-based swap, or other activity of the swaps entity. Any such determination by the Financial Stability Oversight Council of a prohibition of federal assistance shall be made on an institution-by-institution basis, and shall require the vote of not fewer than two-thirds of the members of the Financial Stability Oversight Council, which must include the vote by the Chairman of the Council, the Chairman of the Board of Governors of the Federal Reserve System, and the Chairperson of the Federal Deposit Insurance Corporation. Notice and hearing requirements for such determinations shall be consistent with the standards provided in title I.

(m) **BAN ON PROPRIETARY TRADING IN DERIVATIVES.**—An insured depository institution shall comply with the prohibition on proprietary trading in derivatives as required by section 619 of the Dodd-Frank Wall Street Reform and Consumer Protection Act.

**SEC. 717. NEW PRODUCT APPROVAL CFTC—SEC PROCESS.**

(a) **AMENDMENTS TO THE COMMODITY EXCHANGE ACT.**—Section 2(a)(1)(C) of the Commodity Exchange Act (7 U.S.C. 2(a)(1)(C)) is amended—

(1) in clause (i) by striking “This” and inserting “(I) Except as provided in subclause (II), this”; and

(2) by adding at the end of clause (i) the following:

“(II) This Act shall apply to and the Commission shall have jurisdiction with respect to accounts, agreements, and transactions involving, and may permit the listing for trading pursuant to section 5c(c) of, a put, call, or other option on 1 or more securities (as defined in section 2(a)(1) of the Securities Act of 1933 or section 3(a)(10) of the Securities Exchange Act of 1934 on the date of enactment of the Futures Trading Act of 1982), including any group or index of such securities, or any interest therein or based on the value thereof, that is exempted by the Securities and Exchange Commission pursuant to section 36(a)(1) of the Securities Exchange Act of 1934 with the condition that the Commission exercise concurrent jurisdiction over such put, call, or other option; provided, however, that nothing in this paragraph shall be construed to affect the jurisdiction and authority of the Securities and Exchange Commission over such put, call, or other option.”

(b) **AMENDMENTS TO THE SECURITIES EXCHANGE ACT OF 1934.**—The Securities Exchange Act of 1934 is amended by adding the following section after section 3A (15 U.S.C. 78c-1):

**“SEC. 3B. SECURITIES-RELATED DERIVATIVES.**

“(a) Any agreement, contract, or transaction (or class thereof) that is exempted by the Commodity Futures Trading Commission.

Mr. SANDERS. This is the title of the provision, 716, that this bill repeals: “Prohibition Against Federal Government Bailouts of Swaps Entities.”

Now to quote from that section:

(A) Prohibition on Federal Assistance— notwithstanding any other provision of law (including regulations), no Federal assistance may be provided to any swaps entity with respect to any swap, security-based swap, or other activity of the swaps entity.

That is what is being repealed. So Wall Street, as a result of the work of Citigroup and the other Wall Street companies, can now continue to engage in reckless derivatives speculation. And when they make a whole lot of money, they get richer. But when they lose money, because of the repeal of this provision, it is the taxpayers of this country who have to bail them out.

Does anybody—anybody—think that makes any sense at all? That is in this bill.

So for those reasons and more, I would hope very much that the Senate rejects this agreement and that we renegotiate. No one wants to see the government shut down, but we must negotiate an agreement that is much fairer to the American people and to the working families of our country.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Mr. President, I inquire of the Senator from Wisconsin how much time she is going to need to take.

The PRESIDING OFFICER. The Senator from Wisconsin.

Ms. BALDWIN. Senator, less than 10 minutes.

Mr. COBURN. I would prefer she go ahead and I will do all mine in consequence, if I may.

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

The Senator from Wisconsin.

Ms. BALDWIN. Mr. President, I thank the Senator from Oklahoma for his courtesy, and I am delighted to rise today to mark the passage of the Fiscal Year 2015 National Defense Authorization Act. This bill is a product of bipartisan negotiations between the House and Senate Armed Services Committees, and I thank Chairman LEVIN and Ranking Member INHOFE, Chairman MCKEON and Ranking Member ADAM SMITH in the House for their hard work.

This critical bill establishes our national security policy and supports our dedicated men and women in uniform and their families. I am particularly pleased that the legislation supports Wisconsin manufacturers and workers who build ships and engines and military vehicles that help our Nation meet its national security needs.

On the eve of his retirement from the Senate, I want to offer a special thank

you to Senator CARL LEVIN for his magnificent work as chairman of the committee on this bill and for working with me to include a military land transfer in Wisconsin at the site of the former Badger Army Ammunition Plant. I have been working on this project since my election to the House of Representatives 16 years ago, and I am extremely grateful to Chairman LEVIN and his staff for helping me push this legislation across the finish line.

The extraordinary piece of land I am talking about consists of some 7,500 acres. It is bordered by the rolling Baraboo Hills, which hosts the largest flock of upland forest of oak and maple and basswood still standing in southern Wisconsin. It is bounded also by Wisconsin's beautiful Devils Lake State Park and a segment of the Ice Age Trail, which is part of the National Trails System. To its east it is skirted by the mighty Wisconsin River that flows toward the Mississippi.

For the better part of the past century, it has been the site of a bustling manufacturing plant, once the largest munitions plant in the world which produced munitions for American troops that they used from World War II through Vietnam. We can see a historic aerial photograph to my left of what that property looked like with the Baraboo Bluffs and the Wisconsin River. Before that, the site was home to 90 landowners who farmed the land, and well before that, the land was cherished ground for the Ho-Chunk Nation, whose people grew traditional crops and gathered medicinal plants from the land. This land is revered by the Ho-Chunk Nation and is connected to their ancestral history, with oral history of the land dating back hundreds of years.

In 1997 discussions began on the future of this land after the Army closed the plant, declaring it to be surplus to its needs, and began the process of remediation of the contaminated soil at the site. Some thought it should be sold for commercial development, but the local community opposed that option, understanding that the land's unique attributes needed to be preserved and wishing to see it restored to its natural beauty.

I always felt that the community—and not bureaucrats in Washington—should be empowered to make decisions about the future of this site. I regarded this as a once-in-a-generation and maybe a once-in-a-lifetime opportunity for this community. So as a freshman Member of Congress, I secured a Federal grant to establish a community consensus process to recommend a reuse plan. This process brought every stakeholder to the table.

In 2001, after nearly 2 years of hard work, the Badger Reuse Committee issued a report supported by all the participating parties—including State and Federal and tribal entities—outlining agreement on future uses. Some said that consensus would be nearly impossible, but we proved that local stakeholders, working together, could

achieve a visionary future for this incredible property. What was that consensus? The consensus was that the property should be managed in perpetuity as one property for agricultural, recreational, educational, and conservation purposes.

The photo to my left shows a stark contrast to the photo you just saw of the Badger Army Ammunition Plant, as the property has been gradually restored over time. Since that time, most of the parcels at this site have been transferred—one parcel to the U.S. Department of Agriculture for dairy forage research, another to the State of Wisconsin to provide opportunities for low-impact recreation. But one major parcel essential to the community's vision at this site has been caught in bureaucratic disagreement for nearly a decade.

This legislation will finally allow that parcel to be transferred from the Army to the Department of the Interior, which will hold the land in trust for the Ho-Chunk Nation. This transfer has been stalled by an interagency dispute over which Federal agency would have responsibility for future environmental cleanup at the site. The legislative intent of this provision follows the legislative intent of our environmental superfund laws: The polluter must pay for contamination they caused.

As to future uses, the Ho-Chunk Nation participated in the consensus process that culminated in the Badger Reuse Plan, where they expressed interest in holding the lands in trust in order to preserve native prairie habitat and graze bison. Since that time, the Ho-Chunk Nation has reaffirmed their interest in receiving this land for prairie restoration—a reuse that reaffirms the vision of the Badger Reuse Committee that all the new holders of these lands—the U.S. Department of Agriculture, the State of Wisconsin, and the Ho-Chunk Nation—would manage the property in coordination with one another, reflecting the site as a whole.

In October of this year the tribe updated its land use plan for the parcel in this transfer. I ask unanimous consent to have that document and a technical description of this transfer printed in the RECORD.

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

[From Ho-Chunk Nation, Oct. 2014]

LAND MANAGEMENT PLAN FOR FORMER  
BADGER ARMY AMMUNITION PLANT PARCELS

1.0 MASTER PLAN

1.1 EXECUTIVE SUMMARY

The Ho-Chunk Nation (HCN) has requested the transfer of an estimated 1552.71 acres of the Badger Army Ammunition Plant (BAAP) declared as surplus pursuant to 25 U.S.C. §450j(f)(3). This transfer would be for the use and benefit of the Ho-Chunk Nation and their people. The BAAP land has very important historic and cultural significance to the Ho-Chunk people, as it lies within their aboriginal territory and includes a number of historic and pre-historic sites of significance to the tribe.

The transfer of a portion of the BAAP land to the Nation would allow for the restoration

of the natural habitats including prairie, wetlands and oak savanna. Habitat restoration activities would complement the reintroduction of a bison herd onto the BAAP property. The bison program will be vital to combating diabetes and other health problems which are common among the Ho-Chunk People. Lastly, the transfer would allow for an increased level of protection and preservation of the historical and cultural elements found on the property.

The purpose of acquiring the BAAP parcel is, as reflected in the mission statement of the United States Department of the Interior, Bureau of Indian Affairs “to enhance the quality of life, to promote economic opportunity, and to carry out the responsibility to protect and improve the trust assets of American Indians, Indian Tribes and Alaska Natives.” In accord with those objectives and the Indian Self-Determination Act, acquisition of this property for the benefit of the Ho-Chunk Nation would provide, promote and enhance the Ho-Chunk Nation programs for historic and cultural resource protection, natural resource enhancement, education, employment and economic development. The property would be used to strengthen and expand these programs that are supported, in significant part, by contracts between the Nation and the Department pursuant to the Self-Determination Act, and will primarily benefit the Nation's 7,415 enrolled tribal members.

1.2 INTRODUCTION

The Badger Army Ammunition Plant occupies 7,354 acres in the predominantly rural countryside of Sauk County, Wisconsin. The Badger Plant was constructed in 1942 following the United States entry into World War II. The Plant provided ammunition propellant for the duration of the war effort, and was again operative during the Korean and Vietnam Wars. In late 1997 the U.S. Army determined that the BAAP facility was no longer needed to meet the United States defense needs.

Subsequent efforts to define a future for the Badger property have proved challenging due to the site's unusually rich natural and cultural history, the wide range of potential reuse options, and the complexity of local, state, national, and tribal interests involved. The current scenario would result in the Ho-Chunk Nation acquiring 1552.71 acres with the remaining acreage being divided amongst several landowners including the WI Dept. of Natural Resources, U.S. Dept. of Agriculture-Dairy Forage Research Center, Bluffview Sanitary District, WI Dept. of Transportation and the Town of Sumpter.

1.3 GOALS AND OBJECTIVES

The resources of BAAP will be managed by the Ho-Chunk Nation to promote, preserve, and enhance its unique natural, scenic, and cultural features. Management activities are intended to:

Protect the aesthetic, cultural, scenic, and wild qualities as well as the native wildlife and plant communities. Special emphasis will be placed on designated federal and state-listed species, species of special concern, and other unique biotic features.

Protect, conserve, and maintain all significant cultural sites.

Provide for and manage the use and enjoyment by visitors and maintain a diversity of low-impact recreational opportunities for people of all abilities.

Utilize sound natural resource and agriculture management practices to improve water quality, maintain soil productivity, and protect wildlife habitat.

Develop a bison program to support HCN nutritional programs and provide educational opportunities.

Strive to operate a self-supporting project through grants, donations, bequests, and possibly fee-based recreation that is consistent



with the overriding commitment to preserve Badger's natural, historical and cultural features.

Ultimately establish and maintain a visitor's center that includes information and exhibits on Badger's geologic and natural uniqueness, bison management, cultural significance and history of the ammunition plant. The center would also provide information and exhibits on the history of Native Americans and Euro-American habitation of the Sauk Prairie, as well as an educational classroom.

## 2.0 LAND MANAGEMENT PLAN

### 2.1 OVERALL ECOSYSTEM MANAGEMENT

Ecosystem is a term that has crept into the nation's collective vocabulary and is commonly used in regard to environmental issues; but what does it really mean, and how is it relevant to the management of the Badger Army Ammunition Plant? Ecosystem is derived from ecology, the branch of biology that studies the relationships between living organisms and their environment, and their dependency upon each other for survival. When the organisms and the environment interact, an ecosystem is formed. The exploitation or neglect of any organism can upset the delicate balance such that the system is forever changed.

An ecosystem not only encompasses water, land, air and wildlife, it also includes people. Of all the organisms in an ecosystem, *Homo sapiens* have the most impact and the greatest influence in preventing the loss and exploitation of other species. The demise of species and their habitat is all too often the unfortunate consequence of humans trying to conquer their environment for the sake of development and economic gain. Natural and cultural resources, and the environmental processes that affect them, are fundamentally influenced by society and vice versa.

Understanding the complex interrelationships within an ecosystem and a commitment to their maintenance are essential in ensuring a vital ecosystem—a high quality of life, healthy environment, and a productive, sustainable economy. The National Park Service states that “The long-term sustainability of the environmental, societal, and economic systems on which public lands and their surrounding human communities depend, requires a collaborative approach that integrates scientific knowledge and maintains flexibility in order to make adjustments over time.” (Sustainability can be defined as a contract among the people, the land, and future generations which maintains and renews resources for the long-term.) Therefore, the knowledge and skills of natural resource professionals will be used to preserve the Badger Army Ammunition Plant as a distinct resource, rather than relying on nostalgia and politics to make management-related decisions.

The primary goals of ecosystem management are to conserve, restore, and maintain the ecological integrity, productivity, and biological diversity of natural landscapes. The overriding objective is to ensure the ecological sustainability of the land. The Ho-Chunk Nation will adapt an ecosystem management approach that will encompass the natural environment, society, and economy—the entire system. This vision is based on the awareness that the resources protected within Badger are not isolated from the surrounding communities and environment but are inextricably linked to them. Any upcoming strategies that the Ho-Chunk Nation embarks upon to preserve and protect the property will work towards providing a balance between human needs and long-term environmental protection.

Ecosystem management will strive to restore and sustain the health, productivity,

and biological diversity of ecosystems and the overall quality of life through a natural resource management approach that is fully integrated with social and economic goals. Although the ecosystem management approach is more effective than species-by-species management, the needs of certain key species must receive priority attention as part of ecosystem management.

For every action there is an equal or greater reaction. The activities of the visitors, though they may be low-impact, will inevitably affect the ecosystems of Badger, adjacent land, and local communities. It will be the Ho-Chunk Nation's primary responsibility to balance the repercussions of all activities with the health of the ecosystems while contributing to the local economy. Education and information are the keys to the preservation and protection of the Badger property and its resources. In addition to providing ecosystem management, the Ho-Chunk Nation will strive to include education in all management activities. The more visitors and the local community understand the dynamics of the ecosystem of which they are a part, the greater their respect will be for the many elements comprising the system. Providing a deeper understanding of the web of life will be beneficial to the visitors of today, as well as to the future generations who will be the ultimate caretakers of the land.

## 2.2 LAND MANAGEMENT

### 2.2.1 MISSION

Land Management will ensure protection of the soils, waters, flora, and fauna that comprise the Badger property through sound management techniques and consideration of the human influence.

### 2.2.2 MANAGEMENT GOALS

Provide resource-based research opportunities for educational purposes.

Explore both traditional and innovative land and water management practices.

Improve and maintain wildlife habitat.

Preserve and protect biological diversity.

Restore and develop the native ecosystems.

Improve aesthetic views.

Improve and maintain the health of the natural ecosystems, especially where recreation activities are likely to be most intense.

Develop monitoring programs for wildlife, vegetation, and water quality.

Control and eradicate invasive species, such as garlic mustard, buckthorn, reed canary grass, olives and honeysuckle.

Monitor management and visitor impacts on the natural features of the Badger property and use gathered information to modify management actions when necessary.

## STATEMENT FOR THE RECORD

[Senator Tammy Baldwin, Dec. 11, 2014]

TECHNICAL DESCRIPTION OF SECTION 3078 OF H.R. 3979, THE CARL LEVIN AND HOWARD P. “BUCK” MCKEON NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2015

I am offering this statement to clarify the legislative intent of Section 3078 of H.R. 3979 and to detail the intended use of the land which will be transferred as a result of Section 3078.

Earlier this year, when Congress first began its consideration of the National Defense Authorization Act for FY 2015, I drafted this provision for inclusion as an amendment to S. 2410, the Senate Armed Services Committee-reported version of the bill. I then successfully worked with numerous Congressional committees of jurisdiction to ensure that my amendment—numbered 3393 and filed on June 26, 2014—would be considered in scope for an eventual conference committee between the Senate and House.

That amendment text served as the framework for the ultimate transfer language included as Section 3078 in H.R. 3979, the final conference committee reported defense bill.

Section 3078 of H.R. 3979 transfers approximately 1,553 acres of land located within the former Badger Army Ammunition Plant to the Department of Interior in trust for the Ho-Chunk Nation.

The transfer has been stalled by an inter-agency dispute over the federal government's responsibility for environmental cleanup at the site. The legislative intent of this provision follows the legislative intent of our environmental superfund laws—the polluter must pay for contamination they caused. For many decades, the Department of Defense operated the Badger Army Ammunition Plant on this property. Among other things, this legislation makes clear that the Army retains responsibility for environmental contamination from Department of Defense conduct or activities prior to transfer and is responsible for taking any necessary remedial actions related to environmental contamination in the future.

This responsibility for environmental remediation applies to activities of the Department of Defense, which includes activities conducted by contractors on behalf of the Department of Defense. Most of the activities conducted on the 1553 acres of land to be transferred to the Ho-Chunk Nation were performed by independent contractors or other contractors for the U.S. Army, the Department of Defense, or both. Section 3078(c)(2) of H.R. 3979 is intended to ensure that the Secretary of the Army remains responsible for remediating hazardous substances resulting from the activities of the Department of Defense, and that the “activities of the Department of Defense” includes activities undertaken by the officers and agents employed or contracted by the Department of Defense; but nothing in this section is intended to diminish or increase the liability of any third party or otherwise affect the liability of any third party as established under any other provision of law.

While this legislation transfers the land to Interior in trust for the Nation, it also makes clear that Interior does not take on liability or responsibility for certain conduct or activities that took place on the land before the transfer. The Department of Interior's Indian Affairs budget should not, now or in the future, be tapped to remediate environmental contamination on the property that was caused by the Department of Defense. Those funds are intended for the benefit of all federally recognized Indian tribes. Therefore, this legislation seeks to clarify that the Department of Defense, not the Department of Interior, is responsible or liable for any environmental contamination that occurred from the activities of the Department of Defense prior to the transfer.

This legislation will quickly transfer the lands and allow the Ho-Chunk Nation to quickly make use of them. This acquisition will be expedited by a number of things, including that the Bureau of Indian Affairs (BIA) is not required to conduct any additional processing before the land is placed in trust. Instead, the acquisition of the land in trust by the Bureau of Indian Affairs is effectuated by this legislation. The structures on the property will be transferred to the Ho-Chunk Nation in fee as soon as the Nation provides the Secretary of Interior with a tribal resolution authorizing the transfer.

I would also like to explain the intended use of the land following the transfer. In 1997, the Army declared they would no longer use this site and stakeholders gathered together to recommend future uses for the property. The Ho-Chunk Nation was one of multiple stakeholders, including representatives of local governments, the State, the

federal government, and citizen groups that participated in this process. In 2001, these stakeholders issued their recommendations in the Badger Reuse Plan, which set forth a vision that the land would be co-managed by three main property owners, and that those property owners would manage them in coordination that reflects the site as a whole. During the reuse process, the Ho-Chunk expressed interest in holding lands at the site in trust in order to preserve native prairie habitat and graze bison, and the Badger Reuse Plan recommended they receive the land accordingly. Since that time, the Ho-Chunk Nation has reaffirmed their interest in receiving the land for prairie restoration. In October of this year, the tribe updated its Land Use Plan for the parcel in this transfer, further affirming their prairie restoration goals for the site—goals that will be able to turn to actions now that this long-stalled transfer is finally resolved.

Ms. BALDWIN. These 1,553 acres represent the last major parcel at the Badger Army Ammunition Plant site to leave Army management. The resolution this transfer will bring is long overdue, and I am proud to have played a role in defining the community's vision and bringing it to a reality.

The action we take this week—hopefully later today—will benefit many generations to come.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Mr. President, I first congratulate my colleague from Wisconsin. There is a lot of controversy over lands packages, and her very pleasant example is what isn't controversial.

The reason we have a discussion about what is going on is the very mundane—the very things we can get done have never been brought forward on the floor without being brought forward with a very controversial land project. So I agree with her 100 percent that what is happening for her and the people of Wisconsin and her tribal nation is absolutely appropriate.

The question we ought to ask and the question that causes all the trouble is, Why in the world does the Federal Government own 640 million acres of our land and have all sorts of rules—of our land—that say we can't utilize it in a way that is best for our citizens, best for our States, best for our region, best for the ecology, and best for preservation of history? Until Congress solves that problem, we are going to continue to have these battles.

What is disappointing to me is we spent 1½ years looking at the National Park Service—which nobody in this body read. It is quality scholarship. It is scholarship that the Park Service agrees with. It is scholarship that the historians of the Park Service agree with. It is scholarship that the people who write about the parks agree with.

So today we have before us a bill that has 68 separate land items in it, of which 40 are totally noncontroversial, which could have been run across the floor 2 years ago, I would tell my colleague from Wisconsin, but they were chosen not to because the desire is to

get recognition at home and expand the National Park Service.

If we were to happen to just take the couple hours to read this, we would see right now why expanding the National Park Service is a disastrous idea. The reason it is a disastrous idea is our parks are falling apart—a \$12 billion backlog on our most pristine, greatest national monuments and parks with which we have set the pace for the rest of the world in terms of recognizing and valuing such wonderful natural landscape and creation. But we have ignored that because the desire to please a parochial benefit at the expense of harming these most precious resources cannot be resisted by most of our colleagues.

So I find myself on the floor today. I know I won't win this battle, but I won't quit fighting. We should fight for what we have already invested in. We should preserve what we have already invested in. We are falling behind \$250 million a year.

It is ludicrous to say this bill doesn't cost anything. It costs \$320 million a year, the "no cost park program" that we are putting out and saying it doesn't cost anything.

I was born in Wyoming. I love Yellowstone. I love the Great Rocky Mountains national forest. I love our wonderful programs. But the vast majority of the parks we have created in the last 20 years are nothing but drains on the National Park Service. We have the data—this has the data to show that. We are going to do the largest expansion of national parks since 1978 in this bill, and we don't have the money for it.

So what will happen as this goes through? And I say to my colleague from Wisconsin, you are absolutely right—yours should fly through here. It is not a significant cost. You are absolutely right. But fixing the real problem is restoring the right to the States to the lands that are there, taking it out of the hands of the Federal Government, and letting the States make the decisions about what happens to the land within their confines.

So it is disappointing to me that when great scholarship is done and is recognized, parochialism trumps even the reading of the information with which to make good decisions. And it is a blight on the Senate. We don't have to agree with everything in this, but we can't deny the facts that are totally documented in this. We can't deny the statements of the National Park Service. We can't deny the people we are actually charging to do this—we can't deny their concerns about what we are getting ready to do.

Let me read for a moment what Harry Butowski, a historian who recently retired from the National Park Service, said about this bill. He summed up how Congress is out of touch with National Park Service needs and priorities when he was expressing his opposition to the lands package in the national defense authorization bill, of all places.

He said:

I think it is irresponsible for Congress to create so many new parks, heritage areas and expansions of existing units and not provide the funding and manpower necessary to manage what we now have.

I think the National Park System should not be added to or expanded until we can fund and staff all of our parks and programs. To add more units at this time is just not responsible. It is the opposite of good management.

Here is the historian for the Park Service telling us as Members of the Senate: You are irresponsible in what you are doing.

I know we will blow that off. That doesn't mean anything. But this is somebody who has had his eye on the Park Service for years.

... Perhaps what Congress should do is an analysis of the entire National Park System and start getting rid of marginal units that cost many dollars and have few visitors.

That is exactly what this report recommends. But nobody read it, studied it, considered it, to try to solve the problem. And it doesn't mean we cannot have new national parks—we can—but we ought to have a plan to take care of the ones we have now before we add additional national parks and put at risk the most fantastic National Park System in the world.

Here is what the first National Park Director stated—the first one—and we ought to pay attention to him.

The national park system as now constituted should not be allowed to be lowered in standard, dignity, and prestige by the inclusion of areas which express in less than the highest terms the particular class or kind of exhibit which they represent.

Let me tell you, this is exactly what he is talking about.

Hinchcliff Stadium in Patterson, NJ, is going to add \$100,000 to the Park System. Does it have historical significance? Yes. Should it be part of the Park System? Absolutely not. Does it look good for those who sponsored it back home? Yes. Get the attaboys back home. But what damage do you do to Yellowstone, Yosemite, Rocky Mountain National Park, Grand Mesa, Grand Canyon? What pain, what lack of maintenance, comes across from that?

I have stated before, I have no problem with land swaps and conveyances. I think we ought to make them easy, and the best way to make them easy is to get the Federal Government out of them, and return the land that is in Wisconsin that the Federal Government owns to the people of Wisconsin. They will be the best stewards of that land. Same thing in Oklahoma, in Colorado, in California, in Washington State, and Arizona, and in Nevada, where it has the largest percentage ownership by the Federal Government. We have to kowtow to a bunch of bureaucrats in Washington for the people in the State of Nevada to do what is in the best interests in the State of Nevada of the land that is there? That makes no sense.

I have mentioned the bill is not deficit neutral—\$310 million, including

more than \$200 million in cost to the National Park System, is going to come through with this bill, and unless you assume that nothing is going to happen that is authorized in this, there is no way you can deny this doesn't cost another half a billion dollars a year. As a matter of fact, I found it interesting listening to the chairwoman of the energy committee this past week when she was excited about this land package because we are clearing all the old land pieces of legislation.

So we are taking care of the politicians, but are we taking care of the parks? Are we doing what is in the best long-term interest of preserving the pristine, unique aspects of our country as we add ballfields or the old Colt manufacturing facility in Connecticut? Really, a national park? Does it meet the requirements as set out in parks? No, it doesn't come close to meeting requirements for a national park, but it is in there, because it is going to look good to a politician back home.

I kind of used the commonsense test. The country is broke. We had a \$460 billion deficit last year. We are going to add a half a billion dollars on to a park system that has a \$12 billion deficit in terms of backlog of repairs of what we already have. Most people with any semblance of common sense would say that is really stupid. It is really destructive of the whole goal of the National Park System in the first place.

The final point I would make is the NDAA. Even though it is a necessary bill, I want it to pass, I want us to have what we need for our military, this bill represents the worst of Washington; because what we have added to a must-pass bill are measures that are very low priority in terms of the long-term priorities of the country and fiscal soundness of the country, but are really high priorities for the politicians in this body. It is amazing how we can take something as important as the Defense authorization bill—the measure that is going to give our military leaders what they need to make the decisions to defend this country in this very dangerous world today, and lard it up with things that don't need to be happening right now—shouldn't be happening right now, and can be happening in other ways.

The reason I will assuredly lose this vote is because it has already been bought and paid for, because 35 States have something in title XXX, and most politicians up here don't have the courage to vote against their State interests when it harms the national interest. It is just not there.

Alaska: Two provisions, \$3 million; backlog on Alaska parks, \$121 million. Arizona: Two provisions worth \$2 million; backlog, \$592 million in terms of their national parks. California: Four provisions that reduce the deficit by \$225,000, but a backlog of \$1.6 billion at Yosemite and other parks throughout California. Colorado: A provision worth \$500,000, backlog, a quarter of a billion dollars. Connecticut: One provision, \$9

million, backlog, \$6.2 million. This is the Coltsville National Historic Park.

But none of that—none of that—meets the requirements as set out by the National Park Service of meeting the requirements for a park. So we just violate the rules—to heck with the rules—because we are going to do it.

Georgia: \$400,000—they have a \$100 million backlog. Idaho: \$17 million backlog. Kentucky: \$112 million backlog. Maryland: One provision worth \$12 million, and a \$363 million backlog on our parks in Maryland. Massachusetts: Quarter of a billion dollars in backlog. Maine: \$72 million in backlogs. Mississippi: A \$26 million provision—a quarter of a billion dollars in backlog in our battlefield parks in Mississippi. Montana: Five provisions—great parks out there—\$348.8 million in backlogs. But we are going to spend this money. North Carolina: One little small provision—6 million bucks, but a backlog of a half a billion dollars in our pristine parks.

I won't continue.

I understand the frustration of my colleagues in terms of trying to get land conveyances. We can do them, but not if we always hijack them with something that is of better parochial and political benefit for the Member, and that is why they don't go through. The land conveyances aren't hard to get through. We always add them with something that is controversial that shouldn't be there, to the benefit of a politician.

#### MOTION TO REFER

Mr. President, I send a motion to the desk.

The PRESIDING OFFICER (Ms. HIRONO). The clerk will report the motion.

The assistant bill clerk read as follows:

The Senator from Oklahoma [Mr. COBURN] moves to refer the House message to accompany H.R. 3979 to the Committee on Armed Services with instructions to report back forthwith with changes to strike title XXX, the nondefense related lands portion of the bill.

Mr. COBURN. Madam President, I will be asking for a vote on this motion. I am sure it will be tabled, and I understand that, but I hope the American public has gotten a flavor of what we are doing.

Here in the end of December, we are trying to get one of the most important pieces of legislation out, which is the Defense authorization bill. We are trying to get the appropriations bill through December 30 of next year, and what we do is put the politicians' interests first.

Maybe that is too harsh. Let me take that back. Maybe we put the Park Service's best interests last, which is even worse.

I have asked direction from the Chair. I have three other areas that I need to speak on today. I will hold those or follow the direction of the Chair in terms of bringing forth both motions and discussions.

I would also ask unanimous consent to have an article by Kurt Repanshek, dated December 9, 2014, entered into the RECORD, the "Traveler's View."

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

[From the National Parks Traveler, Dec. 9, 2014]

TRAVELER'S VIEW: SENATE SHOULD EITHER FUND NEW PARKS IN DEFENSE BILL, OR STRIP THEM OUT

(By Kurt Repanshek)

There are at least 75 million reasons why the U.S. Senate should either fully fund the national park projects contained within the defense authorization bill, or strip them out.

For the National Park Service, already billions of dollars in the red with its maintenance and operations budget, and cutting staff in crucial areas such as cultural resources, to be asked to add seven new national park units, adjust the boundaries of nine units, and redesignate two of those units, without any new funding, is incredibly poor legislating by Congress and will not enhance, but rather degrade the overall system.

This is not to judge the worthiness of the prospective units as part of the National Park System, but rather to point out the fiscal absurdity in play. Congressional Budget Office figures show it would cost the Park Service at least \$75 million over a five-year period to get these units up and running, and millions more to operate them on an annual basis. At the same time, the Park Service's maintenance backlog has crept up to \$11.3 billion, and some of those needs are critical.

According to the Park Service, 90 percent of the roads in the system are considered to be in "fair" or "poor" condition; "28 publicly accessible bridges within the parks' transportation system are "structurally deficient" and in need of rehabilitation or reconstruction;" "approximately 36 percent of all trails throughout the National Park Service (6,700 miles out of a total of 18,600) are in a "poor" or "seriously deficient" condition" and; "since 2005, the number of national parks in regional air quality non-attainment areas has more than doubled; 128 parks now are in non-attainment areas, where air pollution levels regularly exceed the national ambient air quality standards."

We like to view the national parks as "America's best idea," and members of Congress certainly like to point to a unit in their home districts. But if we can't afford the 401-unit park system we have today, how can we possibly justify new units?

There's no urgent need to add the sites listed in the defense bill at this time. The Blackstone River Valley has been part of the park system as a heritage corridor since 1986; Valles Caldera National Preserve currently is under the U.S. Forest Service; the Coltsville Historic District in Connecticut is under the aegis of the Hartford Preservation District; the proposed Lower East Side Tenement National Historic Site is currently a museum; the Harriet Tubman Underground Railroad National Historical Park actually exists today as a national monument President Obama designated in 2013; the Atomic Heritage Foundation currently is preserving sites that would fall into a Manhattan Project National Historical Park, and; public and private efforts currently are at work to protect the fossil-rich landscape of Tule Springs near Las Vegas.

Congress would be much wiser, and the National Park Service much better off, if it simply added \$100 million to the agency's budget in an effort to chip away at the maintenance backlog. While \$100 million would

barely dent that staggering sum, it'd be money better spent at this time than forcing the Park Service to decide where to further cut its existing budget to manage these additions.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. I thank Senator REID for coming to the floor. Since we last asked this unanimous consent on the Taxpayers Right to Know, I have had a conversation with the administration and Shaun Donovan, the head of OMB. When Shaun came to see me in our committee of jurisdiction over his nomination, one of the things he assured me is that he would try with all due haste to move forward on the things for transparency for the Federal Government, one of President Obama's key projects. He assured me he had the capability to lead that organization, even when things are hard and difficult.

So I would like to describe for a minute what the Taxpayers Right to Know is. President Obama, myself, JOHN MCCAIN, and TOM CARPER passed a bill when President Obama was in the Senate, which was the Federal Transparency and Accountability Act. It made it so that Americans could start seeing where their money was spent. We have since then passed the DATA Act which would be an improvement on that, and the third and final step in that is the Taxpayers Right to Know.

Now what does that mean? That means the taxpayer has the right to know where their money is being spent. The taxpayer has the right to know what programs are out there. The taxpayer has the right to know what is working and what isn't.

So we hear from the administration in a long conversation that this is too hard. You know, we didn't tell that to our troops in Afghanistan or Iraq, that this is too hard. And their real complaint is under the definition of a program. Well, most of us know what a program is. We know it when we see it. But the fact is, we will never control spending nor will we accentuate what is working well until the Taxpayers Right to Know Act is implemented.

What I told the Director of OMB is there is one agency already totally compliant with this. It is called the Department of Education. If they can do it, why can't everybody else? They know what the definition of a program is. They figured it out. I see this as an excuse not to be transparent with the American public. This has 38 bipartisan cosponsors in the Senate, and it passed the House unanimously. There is only one objection in the Senate, and that is from the OMB. Everybody else recognizes this is commonsense, good-government transparency.

I recognize the important role the majority leader has in terms of representing the administration's views. I just happen to say he ought to tell them to take a hike this time because the American people will benefit greatly, and it really is not that much more work.

#### UNANIMOUS CONSENT REQUEST—S. 2113

I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 531, S. 2113. I ask that the committee-reported substitute be agreed to, the bill, as amended, be read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

I wish to also note that this bill is going to pass next year. The President is going to get it anyway. Either he is going to veto it or he is going to make Shaun Donovan implement it. Why don't we get after good government now rather than wait 3 or 4 months?

I yield the floor.

The PRESIDING OFFICER. Is there objection?

Mr. REID. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. COBURN. I reserve the remainder of my time and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Ms. MURKOWSKI. 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. MURKOWSKI. Madam President, earlier there was a lot of discussion about the NDAA—the Defense authorization bill—and the very important provisions which are contained in that which will provide for our men and women who serve us so honorably. I concur with all who have spoken today about the importance and significance of this bill and why we should pass it and why we should pass it today.

An area of controversy that has certainly come up—and my colleague from Oklahoma has pointed it out very clearly—is the public lands package that has been attached to the NDAA. I will speak a little bit about where we are today and why we are dealing with this issue and why it is important that the Senate and Congress advance these public lands provisions for our country.

I had an opportunity to speak in greater detail yesterday, but I felt it was important to let colleagues know why we deal with public lands bills traditionally in a package.

The Presiding Officer comes from a Western State, but Hawaii does not have large portions of land held by the Federal Government.

In the 12 Western States, which includes Alaska—93 percent of the Federal lands that are held by this country are contained in these 12 Western States. What does it mean when you are a State like Alaska where some 68 percent of your lands are Federally held? What does it mean when you are a State like Nevada, where our majority leader is from, where 85 percent of your State is held in public lands? It means that when you want to do a conveyance, a conveyance doesn't come about just because you are able to get

a real estate attorney and you have a transaction; it literally requires an act of Congress.

We are dealing with one provision in this public lands bill that Senator FRANKEN, from Minnesota, has been working on. It is a conveyance of one acre of land that is currently held by USGS, and it is a conveyance to a school district. Most people around this country—or certainly on this end of the country—would say: Wow, that really requires congressional action? That really requires a vote? That really requires the President to sign it into law? The answer is in the affirmative.

We have been processing, as a committee—on the Energy Committee and committees on the House side—public lands bills throughout this Congress. We have been working on some of these public lands measures not for months, not for years, but in several instances a decade. It has taken a decade to bring about some of these conveyances and these exchanges.

I believe it is important to set the record straight—for those who are suggesting that somehow or other this was conjured up in the dark of the night or that there has been no process for these bills—and let colleagues know about the procedural process that has led to its inclusion in the NDAA.

For the record, I will note that the process included not only the committees of jurisdiction for the lands bills but the committees who crafted the NDAA bill, leadership from both sides, and individual Members who all agreed to cobble together a package that was fair and balanced, bipartisan, bicameral, revenue neutral—which is exceptionally important—and also addresses the need for conservation on one end and economic development and jobs and prosperity on the other end. With this package of bills, one can see that compromise come together.

It has been noted that these public lands bills have nothing to do with defense authorization, but I will say that this is not without precedent. Adding lands to an NDAA bill has been done in the past. We have seen it in the past several NDAA's. What we did here was to amend the existing lands package within the House-passed NDAA—which is hardly out of balance or unusual.

As I said before, I would much rather have us move individual bills through the floor as we process them, but many Members have said to me: Well, your small lands transaction is important, but does it really rise to the level of occupying floor time? It is tough to win the undivided attention of the Senate on some of these measures.

Just because this issue doesn't rise to a level of keen interest in this body doesn't mean these issues are not critically important for individuals, communities, and States around our country, and so it is hard to put that together. But just because it is small or more localized or perhaps more parochial—like this one acre of land we are

trying to convey to this school district—doesn't mean we should disregard it or overlook it or not try to enact it because somehow or other it is not as important as the other things we do around here.

So knowing how valuable and precious floor time is around here, we worked together. We have been working together for months—again, in a bicameral and bipartisan way—to combine many of the bills that are in the package. The result of what we have in front of us is provisions that will help boost natural resources and community development while we are also advancing conservation. We are moving toward economic development in certain areas, creating jobs. We have opportunities in both Nevada and Arizona to create thousands of good-paying jobs and will increase our resources and our minerals security.

Other aspects of the bill focus on conservation. There are additional wilderness provisions that are in there, but again, as we attempt to achieve that balance, what we have in front of us is a good structure.

I want to make sure colleagues recognize that when we are discussing the concern my colleague from Oklahoma has raised, the concern he has so well articulated that within our National Park System we have a maintenance backlog that is awful—and in many cases it is overwhelming. To his credit, he has given keen attention to this maintenance backlog we have and has pressed us to do more to improve that situation. He put together a very considerable report that we are using in the energy committee to help build a series of necessary reforms that will be required to deal with our issues within the National Park Service. Thanks to Senator COBURN's good work on this issue, we will be able to see some true reforms.

I met yesterday afternoon with Director Jarvis in my office, and I made it clear to him as the head of Park Service that this is going to be an area on which we must be focused. Our national parks are a national treasure, but when we can't attend to their needs and ensure that they are maintained to the level that, as Americans, we all want, then we are failing on that.

He has a very good point when he says we need to be doing something about maintenance and backlog. I agree. We actually have a couple of provisions in this public lands bill that will help us with that, and one of them is the bill Senator COBURN has sponsored which will allow for donors to have discreet recognition within our parks. So if you want to give a private donation, there is a way for recognition. We also have a provision in here that will allow for minting of a coin, which again will help with private dollars. Those private pieces are very important, but we need to do more, we will do more, and my commitment is to help do that.

One of the things that I think are important to recognize with the park pro-

visions that are included in title XXX is that it is critically important to recognize the local support these park provisions have that will encourage economic development, tourism, and recreation. The agreement includes five new national historic parks, and it transfers management of two existing Federal areas to the Park Service. All of the new historical parks have been formally studied and have been recommended for inclusion in the National Park System. They focus on specific historic sites of national significance.

Studies have also been done—and my colleague has referenced that—on potential additions to the National Park System. These study authorizations have previously passed the House under suspension or gone through the Senate by unanimous consent. Again, we are not trying to go through the backdoor. The study that has been conducted and the process that has taken place in both the House and Senate is to ensure that there is that local support and that this is not just something a Member wants to attach his or her name to, that this has local support, and that in turn will help us with some of the funding issues we are going to need to address for our park systems.

I wish to conclude my remarks quickly because Senator FLAKE was asked for a few minutes and I would like to defer to him. First, the issue has also come up about existing national heritage areas. I think it is important for colleagues to know that we do provide for limited extensions for existing heritage areas, but there are no new heritage areas that are created. I think it is important to recognize that when we talk about extensions, it is extensions of existing heritage sites.

So with that, if I may, I wish to yield to my colleague from Arizona, Senator FLAKE. We have been working not only with Senator FLAKE but with Senator MCCAIN on a provision that will certainly not only benefit his State, but it will benefit the United States in terms of jobs, economic opportunity, and a mineral resource; namely, copper, that is extraordinarily important to us.

With that, I turn to Senator FLAKE.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. FLAKE. Madam President, I thank the Senator from Alaska for yielding, and I wish to thank her also for her hard work on this lands package. These are difficult pieces of legislation to put together. It is particularly living the West, when we have States such as Arizona that are about 87 percent publicly owned by either the Federal Government, State government or tribal governments. To have access and to have rural communities have access to economic development when we are dealing with resources that are often on these lands, and when land exchanges need to be done, it is extremely difficult to do that because it is often seen as a parochial interest, and it is difficult to get support from

around the country for something that is needed in Arizona without putting a package together that has other items that are needed in other States, particularly in the West. So I wish to compliment the Senator from Alaska and others who worked so hard to put this complex package together that has many beneficiaries and also to put it together in a way where we are not contributing or increasing the size of the Federal or State, that we are promoting economic development in States such as Arizona.

As the Senator mentioned with regard to Arizona and what this does, it allows land exchange to happen that will allow a copper mine to be developed that will ultimately produce, likely—or can produce—about 25 percent of the copper needed for manufacturing, for use in this country. That is not just an economic development issue; that is a national security issue as well, to make sure we are more independent with regard to our source minerals.

In terms of economic development of the State, it is huge. We are talking about thousands of jobs over the next several decades that will be produced and will continue economic development for rural communities in Superior, Globe, and Miami, that have had a tough time and that will be good for those communities and for the entire State.

So I commend again those who have put this together. It is never good to see a big package with so many things in it; that is what we want to get away from, and hopefully we can in the new Congress. But it has been very difficult to move individual pieces of legislation over the past couple of years. So unfortunately we are often saddled with trying to put together a package and attaching it to a larger bill, which is the case here. But again, kudos to those who worked so hard to put it together. I appreciate the indulgence of this body to have a package such as this in the NDAA bill. I plan to vote for it and I encourage my colleagues to do the same.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. I thank my colleague from Arizona. As he has pointed out, not only is this measure important to the State of Arizona, but the State of Nevada will also gain the benefit of being able to access copper resources in that region as well, bringing jobs and bringing a resource.

So contained in this package—and again a balanced package—we are talking about the Federal land conveyances for economic and community development. We have mentioned the opportunity for mineral production with two copper mines, one in Arizona, one in Nevada; an opportunity for increased timber production in my State. We will finally realize the obligation to settle the land claims with the Native people of the southeastern part of the State in



the Sealaska region, 40-some years after the promise for their lands conveyance. They are still awaiting their conveyance. This measure we have in front of us will not only fulfill that decades-old promise, but it will allow for a continuation of timber within their region, albeit very, very, very reduced.

But in order to move to that second growth transition the Forest Service is always talking about, we have to have an industry that is just staying alive, and this Sealaska lands provision will help with that. But it was also crafted in a way that took into account the concerns of the fisheries, the stewardship for other lands, placing additional lands in a conservation area—so again a key balance.

The other provisions that relate to our Federal lands and our ability to access them I think are important, making them productive. The provision allows for land management agencies with the needed authority to renew and process grazing permits and leases. This is a measure that my colleague from Wyoming and my colleague from New Mexico have been working on, and in terms of something that provides certainty to America's ranching community, this is so key, this is so important.

We also worked to expand the successful BLM permit streamlining program to boost oil and gas production from the Federal lands. So it is kind of the economic development piece, but the conservation piece I think is equally important. It does designate wilderness. It designates approximately 245,000 acres of wilderness in total. But I think what is important for colleagues to recognize is that just about half of those acres are already managed as if it were wilderness. In other words, they are in wilderness study areas or roadless areas. So again we looked at those measures where there was support at the local level, at the State level, represented by the Members of Congress who had worked over the years to gain the level of support for these provisions. There is no cram-down. There is no designation from the executive as to monument status. This is how the process is designed to work.

We also returned 26,000 total wilderness study areas to multiple use, again for greater activity on those lands.

We protect private property rights in all of our special land designations. There is no private property that can be condemned or acquisitions through eminent domain. Private activities taking place outside of the special land designation are not going to be precluded by such designations, and we have insured that there are no buffer zones or protective perimeters that would encroach on personal and public rights.

I have been asked about the impact on hunting and fishing on our public lands, because that is something that particularly those of us in the West care a great deal about. I have heard

some concerns that there may be negative impacts. But I want to be clear that the wilderness bills in this agreement actually affirm the responsibility and the authority of the States for the management of fish and wildlife.

In the wilderness bills that we have in New Mexico and in Nevada, they have incorporated restating the law—this is section 302 of FLPMA—to provide assurances that the wilderness designations do not give the Secretaries any new authorities to close Federal lands to hunting, fishing or trapping that they don't already have.

So we have put in place protections again trying to find the balance between the conservation and the development, providing for access, ensuring that private rights are respected, ensuring that our opportunities for use and enjoyment as well as economic activity are preserved; trying to find a package that is balanced from the bicameral, bipartisan perspective, making sure we are not imposing costs; again, a revenue-neutral proposal. I think that is also worth stressing.

I have seen something out there that suggests there is an impact on direct spending from title XXX. The fact is it is revenue neutral over these next 10 years. We do not take anything from the Defense authorization perspective within this bill with this lands package. That was never the intent. It was not the design, and it will not impact that.

With that, I yield the floor and reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Madam President, I rise in strong support of the lands package. I wish to congratulate the Senator from Alaska as well as the Senator from Louisiana for their work, and particularly in support of adding Hinchliffe Stadium to Great Falls National Park in Paterson, NJ. It has a special place in the hearts of many New Jerseyans, and it has played a vital role in the story of America's fight against institutionalized segregation.

Critics of this legislation are using a mixture of the stadium showing overgrown shrubs and graffiti on the walls—asking, What does a stadium such as this have to do with this and should it be in with our national park system?

Unfortunately, the picture being circulated only shows a side of the story at a different time. What it fails to show is the dedicated work of the surrounding community to clean up Hinchliffe Stadium. So I brought three photographs that I think illustrate the work being done in Patterson and to put to rest this notion that the stadium is an abandoned place that the community doesn't care about.

The first is a picture of dozens of local residents working together to clean up the stands, paint the walls, and begin the process of restoring this vital community center. The second is

a closeup picture of just a handful of these volunteers. These are young people taking the time to improve their community and honor the history that was behind the stadium. The third shows the final product—much different than what my colleague showed—of their hard work. These pictures were taken earlier this year at an event where 700 volunteers worked to clean up Hinchliffe Stadium.

The argument that we are dumping this land on the National Park Service is simply false. The legislation specifically prohibits the Park Service from directly purchasing this land, meaning that the community of Paterson will continue to be intricately involved in the management and preservation of the stadium.

I think these photographs illustrate the dedication of the residents that Paterson and the surrounding area have to protecting Hinchliffe Stadium. There is a reason for this dedication. Hinchliffe Stadium has the designation of being one of the few remaining sites that hosted the Negro League Baseball. In the 1930s and 1940s, Hinchliffe was the home of the Black Yankees, and in 1933 the stadium hosted what was called the Colored Championship. In 1936, the field was home to the New York Cubans, a team made up of players from Cuba, the Dominican Republic, Mexico, and Puerto Rico.

Some of baseball's greatest stars, including Satchel Paige, Josh Gibson, and Larry Doby all took the field at Hinchliffe Stadium. Doby went on to become the first African-American player joining the American League, helping Jackie Robinson break down the color barrier.

Contrary to the negativism and misrepresentations we are hearing today, Hinchliffe Stadium should be part of the Paterson Great Falls National Park. I know it, everyone who knows about its history knows it, and America should know it as well.

I am proud to be a sponsor of the legislation adding Hinchliffe boundaries to the national park. This bill has been championed by Congressman PASCRELL in the House of Representatives, where it was passed by a House vote earlier this year.

I want to read briefly from a guest columnist editorial Congressman PASCRELL wrote with another individual. He said that Hinchliffe Stadium in Paterson is one of the last remaining stadiums associated with the Negro League Baseball.

It is where sports and racial history coalesce. Hinchliffe Stadium is the only National Historic Landmark in baseball and only one of two professional Negro League venues considered nationally significant.

Cal Ripken, 2007 Hall of Famer, when he talked about Hinchliffe, said:

Not only does it deserve recognition for its place in history, but it deserves the opportunity to be restored into a place where tomorrow's youth will be able to walk in the footsteps of yesterday's legends and experience the history of this community firsthand.

I am also pleased with this legislation that is cosponsored by Senator BOOKER and formerly by Senator Jeff Chiesa, a Republican who served in the Senate for a period of time after the passing of Senator Lautenberg. And speaking of Senator Lautenberg, he was one of Hinchliffe's greatest champions, and he was proud to count Paterson as his hometown.

The version of the legislation that we consider today includes amendments suggested both by the Parks Service and by House Republicans. That is why it passed by voice.

Some critics cited the previous National Park Service study opposing the inclusion of the stadium in the national park. The study was discredited by 25 distinguished scholars at the time. Since then, the Park Service has completed an additional study and designated the stadium as a national historic landmark.

I believe strongly that the story of our fight against institutionalized segregation is a story worth telling.

Critics of this legislation may look at Hinchliffe Stadium and see a run-down sports field. Not me. When I look at Hinchliffe Stadium, I see a field of dreams, an enduring reminder of how far we have come since the days of separate but equal, when institutional segregation marginalized the works, the dreams, and the achievements of African Americans. I see a community coming together decades after Hinchliffe first earned a place in the canon of American history to preserve the legacy it represents. I urge my colleagues to join me in standing up for this legacy and supporting the inclusion of Hinchliffe Stadium in the Great Falls National Park as part of the national lands package.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Madam President, first, let me thank Senators LANDRIEU and MURKOWSKI for their work on this legislation. I was listening to Senator MURKOWSKI go through how this process came together. I also listened to Senator COBURN's concerns about the process that has been used.

Let me share with my colleagues why I strongly support the inclusion of the lands package in the National Defense Authorize Act and encourage my colleagues to support the vote later today. I reference specifically the Harriet Tubman National Historic Park. Talk about frustration. This park, although approved through studies and it went through all the appropriate ways for its designation, was held by one Senator on a hold for 3½ years, and that is despite the fact that since 2012 there was an offset to make sure it did not cost any additional resources—a requirement that I was told I needed to satisfy to remove the hold.

There is a lot of frustration here. I appreciate what Senator MURKOWSKI did and the history she went through. She is absolutely right. If we tried to

bring these bills to the floor on an individual basis, we would never get done the work of the Senate. These land issues have been vetted, and I can tell you in regard to the Harriet Tubman National Historic Park, it is very much needed.

This Senate did pass this particular designation earlier this year, so this has already been passed by the Senate. In the House, I worked with Congressman HARRIS and Congressman Moffett dealing with some of the same issues that Senator MURKOWSKI mentioned a few moments ago, and that is to make sure we have the right balance between the lands that are designated as part of the historic park and the landowners' rights in the community. The balance that Senator MURKOWSKI said generally in regard to the provisions applies in regard to the Harriet Tubman park. I thank Congressman HARRIS and Congressman Moffett for their help.

I also want to acknowledge the work of my colleagues—Senator MIKULSKI, Senator GILLIBRAND, and Senator SCHUMER—and thank them for their help in bringing about this package and bringing about the ability today to finally pass the designation of the Harriet Tubman National Historic Park. This will be the first woman, the first African-American woman to have such a recognition under our National Park System. This is an appropriate person for this historic moment. I think most people know that Harriet Tubman was considered the Moses of her people. She was born into slavery in Dorchester County, MD, the Eastern Shore of Maryland. For the first 30 years of her life, she lived in slavery, and then on her own, by herself, she escaped slavery and made her way to liberty in 1849. She did this alone. The courage of this woman—she didn't stop there; she then came back and rescued others slaves and brought them to freedom through the Underground Railroad, which took slaves from slavery to freedom.

I am proud of the historic significance of the State of Maryland in that regard, with the birthplace of Harriet Tubman and where the Underground Railroad operated.

The Eastern Shore is on the eastern part of our State. I could take you to the western part of the State, Cumberland, where you can see the church in which the slaves on their way to freedom were sheltered before they went through a tunnel to the railroad and literally went to Pennsylvania and freedom.

This is an incredible opportunity. We have the landscape, we have the property on the Eastern Shore of Maryland.

In Auburn, NY, we have where Harriet Tubman lived the later years of her life. After escaping and becoming free, she was a spy for the North, for the Union during the Civil War. She then went on to help with women's suffrage. She set up a home for the aged African Americans in New York. A lot of those properties still exist today up in New York and will be part of the

Harriet Tubman National Historic Park.

This is an appropriate way to honor a real hero of our country but also to provide a way for young people and all the people in this country to learn more about Harriet Tubman. It will help the local economies of New York and Pennsylvania. It is part of the National Park System's dedication to African-American history. I think it is very appropriate to at long last be able to get this done.

For those who express frustration, we had this paid for a long time ago, we worked out all the balances a long time ago, and we thought this would be done a long time ago. But today we have a chance to get it done, and I urge my colleagues to support the package and support the NDAA bill.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. HEINRICH. Madam President, I rise in strong opposition to the motion to refer, which would remove the public lands title from the Defense authorization bill.

Like some of my colleagues, I think an appropriate place to start today is to thank Chair LANDRIEU and Ranking Member MURKOWSKI for their efforts on the Energy and Natural Resources Committee. They worked so hard to come up with a package that could actually move in this divided Congress.

The bills in this package have been the subject of incredibly long debate. Many of them, such as the bill we just heard about from my colleague in Maryland, have been under consideration for years. Almost all the bills included in the public lands package have received hearings in either the Senate Energy and Natural Resources Committee or the House Natural Resources Committee, and almost all of the bills were favorably reported by these committees. For example, every provision in the lands package relating to a national park designation or expansion and every provision designating Federal land as wilderness in this package was closely considered by the Energy and Natural Resources Committee and cleared the committee with bipartisan support.

I should note that many of these provisions were not only the subject of committee hearings in this Congress and markups in this Congress but in previous years as well.

The public lands title is the product of lengthy negotiations with the House, with both Republican and Democratic priorities included. Some Senate provisions were modified to address concerns raised by the House of Representatives, and other House provisions were modified to address Senate concerns. This package is a compromise. There is a lot in it that I love but a few things that I absolutely don't support. There are also things that I had hoped would be in this package that will not be in this package. But that is the nature of compromise and

governance. Frankly, that is something we need a lot more of around here.

This package conserves our Nation's resources, our water resources, and our wildlife habitat. It preserves our Nation's culture and history and allows for the smart and responsible development of our public lands as well. We have a responsibility to future generations to be good stewards of our shared culture and the natural world.

Madam President, it will come as no surprise to you or to many of my colleagues that as I travel across New Mexico, what I hear time and again from people is that they are frustrated with Washington, that Congress can't get anything done, and that "compromise" sounds like a dirty word to some of our colleagues. We have an opportunity to change that today. Let's work together and be willing to compromise in order to get things done for our constituents and for the American people. Our constituents across this great Nation deserve no less.

I would urge my colleagues' support of the package and opposition to the motion to refer.

I yield back the remainder of my time.

The PRESIDING OFFICER. Who yields time?

The Senator from Alaska.

Ms. MURKOWSKI. Madam President, I understand there is still 5 or 6 minutes remaining of my time. If there are other colleagues who would care to speak on the significance of title XXX of NDAA, natural resources, and the related provisions, I am certainly happy to yield to them.

I thank my colleagues who have come to the floor on both sides of the aisle to speak to some of the specifics that are contained within this bill because I think it helps to understand why we are at this late point in the calendar with a package of different bills focusing in different areas, whether it is a small land conveyance, whether it is the creation of a wilderness area that has come about through a great deal of compromise and collaboration, or whether it is a collaboration that will allow for economic opportunity through mineral development, timber harvest, or grazing opportunities. I think it does speak to the diversity of what we are dealing with, with so many of our public lands and the reality that they are different all over. It is very different in Alaska from what my friend in New Mexico experiences. The similarity we have is that we don't have the ability to do it on our own; we have to come to the Federal Government.

What will happen is, whether you are in New Mexico or whether you are in Alaska or points in between, you have local consensus emerge around an issue. They bring it to the State, and the State works with us at the Federal level, Members of the House and Members of the Senate. We continue to work this process. It usually is a very collaborative process.

Just because it is collaborative does not mean we agree on every issue. There is a great deal of give and take that goes on, because when you are talking about your public lands, every acre is precious to somebody. I know that full well in the legislation we have been working on, the See Alaska bill, for almost a decade now.

The fishermen have certain interests, those who harvest timber have certain interests, the conservationists have certain interests, the school district has certain interests. So how we build this takes time. But it seems as though the only place we do not get time is here on the Senate floor. We do not have the time allocated to us, nor do—I would be happy to spend hours and perhaps days discussing issues such as we have raised in this public lands bill. But I do not think most of my colleagues are interested in debating a reversionary clause for a parcel of land in downtown Anchorage that can be sold so they can have an opportunity, in Anchorage, to build something new there. It just does not rise to that level of immediacy and concern.

So, again, we do the best we can to try to be balanced, to try to put together something that works for all. It is a balancing act. It requires a level of finesse. If we were to have put together a package that was overly weighted towards new wilderness or new parks, not only would my constituents back home not support it, I could not support it. We have to work together on bill packages of this nature.

I want to recognize the good work of those on the energy committee who have worked with us to construct something that is good, balanced and fair. I will acknowledge my chairman of the energy committee, Senator LANDRIEU, who has worked with us to find that level of balance.

I do hope that as we look at a new Congress, we will be working together as colleagues to try to figure out a better path for the endgame for these smaller bills. I have been part of way too many lands packages now where we have the same debate: Why is it attached to this? Why are we doing this now? I would like to get us to a place where there was a more certain process so that Members knew their small conveyance bill, their small study, did not get caught up in end-of-session kind of madness, or caught up in things that distract from what it is that delegation has been attempting to do for that State, for that part of the country.

I would ask my colleagues—I have spoken with many on this side of the aisle as well as the Democratic side of the aisle—let's be working together to figure out how we can relieve this bottleneck, because I sincerely want to do that. But what we have in front of us today is our opportunity to bring some finality, to bring some conclusion, to bring some resolve to issues that have been outstanding for a considerable amount of time, as I mentioned, in several instances almost a full decade.

Let's clear the deck. Let's move this lands package on this NDAA bill so that next Congress we can begin with the many public lands bills that are still in the queue, that are still waiting for a process. But you can count on me to be working with my colleagues to ensure that we have a way forward that will be more expeditious than we have seen historically.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. 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, later today I will be offering a motion to attempt to undo a precedent set in 2011 that took away the right of all Senators, a right that was provided by Senate rules for Senators to suspend the rules in a postclosure environment to offer an amendment.

It is a very high bar. It requires 67 votes to ever pass an amendment under that. This right allowed the minority or individual Senators to circumvent parliamentary obstacles, namely the filling of the tree to receive votes. History now shows us that the filling of the tree has occurred two times more under the leadership of Senator REID than all of the leaders in the past—91 times.

The question will essentially be, Do we want to keep the Reid motion to suspend the precedent prohibiting motions to suspend the rules postclosure by sustaining that precedent? This is not a nuclear option, does not have anything to do with that.

As I thought about bringing this forward, I thought about how important it is for the new minority. I am not going to be with you. But it is my valid opinion, I believe, that you are not going to see the limitations on your amendments that we have seen in the last 6 years under the new leadership of the Senate. But if we were to see that, this is a particularly good way to have the Senate vote on a topic of interest to the American public.

So when this is offered, voting yes keeps the Reid precedent which says even postclosure you cannot offer to suspend the rules, even with a 67-vote margin and have a vote. Voting no will reverse the Reid precedent. If the precedent is overturned by a majority of Senators voting against the ruling of the Chair, the rights of all Senators, as written in the Senate rules to suspend the rules postclosure, would be returned—Democrats, Republicans, all.

If I am successful in overturning this precedent, I am not planning on following up with another motion allowing me to offer an amendment at this time. The whole goal is to try to restore the Senate. So I have no ulterior motive with another amendment if I were to win this attempt.

The distinguishing characteristics of the Senate are the right to offer amendments and the right to debate. That is what makes it unique. That is what forces consensus. Throughout his tenure, my colleague, the Senator from Nevada, has aggressively deployed a tactic to block other Senators from offering amendments to legislation. This tactic is known as filling the tree. It fills all available slots for all amendments with shell legislation, preventing all other Senators from offering amendments, both of his party and the opposition party.

He has done this 91 times during his tenure as the majority leader. From 1985 to 2006, it only occurred 40 times. What this tactic effectively does is shut down every other individual Member of the Senate from even input into legislation and carrying on the responsibility they were granted by the citizens of their State to offer amendments to pieces of legislation coming through the Senate.

Starting in 2010, as Senator REID continued to use the filling-of-the-tree maneuver, Senators in both parties resorted to other procedural options to assert their rights as Senators. Under rule V of the Standing Rules of the Senate, the other rules may be suspended, including blocking amendments by filling the tree.

From 2010 until October 6, 2011, Senators filed more than 30 notices and the Senate held 15 separate votes to suspend the rules and allow amendments to be offered during postcloture debate, as was the history of the Senate for its entire history.

On October 6, the majority leader interpreted Senate rules with a simple majority, ending the right of Senators to suspend the rules postcloture. He called up a motion to suspend the rules that had been filed on the previous day by myself. He made a point of order that a single motion to suspend the rules was dilatory. A single motion to suspend the rules was dilatory under rule XXII.

Never before had the Senate ruled that a single motion to suspend the rules was dilatory. In fact, the Senate Parliamentarian had previously upheld the maneuver. As such, the Presiding Officer correctly ruled that the postcloture amendment was not dilatory under rule XXII. A single motion to suspend the rules cannot be considered a delaying tactic.

Senator REID's point of order was, therefore, not sustained. He then appealed the ruling of the Chair and held a vote to overturn it by a simple majority of 51 to 48. The Chair's decision was overturned. Every Republican and one Democrat voted against this appeal, instead voting to uphold the Presiding Officer's decision which reflected the written rules of the Senate.

This vote established a new precedent to interpret the meaning of the word "dilatory." Only it did so in the most heavyhanded way, fully intended to block the ability of Senators to offer

amendments. From that point forward, it was considered out of order to offer postcloture motions to suspend the rules, despite such right being explicitly provided for under Senate rules.

In order to overturn this precedent, a Senator must offer another postcloture motion to suspend the rules for the purpose of considering an amendment.

The Presiding Officer most likely will rule that the motion is not in order based on the 2011 precedent.

At that point, the Senator offering the motion will appeal the ruling of the Chair on the basis that a single motion to suspend the rules postcloture is not dilatory. The Senator would then ask for the yeas and nays.

If a simple majority of Senators vote to overturn the decision of the Chair, the precedent will be reversed, restoring the right explicitly provided in the rules that allows Senators to offer motions to suspend the rules postcloture as before.

This issue is unrelated to the nuclear option and will have no impact on the outcome of that debate.

Senators who support or oppose changing that issue can both support this effort.

At the appropriate time, I will be offering that motion. I came to the floor today to put my colleagues on notice of my intent.

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

The PRESIDING OFFICER. The clerk will call the roll.

Mr. LEE. 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. LEE. Mr. President, I ask unanimous consent to temporarily set aside the pending amendment so that I may call up my amendment, amendment No. 3996, which is at the desk.

The PRESIDING OFFICER. Is there objection?

Mr. LEVIN. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. I will not support the unanimous consent proposal of Senator LEE for several reasons. He may want to state his motion first before I give the reasons for objecting to it, but I will object and, if necessary at this point, I do object.

The PRESIDING OFFICER. Objection is heard.

Mr. LEVIN. I have no objection to the Senator stating his purpose.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. I thank my distinguished colleague, the senior Senator from Michigan, whose presence we will miss and whose leadership we have appreciated over the years.

Madam President, I have offered this amendment today, which is an amendment that was crafted several years ago by me and Senator FEINSTEIN. We created this as a document that we

originally called the Due Process Guarantee Act. Senator FEINSTEIN and I had one objective with the Due Process Guarantee Act, which was to guarantee the right of the American people that while they exist, while they live from day to day on U.S. soil, they will be free from indefinite detention without trial, without their rights that are protected by our Constitution, without the rights we have come to associate with our habeas corpus guarantees and our other constitutional protections.

These are rights that we understand are inseparably connected with liberty and they long predated the existence of our Constitution and our Republic. They were so fundamental, in fact, that not only were they incorporated into our Constitution—this right to be free from a chance of being locked up by government indefinitely in prison, without trial, without counsel and so forth—they were discussed at length at our Constitutional Convention. They were discussed at length by members of our founding generation as they debated and discussed the merits of our Constitution.

Notably, in Federalist No. 84, James Madison referred to these rights, and he quoted a great luminary of that time—a luminary who is still a legal force to this day—Judge William Blackstone. He quoted a very meaningful excerpt from volume 1 of William Blackstone's "Commentaries on the Laws of England," published in 1765.

I want to read briefly some of what he said there that is relevant to this day. He says these rights are very important; they are the right to be free from detention, from arbitrary indefinite detention. He says:

To bereave a man of life, or by violence to confiscate his estate, without accusation or trial, would be so gross and notorious an act of despotism, as must at once convey the alarm of tyranny throughout the whole kingdom. But confinement of the person, by secretly hurrying him to gaol, where his sufferings are unknown or forgotten; is a less public, a less striking, and therefore a more dangerous engine of arbitrary government. And yet sometimes, when the state is in real danger, even this may be a necessary measure. But the happiness of our constitution is—

And here he is referring, of course, to the British constitution at the time

—that it is not left to the executive power to determine when the danger of the state is so great, as to render this measure expedient. For the parliament only, or legislative power, whenever it sees proper, can authorize the crown, by suspending the habeas corpus act for a short and limited time, to imprison suspected persons without giving any reason for so doing.

So in other words, he was referring to something contemplated and built into our constitutional structure as well, which is that, sure, there may be times of invasion, there may be times of national emergency, of an exigency so great, so threatening to the safety of the people that this kind of action might be warranted. But where that does happen, it has to happen by an express declaration by the legislative

body—that the right to habeas corpus is, in fact, being suspended.

I will conclude with this quote, where he says:

... this experiment ought only to be tried in cases of extreme emergency; and in these the nation parts with its liberty for a while, in order to preserve it for ever.

What was true in William Blackstone's time remains true today. What was true during the founding era, remains true today. What was true at the time of the drafting and the ratification of our other constitutional protections, including those in the Fourth, Fifth and Sixth Amendments to the Constitution, remain true today. That is that we are a free people, and as a free people, we have come to expect certain rights that we have. By virtue of being Americans—Americans living on U.S. soil—we have the right to be free and to be free from this risk of indefinite detention without trial.

When those very rare circumstances might arise, as arose, for example, during the Civil War, where they cannot be allowed to stand, they may be suspended only by an act of Congress expressly suspending the habeas corpus protections we have come to rely on.

For this reason, Senator FEINSTEIN and I put this bill together. I offer it up now as an amendment. I understand this motion has already been objected to, and I state my concerns with the objection.

I thank the Chair.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Madam President, the reasons that I object to the offering of the amendment at this time are several.

First, the amendment which Senator LEE asks consent to offer is not germane to the bill, it is not in order postcloture, and it would amend a statute of jurisdiction of the Judiciary Committee relative to a subject not addressed in this bill.

Second, when we included a similar provision in our bill several years ago, the House objected and insisted the provision be dropped. So the inclusion of this provision would require, at the least, difficult discussions with the House when there is no time for such discussions.

When I voted for a similar provision which was offered several years ago, the language was somewhat different than it is now.

The bottom line is there is simply not enough time left before we adjourn to debate even a single amendment, and surely not a single amendment of this complexity, to vote on it, and to reconcile the provision, if it were adopted, with the House of Representatives and to pass the bill again in both Houses.

And those are the reasons for my objection.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. LEVIN). Without objection, it is so ordered.

UNANIMOUS CONSENT REQUEST—H.R. 4329

Ms. HIRONO. Mr. President, I intend to call up H.R. 4329, the Native American Housing and Self-Determination Reauthorization Act, but I would like to say a few words about the bill before I do. This bill reauthorizes programs that support housing for Native Hawaiians, Alaska Natives, and American Indians.

Earlier this week, the senior Senator from Montana asked unanimous consent that the Senate take up and pass S. 1352, the Native American Housing and Self-Determination Reauthorization Act of 2013. The bill would reauthorize programs that promote and support affordable housing for Native Americans, Alaska Natives, and Native Hawaiians. My good friend, Mr. LEE, the Senator from Utah, who is on the floor this afternoon, objected to passing this important Senate bill, noting his objections to the Hawaiian Homes Commission Act.

I am here on the floor today to offer an alternative—H.R. 4329. Like the Senate bill which was objected to earlier this week, this bill is a bipartisan bill. H.R. 4329 reauthorizes the Native Hawaiian Housing Block Grant, the Section 184 Indian Home Loan Guarantee Program, and programs that provide support for housing funding for Native American veterans.

Let me note here that we know that Native Americans enlist in the military at a higher rate than other segments of this country. Of course, the House bill I am referring to supports many other good programs and, yes, including the Native Hawaiian Housing Block Grant and the Section 184A Native Hawaiian Home Loan Guarantee Program.

We know the housing need in Indian country is staggering. Congress knew and recognized this fact when it created the broader Indian housing programs earlier to help address those needs and when it reauthorized these programs again and again.

Is the House bill perfect? I would say no. But I must applaud my good friend, Congressman DON YOUNG of Alaska, my colleagues, Congresswomen COLLEEN HANABUSA and TULSI GABBARD, and of course the bill's sponsor, Congressman STEVE PEARCE, for their work in crafting a bill that passed the House by voice vote. There were no Republican objections. There were no Democratic objections. To rely on an old adage, let us not allow perfection to be the enemy of the good. And this is a good bill.

Should we forget our promises and responsibilities to our indigenous population? I freely admit that we have not always been good stewards of our responsibilities, and we have not always been good friends with Indian Country. But we try, and with this bill we again are trying.

Let me now turn to address Senator LEE's specific early objections to the Senate bill. The Senator stated that he believes the blood quantum requirement in the Hawaiian Homes Commission Act is unconstitutional. I would say to my friend from Utah that in the context of Federal Indian law, which is applicable here, blood quantum requirements are not viewed as unconstitutional racial classifications. Instead, they demonstrate connectivity to an indigenous political entity which Congress can treat under the Indian commerce clause. It is why Congress set a blood quantum requirement of 50 percent or more for the Hawaiian Homes Commission Act, a blood quantum requirement of 50 percent or more for the Indian Reorganization Act, and 25 percent or more for the Alaska Native Claims Settlement Act. Native Hawaiians, Native Americans, and Alaska Natives are indigenous people all, which my colleague Senator LEE acknowledges.

My colleague might argue that in the Supreme Court's decision in *Rice v. Cayetano*, the Court held that "ancestry . . . is a proxy for race." I would respond to my colleague by saying that I was the Lieutenant Governor of Hawaii at the time, serving under Ben Cayetano, who is named in the *Rice v. Cayetano* suit, and I had the opportunity to sit in the Supreme Court while the *Rice* case was being argued. That case is broadly, but often incorrectly, cited because it was quite narrow in its applicability. The Supreme Court in that case held that a State—a State—could not restrict who could vote for members of a quasi-State agency. In contrast to such State action, Congress has given wide latitude and broad deference in dealing with America's indigenous people.

So Mr. President, I ask unanimous consent that the Indian Affairs Committee be discharged from further consideration of H.R. 4329 and that the Senate proceed to its immediate consideration; that the bill be read a third time and passed; and that 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 Utah.

Mr. LEE. Mr. President, reserving the right to object, I ask unanimous consent that the request be modified and that the Lee amendment to strike section 801 of this legislation be agreed to.

The PRESIDING OFFICER. Does the Senator so modify her request?

Ms. HIRONO. I object to the request for a modification.

The PRESIDING OFFICER. Is there objection to the original request?

Mr. LEE. In that case, I object.

The PRESIDING OFFICER. Who seeks time?

Ms. HIRONO. 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.

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

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

Mr. DURBIN. Madam President, I want to express my appreciation to Chairman LEVIN and Ranking Member INHOFE for their work on the defense authorization bill being considered in the Senate this week. It is officially titled the CARL LEVIN and HOWARD P. 'BUCK' MCKEON National Defense Authorization Act for Fiscal Year 2015. It couldn't be more appropriate.

This will be the 54th year in a row that Congress has passed the Defense Authorization. It has never been an easy task. Senator LEVIN has had a great deal to do with that annual labor of love. He has served as the highest ranking Democratic member on the committee since January 1997, and he has served as its Chairman for eleven of the last 14 years. Every year, he has kept the needs of our service members and their families front and center.

It isn't an easy job. The Committee provides congressional oversight for more than half of all domestic discretionary spending . . . it analyzes every program line by line . . . and in this case worked with Members of both parties and both chambers to craft a consensus product. But the result is that our service members who are on the front lines will have what they need to protect our national security.

In that spirit, this bill sustains in responsible ways the active duty, National Guard, and reserve forces our nation relies on every day. Even in this tough fiscal environment, the bill authorizes a 1 percent pay raise for military personnel below the general officer level. It increases access to mental health care in a number of ways, including lifting the limits on inpatient mental health services, and requiring annual person-to-person mental health assessments. Finally, it reauthorizes the family support programs our military families so richly deserve.

The agreement also deals with a topic I have cared passionately about for many years: tobacco. This is a serious subject. Smoking rates among service members are 20 percent higher than the rest of America and the use of chewing tobacco is 450 percent higher. Tobacco-related medical treatment and lost work time costs the Pentagon \$1.6 billion every. Yet, military stores have been selling tobacco products at steep discounts for years. On paper the discount is 5 percent. But an independent review found discounts as high as 25 percent because of lax enforcement and ill-defined community comparisons.

So I appreciate that this defense authorization carries a provision similar to one I authored earlier this year in the Defense Appropriations Subcommittee to end this harmful subsidy. This is a commonsense reform that will

protect the health of our Nation's troops. It will literally save lives. I look forward to continuing to work with the Department to tackle this culture of tobacco use head on.

This bill also contains several provisions to reform the way the military prevents and responds to sexual assault in the military. The Department's most recent report outlines how pervasive and insidious this problem continues to be. The prevalence of sexual assault has decreased slightly, and we see more victims coming forward. But it remains one of the most complex and damaging threats to our armed services today. More than 6 in 10 female service members continue to report that they have been retaliated against for reporting the perpetrators of these criminal acts.

Congress has instituted many reforms, including Special Victims Councils. This year's defense bill contains several additional policy changes. But we must continue to hold the Department's leadership accountable for significant progress on this issue.

In addition to these national priorities, the Defense authorization bill includes several provisions that will strengthen military assets in Illinois. Rock Island Arsenal on the border of Illinois and Iowa is a remarkable place. For example, at the height of the Iraq war, the Arsenal was the single largest source of Humvee armor kits to protect our troops against IED blasts. Its factory is one of the few places in the country where our military, on short notice, can quite literally turn raw metal into critical equipment for our troops.

The Armed Services Committee has worked with me each year to ensure that the Arsenal can compete for workload and partner with the private sector. This year's bill builds on this history by updating the Civil War-era Arsenal Act to ensure that the Army manages arsenals with wartime needs in mind.

The bill also extends the joint pilot program in North Chicago at the Lovell Federal Health Care Facility. This is the first national effort to integrate health care across the Defense Department and the Department of Veterans Affairs. It is the future of health care for service members and veterans. The Lovell Health Care Facility is working to advance integration of everything from electronic medical records to pharmacy programs.

Finally, the bill also authorizes \$26 million for an Army Reserve Center in Arlington Heights, IL, and \$19.5 million for Family Housing at Rock Island, IL.

Chairman LEVIN and Senator INHOFE have brought to the floor a thoughtful and balanced bill for our men and women in uniform, and I urge members to support this compromise.

Mr. WYDEN. Madam President, I want to take a few minutes today to speak on the National Defense Authorization Act, the annual policy bill for the Department of Defense. Let me

start by noting that Senator CARL LEVIN, who is Chairman of the committee that put this agreement together, will be retiring after this year. This bill carries Senator LEVIN's name on it in what I think will be a fitting tribute to his legacy here. I have appreciated his wisdom on so many issues over the years, and I know I am in good company when I say to Senator LEVIN that his leadership will be missed in the United States Senate.

Passing a defense authorization bill is one of Congress' most important annual tasks, and it has been for decades. I have supported some of these bills throughout my time here and given the number of security concerns facing this country—the continued presence of ISIL in Iraq and Syria, Russia's ongoing efforts to destabilize Ukraine, the Ebola outbreak in West Africa—I hoped to be able to support this bill as well. Regrettably, however, I am forced to vote against this defense bill.

Most Americans may not know this, but the United States is still spending as much on defense as it spent at the height of the Cold War. This bill before us today would authorize nearly \$600 billion in total defense spending—including more than \$60 billion in war funding. That really ought to raise more questions about how that money is being spent and whether the American people are getting their money's worth for each dollar they spend on defense. But what I find most concerning is that my Senate colleagues and I are being asked to approve this mammoth bill without being given the opportunity to vote on any substantive amendments. I am sure that if Senators were given that chance, we could consider amendments regarding sexual assault in the military or greater transparency within the intelligence community, for example.

One issue in particular that would have benefitted from more debate is the Guantanamo Bay detention center. When the Senate Armed Services Committee passed its version of this defense bill in June, it included provisions allowing the Department of Defense to transfer detainees from Guantanamo Bay to the United States "for detention, trial and incarceration." My position on the Guantanamo Bay detention center has long been to shut it down and prosecute as many detainees as possible in the federal court system—where the United States has a strong record of winning convictions. I felt that the earlier Armed Services Committee language would have made progress toward these goals, and I am disappointed that the agreement before us today maintains the prohibition on transferring any detainees to the United States to stand trial.

I also want to take a few minutes to express my deep concerns about the lands package included in this defense authorization agreement. This package contains some laudable bills for our Nation's environment like wilderness and new parks supported by many



members of Congress. This lands package also includes, however, a number of extraordinarily controversial provisions that will do serious and long-lasting environmental damage.

Take the provision that represents an unprecedented giveaway of public lands to benefit a foreign corporation. It will destroy a recreational oasis, disturb a sacred Indian site, and cast aside recreational, environmental, and cultural concerns in favor of big mining and big money. Neither the Senate Energy and Natural Resources Committee nor the House of Representatives has approved that provision this Congress, yet it is being jammed into this defense bill today without debate.

In addition several important pieces of legislation with bipartisan support were simply left out of this lands package. I am disappointed that this package does not include legislation to modernize and increase forest management on the Oregon and California Grant Lands, better known as the O&C Lands, for example. This lands package also does not include legislation that would resolve long-standing issues regarding water resources in the Klamath Basin.

Additionally, I am disappointed that the lands package does virtually nothing to help rural counties: it fails to renew the bipartisan Secure Rural Schools program that funds critical services in more than 700 counties in over forty States. The assistance it provides to fund the another significant rural aid program known as Payments in Lieu of Taxes is not enough to fully fund the program in the absence of Secure Rural Schools funding. These programs are lifelines for cash-strapped rural counties that struggle to fund basic law enforcement, infrastructure improvements, and other public services.

Finally, I am extremely disappointed that the lands package did not include reauthorization of the Land and Water Conservation Fund, a program that opens up our Nation's public lands and wilderness areas for recreation and enjoyment, while providing tremendous economic benefits to rural communities.

This lands package is unbalanced. It does not reflect bipartisan compromises reached in the committees of jurisdiction. Lastly, in the crucial days, when decisions were being made about the public lands bills that did not make it into this package, most Senators were kept in the dark about issues of great importance to their constituents.

So, I return to the notion that Senators and the people they represent must be heard on legislation this consequential. It is unfortunate that after a full Congress of hard work, a number of good proposals will simply be left on the cutting room floor.

I want to repeat that this bill before us today authorizes more than half of the discretionary budget for the U.S. Government, almost \$600 billion in de-

fense spending, including more than \$60 billion in war funding.

Because of that, I regret that I must oppose this defense authorization bill.

Ms. COLLINS. Madam President, today I rise in support of the Fiscal Year 2015 National Defense Authorization Act.

First, let me express my sincere thanks to both Chairman LEVIN and Ranking Member INHOFE for their hard work in putting together a bipartisan bill that addresses the needs of our military and contains provisions that are important to Maine and to our national security.

This legislation fully funds both the vital DDG-1000 and DDG-51 Programs. These ships must be part of the fleet to maintain the robust forward presence our Nation requires. The U.S. Navy protects trade routes, projects power, acts as a stabilizing force, and assists when tragedy strikes. These missions are especially important in the increasingly dangerous and unpredictable world in which we live.

When tensions flared in Syria, it was Navy destroyers that were positioned off the coast. Following the devastation of Typhoon Haiyan in the Philippines, two U.S. Navy destroyers were among the first ships to respond.

This bill also provides the resources necessary to help our allies and partners around the globe. When Hamas, a designated foreign terrorist organization, launched more than 3,000 rockets into Israel this summer, it was the Iron Dome missile defense system—developed with assistance from the United States—that saved countless civilian lives.

I am also pleased that this bill takes further steps to address the problem of sexual assault in the military, which remains a significant challenge facing the Department of Defense. While progress has been made, we must remain focused on our goal of ensuring that the military has a zero tolerance culture when it comes to sexual assault.

I first raised my concern about sexual assaults in the military with Gen George Casey in 2004. To say his response was disappointing would be an understatement. I am convinced that if the military had heeded the concerns I raised then, this terrible problem would have been addressed much sooner, saving many individuals the trauma, pain, and injustice they endured.

I am encouraged that as a result of an amendment I offered to the Senate version of this bill, DOD is already taking formal steps to modify the rules of evidence to ensure confidentiality between the users and the personnel manning its Safe Helpline and HelpRoom systems. The bill includes a provision which mandates a study by DOD's Judicial Proceedings Board on how best to effectuate the rule change.

I also support eliminating the so-called good soldier defense, which this bill does. This defense has allowed the general military character of an indi-

vidual to be used as evidence of their innocence.

To further support our men and women in uniform, this bill includes necessary provisions to take care of our troops and rejects many of the administration's proposed changes to compensation and benefits.

The bill wisely rejects the President's proposal to authorize a new base realignment and closure round in 2015.

This is the right way to proceed because the GAO has found that the previous BRAC round never produced the amount of savings that were promised when it was originally sold to Congress.

Finally, I would like to thank the chairman and ranking member for including in the bill a provision I authored that reauthorizes the authority for Federal agencies to hire Federal retirees to come back to work part time and still retain their annuitant status. This means that individuals with years of accumulated experience in their jobs can help train and transition in their replacement or fill staffing gaps.

Let me close on a less optimistic note. As we look ahead to next year, the specter of sequestration looms increasingly large. DOD has already made significant reductions, and unless we act soon, the effects of these indiscriminate, senseless cuts will be devastating to our national security and defense industrial base.

Further cuts will compromise the size, readiness, and technical superiority of our military. I stand ready to work closely with all of my colleagues in the next Congress on a sensible solution.

Mr. VITTER. Madam President, I speak today about an important provision in the defense bill. As you know, the maritime and shipbuilding industries are significant contributors to the economy in Louisiana and are important to our national security. In Louisiana alone, these industries employ thousands of hard-working Americans. I am pleased that the managers of this bill were able to include section 3502, dealing with floating drydocks that are owned or contracted for purchase by eligible United States shipyards or their affiliates prior to this bill's enactment. The term "shipyard" in section 3502 will apply to any facility owned by an eligible company in the United States that constructs or repairs commercial or government vessels, including, but not limited to, facilities that undertake alterations, conversions, installations, cleaning, painting, or maintenance work to such vessels. This provision will clear confusion regarding drydocks and will benefit American shipbuilders. I commend the managers for including this provision in the bill.

Mr. TESTER. Madam President, it has come to my attention that a provision of the Northern Cheyenne Lands Act, which was included in the recently passed NDAA and public lands package, contains a ministerial error. Section 3077(c)(1)(A) of the NDAA describes a

mineral estate transfer between the United States and a private landowner. Both subparagraphs of that section should reference the same map, titled “Northern Cheyenne Land Act—Coal Tracts” and dated April 22, 2014. However, subparagraph (ii) as just passed contains an error by indicating a map with an incorrect title. Section 3077(c)(1)(A)(ii) should therefore be read to reference the “Northern Cheyenne Land Act—Coal Tracts” map dated April 22, 2014, which is the same map correctly referenced in subparagraph (i) of the same section.

The committee report for the underlying Northern Cheyenne Lands Act bill, S. 2442, will also acknowledge and address this error. I hope this drafting error does not delay the Department of the Interior’s implementation of these provisions, which is of great importance to the Northern Cheyenne Tribe in Montana. This conveyance, once completed, will correct a mistake made by the United States over a century ago, when the United States failed to convey this property to the Tribe as originally directed by Congress.

Mr. MANCHIN. Madam President, I rise to address American military involvement in the Syrian civil war and our strategy for protecting America and our interests in the region.

I would first like to say that I am adamantly opposed to extending authority to provide funding to train and arm Syrian rebels. That authority is provided in the defense authorization bill that we are considering today. I voted against it in committee, spoke against it on the floor in September, and raise my objections to it now.

I do not know where the Syrian rebels’ allegiances truly lie or if they will remain our allies once the Syrian civil war comes to an end. What I do know is that once our military begins to train and equip Syrian rebels of uncertain provenance, we will have put ourselves on a path that leads inevitably to regime change and nation-building in Syria. Such a course defies the lessons of American-led Middle Eastern nation-building over the last twelve years. And I cannot in good conscience justify to the people of West Virginia why we should continue down this path.

Before we commit more of our country’s blood and treasure, we should acknowledge that after more than a decade of war, trillions of taxpayer dollars spent, and over 7,000 American lives lost in that part of the world, we have not established the pro-western representative democracies that were once envisioned. But that doesn’t mean we can’t protect ourselves.

While I caution against repeating the mistake of Middle Eastern nation-building, I reiterate my strongest support for our military, intelligence, and law enforcement professionals who are today defending Americans at home and abroad from the kind of vile atrocities perpetrated by ISIS. These professionals demonstrate every day that we

have the means to identify terrorists and prevent them from doing harm to America.

If I thought that sending military trainers and weapons into Syria would further that end or would make Americans safer, I would support doing so. I do not. I reiterate what every Member of this body certainly believes, which is that we can and should take any necessary action to prevent a direct threat to the United States. But I firmly believe that protecting America does not require nation building in Syria.

Yet our military involvement in Syria and Iraq continues to grow, though to what end no one is certain. Because Congress has not had a robust public debate about our strategy in the Middle East, nor made hard decisions about what our military response should be.

We know that ISIS is a threat to Americans in the Middle East as well as to friendly nations and our allies there. But we have not debated whether entering another war is in our national interest.

One of the reasons this debate has not yet happened is that the President has not submitted to Congress a request for authority to use military force against ISIS. Instead, what is happening in Syria is basically this: the White House is relying on a decade-old congressional authorization that allows military force against al-Qaeda and is using that as its legal justification for attacking ISIS. Well, the world is changing, and we ought to be adapting our policies with it.

My colleague BOB MENENDEZ is pushing forward with an AUMF of his own. This week the Senate Foreign Relations Committee passed out of committee an AUMF that gives the President authority to go to war with ISIS, but which prohibits ground troops. This is a first step, and I look forward to debating the AUMF on the floor of the Senate.

But we should be debating this military authorization in the context of the President’s Middle East strategy, which we have not yet seen because I believe we have a moral duty to have a full debate before we send any more Americans into harm’s way.

Two important things are going on here. The first is that Congress is moving closer to give legal authorization for the President to conduct strikes against ISIS. The second is that the President is also pursuing a scheme to arm and train Syrians, which will certainly lead to regime change and nation building. It is therefore critically important that the President tells us clearly and plainly not just what the objectives of the military mission are—to degrade and destroy ISIS—but how he plans on doing so without putting us back into an open-ended war.

I support, as all my colleagues do, any action that prevents attacks on American property or persons. But before we commit more of our Nation’s blood and treasure to political reform

and religious settlement in the Middle East, we should consider the lessons of our decade of war there.

History has taught us that militarily training and arming Syrian rebels of uncertain provenance will put the United States on a path that leads inevitably to regime change and nation-building in Syria. Such a course defies the lessons of the American-led military operations of the last twelve years.

For these reasons I am adamantly opposed to sending American troops into Syria to further escalate a ground war that I do not believe is in the best interest of America or the region.

I ask the President and my colleagues in the Senate to allow us to give the American people the public debate they deserve, before we find ourselves again in an open-ended war in the Middle East.

Mrs. FISCHER. Madam President, I wish to speak on a provision in the appropriations measure. I am pleased to see that this legislation includes a provision in Division D—Energy and Water Development and Related Agencies Appropriations Act of 2015, which addresses a concern raised by farmers and ranchers around the country.

Section 111 of the General Provisions relating to the Corps of Engineers Civil Works Program states that: “None of the funds made available by this Act may be used to require a permit for the discharge of dredged or fill material under the Federal Water Pollution Control Act for the activities identified in subparagraphs (A) and (C) of section 404(f)(1) of the Act.”

In section 404(f)(1) of the Clean Water Act, Congress provided a permitting exemption for certain activities including normal farming, forestry, and ranching activities, upland soil and water conservation practices, and the construction and maintenance of farm or stock ponds or irrigation ditches and the maintenance of drainage ditches.

One would think that with this clear exemption, our farmers and ranchers could go about their business without worrying about whether EPA or the Corps of Engineers would try to regulate plowing, seeding, and harvesting, or their farm ponds and ditches. Unfortunately, in recent years EPA and the Corps of Engineers have been trying to circumvent the 404(f)(1) permitting exemptions by interpreting the limited “recapture” provision in section 404(f)(2) in such an expansive way as to virtually swallow up the exemptions in 404(f)(1).

A farmer’s field is not a water of the U.S. A farm pond is not a water of the U.S. An irrigation ditch is not a water of the U.S. But, there are overzealous regulators out there who disagree. We have seen the Corps try to regulate a family farm when the farmer tried to change from a ditch irrigation system to a piped irrigation system to improve water efficiency. The Corps argued that there would be runoff from the work

and that runoff somehow made the work subject to permitting under section 404.

Section 111 stops that regulatory overreach and preserves the protections Congress has provided to ranchers and farmers by making it clear that the recapture provisions of section 404(f)(2) do not apply to normal farming, forestry, and ranching activities, upland soil and water conservation practices, and the construction and maintenance of farm or stock ponds or irrigation ditches and the maintenance of drainage ditches.

Of course, the greatest abuse of the Clean Water Act is the Obama Administration's proposed "waters of the United States" rule, and this section does not alleviate the concerns that farmers, small businesses, and local communities have with the proposed rule. This section will, however, ensure that the will of Congress to protect farmers and ranchers from burdensome 404 permitting requirements is carried out, and I will continue to do everything in my power to stop EPA from finalizing the proposed "waters of the United States" rule next year.

Mr. INHOFE. Madam President, we are getting close to having votes on amendments and final passage tonight, the most significant vote of the year each year.

For 52 consecutive years, we have passed the National Defense Authorization Act. In almost every year there has been a last-minute misunderstanding as to how these different provisions might affect something that has nothing to do with the defense of America.

In this case, there was—and procedurally I have disagreed with it. I have said several times that a land package was included on the bill. I have felt that once we have gone through the process of what has been referred to as the big four, we have ironed out the differences. There are a lot of things that I don't like, but there are more things that I do like. I daresay to Chairman LEVIN, he is in the same situation.

I have to say one more time that this chairman has been so incredibly fair to everyone.

We have to keep in mind that we passed this bill. After working on it for 4 months, we passed it to the floor from the Senate Armed Services Committee on May 23. There are a lot of things on here that we had. Of course, it went over and the House then passed their bill. They passed their bill actually on May 22; we passed it out of committee on May 23. The problem is, they were able to pass theirs on the floor; we were not. It is something we should have done a long time ago, and I am hoping that we learned a lesson from last year to this year, and we are not going to let this happen again.

So we have now before us a bill that does the necessary things in this most difficult time. I think most people would agree there has not been a time

in our history where we have had more opposition from different parts of the world. I refer to the good old days of the Cold War with two superpowers—we are one, and the Soviet Union was the other one—and they were predictable. Mutually assured destruction meant something. If something happened, we could bomb them and they would do the same to us, and it is now all over. That is not the way it is anymore.

We have forces out there from North Korea and Iraq, and all these things are taking place at a time when—and I don't want to make people angry about what this President has done to the military, but we have virtually disarmed America. Our generals now are facing the possibility of sequestration. So the most important bill is now even more than just most important. It is a must-pass bill. It has to pass. If this doesn't pass, there is no other time we can take it up. Should December 31 get here, it would be an absolute disaster.

We right now have 1,779,343 enlisted personnel in the military. If we didn't pass a reauthorization bill, they would lose their benefits on December 31. I have talked about the benefit of that. I think everyone understands it, and it would be redundant to repeat it. But we can't have people making career decisions predicated on assumptions that they would have hazard pay, the assumption if they are pilots that they would have pilot pay; that critical skills like the SEALs would have bonuses, and then all of a sudden on December 31 we take them away.

We are not going to let that happen. We are going to pass this bill today. The concern I have is that any amendments on it would cause a problem that I think would be insurmountable. It would have to go back. They would have to recall the House and then come back, and timewise it can't happen.

So this is the last train leaving town. We have to have this for the sake of our men and women in uniform. If there is time remaining after the chairman makes his remarks, I will even comment on some specific parts of this bill in terms of how good this bill is and why it is necessary to pass. I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Madam President, I first thank my friend from Oklahoma, my partner as well in the Armed Services Committee. I have enjoyed the presence of the Presiding Officer on our committee, and I think she knows how well that committee works together, and Senator INHOFE and I guess both sides—both parties have worked very closely together for our troops. That is what this is all about is pulling together for our troops. They inspire us, they unify us, they protect us, and the least we owe them is a Defense authorization bill.

We haven't missed in 52 years. This would be the 53rd straight year that there would be a Defense authorization

bill—coincidentally, the same number of years I have been married. So this may be the gift to my wife for our anniversary if we are done with this bill, if we finish it today.

This bill takes provisions critical to our national security, to the well-being of our men and women in uniform, to our retirees and their families. If we fail to enact this bill, the Department of Defense's statutory authority to pay combat pay, hardship duty pay, enlistment and reenlistment bonuses, incentive pays for critical specialties, assignment incentive pay, accession and retention bonuses for critical specialties, will expire on December 31. We cannot let that happen.

After that date, the statutory authority to provide combat pay to our troops in Afghanistan and Iraq will lapse. We cannot let that happen. We would lose some of our most highly skilled men and women with specialties that we vitally need. We cannot let that happen.

Not only would we be shortchanging our soldiers, sailors, airmen, and marines, we would be denying our military services critical authorities they need to recruit and retain high-quality servicemembers, and to achieve their force-shaping objectives as they draw down their end strengths.

And there is more. If we fail to enact this bill, school districts all over the United States that rely on supplemental impact aid to help them educate military children would no longer receive that money. If we fail to enact this bill, the Department of Defense will not be able to begin construction on important new military construction projects in the coming year. That would mean our troops don't get the barracks, the ranges, the hospitals, the laboratories, and the other support facilities they need to support operational requirements, conduct training, and to maintain their equipment.

It would mean that military family housing will not receive needed upgrades, and that schools to educate the children of our servicemembers will not be built or modernized.

If we fail to enact this bill, we will not enact provisions that strengthen survivor benefits for disabled children of servicemembers and retirees. We would not then enact provisions addressing the employment of military spouses, job placement of veterans. That is an issue which the Presiding Officer knows an awful lot about, because she has been so directly involved in that and so many other issues.

We would then not be enacting provisions relative to military hazing, military suicides, post-traumatic stress disorder, and mental health problems in the military.

If we do not enact this bill, we would then enact none of the 20 provisions in this bill addressing the scourge of sexual assault in the military. We will not eliminate the good soldier defense which is eliminated in this bill, as it

should be. We would not give victims of sexual assault a voice in whether their case is prosecuted in military or civilian courts. They should have that voice. We would not give survivors of sexual assault the right to challenge court-martial rulings that violate their rights and to challenge them in the Court of Criminal Appeals. They should have that right.

If we don't pass this bill, we would not be strengthening the psychotherapist-patient privilege.

So this bill includes critical authorities for the Department of Defense. It provides essential support to our men and women in uniform, military retirees, and their families.

If either of the motions we are going to be voting on is adopted, this bill then will not pass and not become law, because it would then in one instance be open to amendments, and that could be endless because there are so many amendments that people would like to offer. I have gone into the reasons why we are in a position where that simply is not practical or possible.

We are asking our colleagues to allow this bill to come to a final passage today and become the National Defense Authorization Act for Fiscal Year 2015.

Again, with thanks to all of our colleagues on the Armed Services Committee, thanks to my partner Senator INHOFE who has worked so closely, he and his staff, with myself and our staff.

I hope this would have an overwhelming vote and that we would not adopt any motion which would lead then to our not adopting this critically needed bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Madam President, it is just about time for the vote. I want to mention something which hasn't been mentioned.

We have two really great Americans, one serving in the House and one serving in the Senate. We have been talking about Chairman LEVIN and how fair and open he has been. I think there is not a person of the 100 Members of the Senate who doesn't agree with that.

At the same time, we have BUCK McKEON over in the House of Representatives. He is the chairman of the House committee that CARL LEVIN is the chair of over here. He also is retiring, and he has served for quite some time—not as long as Senator LEVIN.

Against their objections, we have named this bill the CARL LEVIN-BUCK McKEON bill, so I want to make sure everyone recognizes that proper tribute has been made to the long hours and years and the hard work they have contributed.

This guy over here to my left has been through 16 of these. He has been working about 36 years, and I want to say he is deserving of that recognition.

I also want to mention two other people. One is the guy sitting next to me to my right, John Bonsell; the other is Pete Levine, sitting next to

the chairman. Their job is to make us look good and make all this a reality, because it is a very complicated thing. It is a 24-hour-a-day work project. So I thank them for their effort. I know we are just talking about amendments right now and we will have a chance to maybe expand later on, but I think it needs to be said, and it needs to be said more than once.

I yield the floor. The hour is here.

#### VOTE ON MOTION TO REFER

The PRESIDING OFFICER. The question is on agreeing to the motion to refer the House message on H.R. 3979 to the Committee on Armed Services with instructions.

Mr. LEVIN. Madam President, before asking for the yeas and nays, I want to thank my friend again, Senator INHOFE, for mentioning our staff. John Peter has done such good work with all of our staffs. We put the names of our staffs in the RECORD a day or two ago and they deserve that and a lot more.

I ask for the yeas and nays.

The PRESIDING OFFICER (Mr. WALSH). Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The result was announced—yeas 18, nays 82, as follows:

[Rollcall Vote No. 323 Leg.]

#### YEAS—18

Blunt	Cruz	Paul
Boozman	Grassley	Rubio
Chambliss	Johnson (WI)	Scott
Coats	Lee	Sessions
Coburn	McConnell	Thune
Corker	Moran	Vitter

#### NAYS—82

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

The motion was rejected.

The ACTING PRESIDENT pro tempore.

The Senator from Oklahoma.

#### MOTION TO SUSPEND RULE XXII

Mr. COBURN. Mr. President, I move to suspend rule XXII for the purposes of proposing and considering amendment No. 4098, and I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Pursuant to the precedent set by the Senate on October 6, 2011, such a

motion is dilatory postclosure, and is not in order.

#### APPEAL OF THE DECISION OF THE CHAIR

Mr. COBURN. Mr. President, a motion to suspend the rules postclosure is not dilatory, and on those grounds I respectfully appeal the decision of the Chair, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is, Shall the decision of the Chair stand as the judgment of the Senate?

The clerk will call the roll.

The assistant bill clerk called the roll.

The result was announced—yeas 55, nays 45, as follows:

[Rollcall Vote No. 324 Leg.]

#### YEAS—55

Baldwin	Heinrich	Pryor
Begich	Heitkamp	Reed
Bennet	Hirono	Reid
Blumenthal	Johnson (SD)	Rockefeller
Booker	Kaine	Sanders
Boxer	King	Schatz
Brown	Klobuchar	Schumer
Cantwell	Landrieu	Shaheen
Cardin	Leahy	Stabenow
Carper	Levin	Tester
Casey	Manchin	Udall (CO)
Coons	Markey	Udall (NM)
Donnelly	McCaskill	Walsh
Durbin	Menendez	Warner
Feinstein	Merkley	Warren
Franken	Mikulski	Whitehouse
Gillibrand	Murphy	Wyden
Hagan	Murray	
Harkin	Nelson	

#### NAYS—45

Alexander	Enzi	McConnell
Ayotte	Fischer	Moran
Barrasso	Flake	Murkowski
Blunt	Graham	Paul
Boozman	Grassley	Portman
Burr	Hatch	Risch
Chambliss	Heller	Roberts
Coats	Hoeven	Rubio
Coburn	Inhofe	Scott
Cochran	Isakson	Sessions
Collins	Johanns	Shelby
Corker	Johnson (WI)	Thune
Cornyn	Kirk	Toomey
Crapo	Lee	Vitter
Cruz	McCain	Wicker

The PRESIDING OFFICER (Mr. WALSH). On this vote, the yeas are 55, the nays are 45.

The Senate sustains the decision of the Chair.

The majority leader is recognized.

#### ORDER OF BUSINESS

Mr. REID. For the information of all Members, we have two more votes based on the prior order that was entered last night. I alert all Members they better not leave here right now for the weekend because we have matters we need to dispose of. I have spoken to Senator McCONNELL recently, and we are going to try to work something out so that we may be able to get off tomorrow and Sunday. We are going to have to work on Monday morning unless something comes up in the meantime. Everybody should just take it easy until we get something worked out; otherwise, the Government will run out of money tomorrow night at midnight. We have to complete this omnibus bill prior to that time.

The PRESIDING OFFICER. Under the previous order, the motion to concur with an amendment is withdrawn.

The question is on agreeing to the motion to concur in the House amendment to the Senate amendment to H.R. 3979.

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

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

The result was announced—yeas 89, nays 11, as follows:

[Rollcall Vote No. 325 Leg.]

#### YEAS—89

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

#### NAYS—11

Brown	Lee	Risch
Crapo	Merkley	Sanders
Cruz	Moran	Wyden
Gillibrand	Paul	

The motion was agreed to.

#### PROVIDING FOR A CORRECTION IN THE ENROLLMENT OF H.R. 3979

#### DIRECTING THE CLERK OF THE HOUSE OF REPRESENTATIVES TO MAKE A CORRECTION IN THE ENROLLMENT OF H.R. 3979

The PRESIDING OFFICER (Ms. BALDWIN). Under the previous order, H. Con. Res. 121 and H. Con. Res. 123 are considered and agreed to en bloc and the motions to reconsider are considered made and laid upon the table en bloc.

The Republican leader.

Mr. MCCONNELL. Madam President, I wish to take a moment to speak on something that I think there is an overwhelming bipartisan desire to achieve, and that is to finish tonight. There is no good reason not to.

We are working to clear an agreement on our side to process the CR/omnibus, the extenders bill, and TRIA tonight—tonight

UNANIMOUS CONSENT REQUEST—H.R. 5771.

As for right now, I can tell you we are prepared to go forward on the extenders bill. Therefore, I ask unanimous consent that at a time to be de-

termined by the majority leader, after consultation with the Republican leader, the Senate proceed to consideration of H.R. 5771, the Tax Increase Prevention Act; that there be up to 1 hour of debate equally divided between the two leaders or their designees prior to the vote on passage of the bill; further, that the vote on passage be subject to a 60-vote affirmative threshold.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Reserving the right to object, we have had bipartisan conversations about having a more than 1-year extension of the tax extenders, bipartisan conversations about moving to a 2-year bill or maybe doing what we did in the Senate and passing the extend bill.

So I respect my friend, who is trying to get us out of here as quickly as possible, but we have to have a path forward to make sure we understand what is happening with the extenders.

The Senator mentioned TRIA. We also have some problems with that. So I believe we need a path forward on the omnibus and a way forward on the nominations before we start dealing with whether there should be a 2-year extension or a 1-year extension and what amendments, if any, we would have on TRIA, so I object.

The PRESIDING OFFICER. Objection is heard.

Mr. MCCONNELL. I would briefly make the point that we are very close to being cleared on this side to finish. I want everybody to understand that it is possible to finish tonight. Very shortly, we will be able to announce that there are no impediments toward getting to that goal on our side of the aisle.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. REID. We have the omnibus we have to do, we have to do the tax extenders, we have to do TRIA, and we have some nominations that we have an obligation to the American people to do, so we are not going to finish tonight. I think we could finish the omnibus tonight, but we are not finishing tonight.

#### EXECUTIVE SESSION

NOMINATION OF MARK GILBERT TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO NEW ZEALAND, AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE INDEPENDENT STATE OF SAMOA

NOMINATION OF ROBERT C. BARBER TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF ICELAND

NOMINATION OF DAVID NATHAN SAPERSTEIN TO BE AMBASSADOR AT LARGE FOR INTERNATIONAL RELIGIOUS FREEDOM

NOMINATION OF AMY JANE HYATT, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF PALAU

NOMINATION OF ARNOLD A. CHACON, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE DIRECTOR GENERAL OF THE FOREIGN SERVICE

NOMINATION OF VIRGINIA E. PALMER, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF MALAWI

NOMINATION OF DONALD L. HEFLIN, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF CABO VERDE

NOMINATION OF MICHAEL W. KEMPNER TO BE A MEMBER OF THE BROADCASTING BOARD OF GOVERNORS

NOMINATION OF LEON ARON TO BE A MEMBER OF THE BROADCASTING BOARD OF GOVERNORS

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nominations, which the clerk will report.

The assistant legislative clerk read the nominations of Mark Gilbert, of