

be obvious that any criminal willing to commit the fraud described by the proponents will not be deterred by having to fill in a 9-digit Social Security number. This does not solve the fraud problem.

The fraud we have heard about involves undocumented immigrants who are falsifying where they live and where their children live in order to claim their tax credit. We are told about four immigrants using a single address, and yet we hear nothing about the 18,000 corporations that use one address in the Cayman Islands to avoid paying their fair share of corporate tax. Instead of going after working families who are paying taxes, we should close the loophole that allows these corporations to evade their taxes.

How many groups in this country is this Congress going to hurt? We hurt women when we don't raise the minimum wage. We hurt people who are out of work through no fault of their own when we don't extend unemployment benefits. Now we are hurting DREAMers. We should not do this. I urge my colleagues to oppose the Ayotte amendment.

I yield the floor.

#### RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:33 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Ms. BALDWIN).

#### REPEALING SECTION 403 OF THE BIPARTISAN BUDGET ACT OF 2013—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. The Senator from Maryland.

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

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

#### REMEMBERING WILLARD HACKERMAN

Mr. CARDIN. Madam President, there is an epitaph on the wall above where Sir Christopher Wren—one of England's greatest architects—is buried. The epitaph reads in part:

Here . . . lies . . . Christopher Wren, who lived beyond ninety years, not for his own profit but for the public good. Reader, if you seek his monument, look around you.

A similar epitaph would be entirely suitable for my dear friend, the great businessman, engineer, philanthropist, and devoted Baltimorean Willard Hackerman, who died yesterday at the age of 95.

In 1938, Willard was a 19-year-old civil engineer who had just graduated from Johns Hopkins University. He went to work for the Whiting-Turner Contracting Company in his native Baltimore. G.W.C. Whiting and LeBaron Turner had started the con-

struction firm in 1909. In 1955, Whiting promoted Willard to be the president and chief executive officer of the firm, and he served in that capacity until his recent death.

Whiting-Turner issued a press release which stated:

Mr. Hackerman led Whiting-Turner from a modest-sized local and regional contractor to a highly-ranked nationwide construction manager and general contractor working in all major commercial, industrial, and institutional sectors.

Last year—Willard's 75th year with the firm—it reported \$5 billion in revenue. The firm, which has 33 regional offices and more than 2,100 employees, is ranked fourth in domestic general building by Engineering News Record and ranked 117th on the list of America's largest private companies.

As the Baltimore Sun noted, Whiting-Turner Contracting Company built the new University of Baltimore School of Law last year, the Joseph Meyerhoff Symphony Hall, the National Aquarium, and the M&T Bank Stadium. The firm's clients included Yale and Stanford universities, the Cleveland Clinic, Target, IBM, and Unilever, and the Hippodrome Theater. If you seek his monument, look around you.

Through Whiting-Turner, Willard teamed with then-mayor William Donald Schaefer to help transform Baltimore by building the Convention Center, Harborplace, and the Aquarium. These statistics and lists attest to Willard's incredible skills as an engineer and businessman, but they don't begin to capture the magnitude of his accomplishments, his charitable contributions, or his generous spirit.

Willard and his beloved wife Lillian have been lifelong supporters of Johns Hopkins University. He helped to reestablish the university's stand-alone engineering school in 1979, and secured the school-naming gift from the estate of his mentor, G.W.C. Whiting.

Other activities include funding the Willard and Lillian Hackerman Chair in Radiation Oncology at the Johns Hopkins School of Medicine, construction of the Hackerman-Patz Patient and Family Pavilion, and the Hackerman Research Laboratories at the Sidney Kimmel Comprehensive Cancer Center. He and his wife also provided major support for the Robert H. and Clarice Smith Building at the Wilmer Eye Institute.

In 1984, Willard and Lillian donated a mansion on Mount Vernon Place adjacent to the Walters Art Gallery to the city of Baltimore, which in turn entrusted the property to the gallery—now known as the Walters Art Museum—to house its collection of Asian art.

In December 2001, Mr. Hackerman gave the largest gift in the history of the Baltimore City Community College Foundation to establish the Lillian and Willard Hackerman Student Emergency Loan Program, which provides no-interest loans to BCCC students. If

you seek his monument, look around you.

Timothy Regan, the Whiting-Turner executive vice president who will succeed Willard as the firm's third president in its 105-year history, noted:

He is a legend for his good works, and the irony is that most of his good works are not even known.

The Sun recounted a story Baltimore architect Adam Gross told about accompanying Willard through a newly completed project at the Bryn Mawr School. According to Mr. Gross, Willard asked the school's headmistress how many women were graduating with engineering degrees. Then, a few days later, he sent a sizable check to the school to provide scholarships for women in engineering. "He was like that. He did deeds that nobody knew about," Mr. Gross said.

Willard was a man of quiet strength who professionally and charitably enriched his beloved Baltimore. He was an active alumnus of Johns Hopkins University who gave back to the school and its hospital in countless ways. He was a humble man and rarely stood still to take credit for his many successes because he had already begun to tackle the next challenge. Despite being at the helm of one of the largest general building companies in America, Willard never outgrew his city or his fellow citizens. The Meyerhoff, the National Aquarium, and M&T Bank Stadium all stand as enduring monuments to a great man. His benevolent legacy extended to the synagogue where my family and I worship, Beth Tfiloh Congregation, where he will be missed as a man of great faith. Willard Hackerman was a true son of Baltimore.

My thoughts and prayers go out to his wife Lillian, their daughter Nancy, their son Steven Mordecai, their five grandchildren and 23 great-grandchildren, and his extended family at Whiting-Turner, all of whom loved him deeply.

I encourage my fellow colleagues, my fellow Baltimoreans and Marylanders, and all Americans to celebrate Willard Hackerman "who lived beyond ninety years, not for his own profit but for the public good. If you seek his monument, look around you."

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. BARRASSO. 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. BARRASSO. I ask unanimous consent to speak for up to 10 minutes as if in morning business.

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

#### HEALTH CARE

Mr. BARRASSO. Madam President, I come to the floor week after week and talk about the President's health care

law. As a physician who has practiced medicine in Wyoming for 25 years, I am here to give a doctor's second opinion about the law. As we continue to learn more and more and see more and more, I am concerned about how the law affects my former patients, the doctors and nurses who take care of those patients, and the taxpayers who, of course, have been impacted as well.

It has been clear for a long time that this health care law is not working. It has been obvious from the beginning that this law would not work out the way the Democrats had promised the American people it would work out. Republicans had warned that it was a terrible idea, and even some Democrats have admitted this law has been a train wreck.

The Obama administration has been desperate to talk about anything but the failure of the health care law, and they have been desperate to hide some of the biggest problems with the law. The President has unilaterally made one change after another—sometimes with, in my opinion, no legal authority to do so—and tried to do this in a way that, perhaps, nobody would even notice.

Late yesterday the administration leaked word that it would delay again the law's unpopular employer mandate. It was the second time the Obama administration had changed the health care law in just a few days.

On the front page of USA Today, above the fold: "Health law faces new delay."

The Wall Street Journal: "Health-Law Mandate Put Off Again."

The Washington Post reported on modifications over the weekend. This is from Saturday: "Administration to allow some changes to health-care plans." That article says:

The Obama administration has quietly reworked rules and computer code for HealthCare.gov to try to stem an outpouring of discontent—

"an outpouring of discontent"—

by . . . Americans who have discovered that the health plans they bought do not include their old doctors or allow them to add new babies or spouses.

So the administration then sent out a 14-page memo to insurance companies with changes to how its Web site works and new rules for how people can buy coverage.

The Washington Post article goes on to say:

The changes reflect recent work—still underway—to improve the computer system for the marketplace, as well as fresh thinking about the needs of people who are buying the coverage.

"Fresh thinking about the needs of people who are buying the coverage"? Did the administration not think of these people before they wrote all of these things? The Obama administration has been working on this Web site for 4 years. Do they not talk to people and think about people and lives? I know a lot of these folks who work for the administration have gone right

from college to graduate or law school and then right into some cubicle on the administration's payroll. Do they have no clue about how the real world works?

It is worse than that. On Super Bowl Sunday, President Obama sat down for an interview, and he was asked about the failure of his health care Web site, [healthcare.gov](http://healthcare.gov)—the Web site. This is what he said:

It got fixed within a month and half, it was up and running and now it's working the way it's supposed to.

I do not think many people around the country who have gone on this Web site even today believe it is working the way it is supposed to.

The President was with Bill Clinton in September at the Clinton Forum, and President Obama said: Easier to use than Amazon, cheaper to buy than your cell phone bill. I assume the President actually believed that. I assume the President believes it is working the way it is supposed to today. But I think that is the reason the President's poll numbers are so low—because the American people say the President is out of touch with what the American people are seeing in their own homes and in their own communities, and the President in the White House has very little realization of what is happening in America. So according to the President, [healthcare.gov](http://healthcare.gov) is now working the way it is supposed to work.

Well, if that is true, why did we learn a week later that there are another 14 pages of rules changes and changes to the Web site? Did the President not have a clue that they were even coming? Why do we learn now that their work is "still underway," trying to think about the needs of people who have been forced to buy insurance through this Web site?

Back in December the press gave President Obama the lie of the year award for his statement that if you like your health care plan, you can keep it. Well, when the President says that his Web site is working the way it is supposed to, either he continues to be in denial or he has another entry for this year's lie of the year.

On Sunday, Bob Schieffer on "Face the Nation" asked about the latest rules changes. Those were the rules changes that were before Sunday, not the ones that came out yesterday. The President has changed these rules now over two dozen times.

Bob Schieffer said: "Things just seem, in every day and every way, to be more confused." This is Bob Schieffer, who for years, as the face of "Face the Nation," has become a trusted person whom people turn to. As he says in a reasonable way, things just seem, in every day and every way, to be more confused. He then asked: "Is there any hope of getting it straightened out?" That is what Bob Schieffer asked—"any hope of getting it straightened out?"

Well, the majority party whip was on the show. The Democratic Senator was

on the show, and instead of answering the question, he avoided it. He tried to change the subject, and he repeated an old Democratic talking point. This time that Senator claimed that "10 million Americans have health insurance today who would not have had it"—this is the Democratic Senator—without the President's law—not actually responding to the question from Bob Schieffer about whether we can get things straightened out—no, not at all, not answering whether there is any hope of getting the law straightened out, just the same old talking points, and the talking points are not even true.

The Washington Post Fact Checker said the statement was so wrong, it deserved four Pinocchios—the most you can get. Well, that is the highest number possible—four Pinocchios. The Washington Post called the Democratic Senator's claim "simply ridiculous."

The reality is that the overwhelming majority of the American people signing up under the Obama health care law already had health insurance, so they are actually not getting new insurance or are newly insured because of the law. These are people who got cancellation letters and then said: Uh-oh, I need to get insurance. So then they went to the Web site to buy something—often much more expensive, requiring higher copays, higher deductibles. The law forced them to lose the coverage they had and the coverage that actually had worked for them.

Many people are paying far more now than they were for worse coverage, and it is not the right fit for their families. They are often paying for insurance which they are not going to use, do not want, which is more than they would ever need, and they are paying more than they ever had intended. That is what I hear when I talk to people in Wyoming. I was in Wyoming—in Cheyenne and Casper—this weekend. That is what I hear at home. The administration does not want to talk about that. Democrats in Washington do not want to talk about it at all. They just want to repeat their talking points even though they are completely false and have been proven to be false. Democrats want to avoid the tough questions about how the law has failed. They rely on denial and deception.

The Web site still is not working in spite of what the President may have said on Super Bowl Sunday. The law is not working. The answer to the question is, No, there is no hope of getting it straightened out. The Web site problems we have seen are just the tip of the iceberg.

People are paying higher premiums. Coverages are canceled. People cannot keep their doctors. Fraud and identity theft are going to continue to be a plague of this health care Web site. People are paying higher copays and deductibles.

It has been reported, interestingly enough, that in California, with the so-

called navigators—the people who are the certified navigators—over 40 of them are convicted criminals. Forty convicted criminals were hired and certified—certified—to be navigators in California in spite of the fact that people are being asked to give personal information, health information, financial information to these navigators. So it is no surprise that we are going to continue to see issues of fraud and identity theft.

Another interesting thing we learned recently: The Congressional Budget Office came out with its new estimates about the health care law and its effect on parts of the economy and on jobs. It also talked about the number of people who do not have insurance. It said that in the year 2024—10 years from now—there will be 31 million Americans who will be uninsured: Ten years from now, 31 million Americans uninsured.

Madam President, I ask unanimous consent to speak for an additional 5 minutes.

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

Mr. BARRASSO. Let's think about the speech the President gave in 2009. He came to Congress. He wanted to talk about health care reform. He talked about why it was so urgent that the Congress pass health care reform. He said: "There are now more than 30 million American citizens who cannot get coverage." So in 2009 the President said 30 million Americans could not get coverage.

The Congressional Budget Office just comes out and says: Ten years in the future—15 years after the President gives his speech—31 million Americans with no insurance. Yet we will have spent trillions of dollars, and yet it will not fix so big of a problem that we know we need to deal with—health care in America—and this present law, this enormous law, this 2,700-page law, has completely failed to deal with the reason the President said we had to deal with this in 2009. Fifteen years later, the same numbers—30 million; over 30 million in 2024. How is that a victory for uninsured Americans? How can the President say this law has succeeded? How is it a sign that the health care law is working in the way it is supposed to work?

On top of that, middle-class people all across the country are paying more because of the health care law. Their premiums have gone up. Their deductibles have gone up. Their copayments have gone up. Millions of hard-working Americans have had their insurance policies canceled because of the law. And the administration is still working on the Web site, in spite of what the President may say about it.

The President says it is working as it is supposed to. On this and so many issues, the President continues to be wrong, and the American people see it. The Web site is not working. The health care law clearly is not working. It is not working the way he promised. It is not working the way the Amer-

ican people need health care to work for them in this country.

It is time for the administration to stop sneaking out these changes under the cover of darkness, in blog posts. If the President is going to make a change, why doesn't he come and tell the American people what he is going to do?

It is time for the Democrats to stop the four-Pinocchio talking points. It is time for folks to be honest about the failings of the health care law. It is time to eliminate this terrible health care law and replace it with real reform that gives people better access to quality, affordable health care—the care they need, from a doctor they choose, at lower cost.

I yield the floor.

The PRESIDING OFFICER. The Republican whip.

Mr. CORNYN. Madam President, we have reached a historic moment in the history of our Republic when the President of the United States claims the unilateral power to waive, delay, or just simply ignore the law of the land.

One of the most frequent questions I get back home in Texas is, How can the President do that? How can he do that? They remember when he was sworn in and put his hand on the Bible and swore to uphold the Constitution and laws of the United States, and now how can he simply ignore what those laws are? How can that contradiction exist?

Usually what I find myself doing is saying: Well, Congress has the authority to pass the laws, and it is the executive branch—the President—that has the authority to enforce the law. That is why he has the authority to appoint the head of the Department of Justice, the Attorney General of the United States, Attorney General Eric Holder.

But when the President and, by extension, his own Department of Justice refuse to enforce the law of the land, what have we become? Well, we certainly cannot claim in good conscience to believe in the rule of law, where the law applies to all of us no matter whether you are the President of the United States or you are the most humble of our citizens. That is the promise over the top of the Supreme Court of the United States. All you have to do is look out the window here. It says: Equal Justice Under The Law.

Quite simply, the President has no legal authority under our Constitution or under any law in America to pick and choose which laws he is going to enforce or not enforce based on political expediency. And the fact that he claimed to do so again, for perhaps the two-dozen time, does not change anything.

So my constituents at home ask me—they say: Well, Senator CORNYN, what are you going to do about it? I said: Well, I am going to support private litigation to challenge the President. Indeed, that is the nature of the litigation that originally challenged the Affordable Care Act, or ObamaCare. There was private litigation

that challenged the President's claimed authority to make a recess appointment and bypass the advice and consent function in the Constitution for the Congress to the National Labor Relations Board, which has now been held unconstitutional by the DC Circuit Court of Appeals, and now the Supreme Court of the United States is considering an appeal from that court.

So there is a way to challenge the President, although it takes time and it is not exactly very satisfying because people say: Well, months, if not years, will go by before we will ultimately get a decision. But just think about the implications of what the President is doing. How would our Democratic friends feel if a Republican President decided not to enforce certain laws—let's say as they pertained to the environment?

They would be outraged. You know what. They would be right; it is wrong. I do not care whether you are a Democratic President or you are a Republican President or an Independent or whatever. It is wrong for the President to put his hand on the Bible, to take an oath to uphold the law of the land and then refuse to do so and to have no embarrassment, no sense of regret, but just the hubris and the arrogance to say: I am going to do it until somebody stops me.

I have said it before, and I will say it again. The issues here go far beyond the health care policy and ObamaCare. Checks and balances are not optional. They are the very fundamental structure of our Constitution. James Madison and the authors of the Federalist Papers, who wrote so eloquently about the new Constitution, at the time said that the concentration of power in a single branch of government is the very definition of tyranny. If the Obama administration continues to undermine checks and balances, it will not only undermine respect for the rule of law but also will create even greater distrust of the Federal Government and Congress itself, not to mention the office of the Presidency.

Make no mistake. We all understand why the President is going down this path. It is because ObamaCare has proved to be even more unworkable than its biggest critics might have imagined. The entire law needs—well, we need a do over. Let me put it that way. This side of the aisle has repeatedly encouraged the President and his allies to work with us to try to replace ObamaCare with patient-centered reforms which would bring down the cost and make sure that we as patients and our families get to make decisions in consultation with our family, and not outsource those to the Federal Government.

We could come up with some ideas, and we actually have ideas that would lower costs, expand coverage, and improve access to care. Unfortunately, the President has shown zero intention in addressing those. I know I heard him say, even at the latest State of the

Union: If my Republican friends have some good ideas, bring them to me.

We have been bringing them to him since 2009 and he simply has ignored or affirmatively rejected any other idea because he is so wed to this signature piece of legislation. I cannot help but think that one reason why the President claimed the authority to unilaterally waive the employer mandates until after the election is because he is focused on—you guessed it—the November elections, and he realizes what an albatross this is around the necks of those people who are going to be going to the voters and asking for them to reelect them.

But if he is wondering why Americans have grown so cynical about Washington, DC, all he needs to do is to look at his own administration's handling of this signature piece of legislation, a program that has come to symbolize big government overreach, and—I hate to say it, but it is true—contempt for the rule of law.

I want to say just a few more words in conclusion about America's fiscal health. As you know, Members of Congress have once again been asked to raise the debt ceiling, even though the national debt is in excess of \$17 trillion. The President likes to boast about short-term deficit reduction. That is the difference between what the government brings in on an annual basis and what it spends.

It is true that on an annual basis the last couple of years the number has gone down a little bit, primarily because the President raised taxes by \$1.7 trillion, coupled together with the caps on discretionary spending in the Budget Control Act. But the long-term trajectory remains just as bad as it ever was, and America continues to spend money that it does not have.

We are waiting for the President. He is the Commander in Chief. He is the leader of the free world. We are waiting for the President to put out a serious plan to address this problem. Many of us held out hope in December 2010 when the Simpson-Bowles bipartisan fiscal commission got together and made some bipartisan recommendations for doing exactly that. Unfortunately, they were ignored by the President. He demanded, in exchange for the so-called "grand bargain" that he wanted \$1 trillion more in revenue, more taxes.

Imagine what a body slam that would have been to the American economy. The American economy is still so weak that unemployment is at a historic high, particularly compared to recoveries following recessions. But \$1 trillion of additional taxes would have been catastrophic in terms of people looking for work and not being able to find work.

But since the President took office in 2009, our national debt has increased by \$6.6 trillion. It is now larger than our entire economy. I wonder who the President thinks will have to pay that back. Probably not our generation; we will not be around. But this generation

will be around. They will be left holding the bag as a result of our irresponsibility and unwillingness to deal with this important problem.

Even though interest rates are at a very low point now, and, yes, the interest we have to pay the Chinese government and our other creditors is at a relatively low rate, imagine what will happen, as the Congressional Budget Office has, when interest rates start to tick back up to their historic norms. We will see that more and more of the tax dollars of the American people are used to pay interest on the debt. Whether you are concerned about safety net programs that our most vulnerable citizens need or our national security, we will not be able to do either the way we want to and need to.

According to the CBO's baseline projections, the annual deficit will steadily rise after 2015 and exceed \$1 trillion in 2022, at which time the Federal Government will be spending \$755 billion a year on net interest payments alone. To put that in another perspective, net interest payments in 2014 are estimated to be \$233 billion. That is not money that helps the most vulnerable in our society. That is not money that helps the warfighter keep us safe. That is money we are paying on the debt to our creditors, to the Chinese and other creditor nations as interest for all of this money we are borrowing that eventually somebody some day is going to have to pay back.

The Congressional Budget Office has consistently reminded us that even a small change in U.S. economic growth or interest rates or inflation could dramatically affect the Federal budget outlook. In fact, if interest rates were to rise just 1 percentage point above the CBO baseline each year over the next decade, our cumulative deficit will increase by \$1.5 trillion. That shows you how fragile the condition of our fiscal house is.

On multiple occasions back in the mid 1990s, this Chamber came within one vote—one vote—of passing a balanced budget amendment to the U.S. Constitution. Since the vote in March of 1997, our national debt has gone from \$5.3 trillion to \$17.2 trillion. It has more than tripled. Yet even as the debt problem has gotten massively worse, the number of folks on the other side of the aisle who are willing to acknowledge that we cannot continue to spend money that we do not have and that the debt is a threat to our national security and our ability to do the things we know we want to do and need to do, continue to seem to ignore it.

I am proud to say that everyone on this side of the aisle has cosponsored a balanced budget amendment to the Constitution that would force Washington, whether led by Democrats or Republicans—it would force Washington to live within our means and meet the same type of fiscal requirements that virtually all State governments have to meet.

To those who think that a balanced budget amendment to the Constitution

is not the answer, I ask: Where is your plan? I realize that there are some who think that we can raise taxes. Let's raise taxes some more. But even they must understand that we simply cannot tax away our long-term debt problem. The only way we can solve that is by controlling our spending and reforming our programs like Social Security and Medicare. Sooner or later, even the President will have to acknowledge that.

Mr. President, I yield the floor.

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

Mr. PRYOR. Mr. President, I rise today to talk about S. 1963, which is supported by well over 30 veterans organizations. I want to thank my colleagues for their help and their support of the military retirement pay restoration bill that repeals section 403 of the budget agreement, which unfairly singled out our brave men and women in uniform.

I could spend a long time here, but I do not intend to because I know we have other colleagues who are on the way to speak. But I do want to thank my colleagues for their support. We got a huge vote the other night to move to this measure. I do not think there were any dissenting votes. I appreciate my colleagues voting to move to it.

The bottom line is this bill is about honoring the commitments we have made to our servicemembers. My State is the home of nearly 255,000 veterans—255,000 veterans. We only have a population of 3 million. So if you do the math, per capita we have a lot of veterans in my State—a very patriotic State. These brave men and women have put their lives on the line, and they have also put their lives on hold to serve their country, oftentimes in faraway places, far away from their homes and their families and from their beloved country to protect our Nation and defend our way of life.

They have fulfilled their obligations, and we need to fulfill ours. Day after day we get emails and letters and phone calls from Arkansas veterans and their families. They talk about what the Senate is talking about today; that is, whether we should fix this cost of living adjustment or not and even down to the details of whether we should pay for this or not.

Let me just read a few. I have eight Arkansans here who have written in recent weeks.

MAJ Adam Smith of Sherwood said:

When I signed on twelve years ago, I swore an oath to defend my country, one that I have upheld through four combat deployments in Iraq, Afghanistan, and the Horn of Africa. It pains me to see that my government is not keeping its faith in my oath. I have served and will continue to serve faithfully, but I want my government to properly compensate me for all the times I nearly made my wife a young widow.

The second one is from Therese Wikoff of North Little Rock. She is an employee of the VA, and she is married to someone in the military. She says:

I see [our veterans] every day struggling. They served and it is our duty to respect and take care of them.

John Barnwell of Fort Smith says:

I spent a career in the U.S. Air Force defending this great country from all enemies . . . How could [Congress] even consider cutting veterans benefits when our sacrifices are the reason we are even able to live in a free country?

SMSGT John W. Smith of Cabot writes:

I served my country for 28 years with the promise that once I completed my part, I would be given a retirement for the rest of my life to include the cost of living increases. However, it appears the government has decided to change the promise made and not honor their part of the bargain.

Sam Garland of Jacksonville says:

When I enlisted I was told if I did my time that I would receive retirement . . . [Don't take away] this hard worked promise.

Marshall Harmon of Vilonia wrote:

This is a military retirement that I worked extremely hard for and in fact earned! The documents I was provided at the time of retirement assured me that my buying power would remain strong and consistent . . . It seems that is just not the case.

Chadwick Cagle of Sherwood wrote to say:

I am a military veteran of almost 15 years, including two deployments to Iraq. I was an Infantryman in the Marine Corps . . . I find it very frustrating that the reductions in benefits were taken from the very men and women who have served and protected this country.

The next will be the last one. I could go on for a long time. As people can tell, I have a lot more where these came from.

Bill Patrick of Mountain Home says:

As a veteran of the U.S. Army, I am saddened by the provision in this bill that in essence penalizes those that have given the most for this great country of ours. Although I do realize the importance of keeping the government funded and running, I am opposed to the fact that we are doing it on the backs of those who have served honorably, and long.

I want those words to sink in for my colleagues in the Senate today. These are men and women from my State. The Senators have the same types of folks in their States. They put on the uniform and they serve our country. This is not how we should repay them.

I know that on this floor and out in press conferences and in press releases and all of that, people say: Well, we need to pay for this.

This bill, S. 1963, has no pay-for. The way I feel about it is this cut to their benefits, this cut in their COLA, the 1 percent adjusted downward, doesn't take effect until 2015. We have all of this year to find a pay-for if that is what we decide we are going to do.

But the way I feel about this is they have already paid. They have paid for this with their service. This was something that was added to a budget deal, and it is something I think probably came in and was put in by the House Republicans. In effect, we are trying to solve this problem for them.

But, regardless, I have a list that I did not fabricate for this speech. This

stands in my office in Washington every day. I have a similar poster identical to this poster in Little Rock. It is there every day in our lobby, in our entryway for anyone and everyone who comes to the office to see the sacrifice that Arkansans have made to this country. These men and women—there are over 100 listed.

As much as I hate to say it, this list grows all the time. We change this list out frequently. There are over 100 listed. In fact, there are over 110 listed. These are troops from Arkansas or based in Arkansas who paid the ultimate sacrifice in Iraq and Afghanistan. These people paid for this benefit.

All of the veterans who will receive this benefit were in the exact same situation that these men and women were, but by the grace of God they made it home. We need to honor the commitments we have made to our veterans.

This is no laughing matter. This isn't politics, this isn't a Democratic thing or a Republican thing, this is an American thing.

Do you know what. When we make commitments to our veterans, if we cannot honor those commitments, we never should have made them in the first place.

I know a lot of people in Washington make all kinds of promises, but we have made these commitments to our veterans. Some of them mentioned when they signed on in the very beginning or when they take their retirement in the very end, it is very clear the type of retirement benefits they will get. Just because it is hard now, because it is expensive, doesn't mean we back out on the commitments we have made to our men and women in uniform. We don't back out on the commitments we have made to our veterans.

But now what we have is we have people in Washington who are saying: We like our veterans, but they need to pay for this. They need to pay for this. I disagree. We have all this year. If we make that decision later to find a way to pay for this change, we have time to find the pay-for later.

I am always reminded when I think of our folks who served this Nation in the military, of this one verse that is found in John 15:13. It says: "Greater love hath no man than this, that a man lay down his life for his friends."

I have been to a number of funerals, and I have made a number of calls to these families. I don't know how many people I have talked to who have lost a loved one in Iraq or Afghanistan—or in some other military operation somehow, some way—and that is the verse I always remember because they laid down their lives for their country.

Everyone else who puts on that uniform, by the very nature of them putting on that uniform, has made the commitment that they are willing to lay down their lives too. They are in harm's way for us.

I think it is wrong for us to try to lower their benefits. I think it is wrong

for us to be having a debate about finding a way to pay for this. We have time to pay for this over the course of this year. I am totally open to talking to people about how to pay for this as we go.

But let's, for crying out loud, not send the message to our men and women in uniform, to our veterans, that we are going to balance the budget on their backs. They are the ones who have made the commitment. They are the ones who have traveled and served overseas.

When it comes to government spending—I just heard a couple of speeches by my friends on the other side of the aisle—everybody who is paying attention knows we can cut unnecessary government programs. We can eliminate duplicative policies. We can do good in the regulatory world to make government more efficient, more effective. We can do that, but we should not use these folks to balance our budget.

I see my colleague from Florida has stepped in. I know he would like to say a few words.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON. I am here to support Senator PRYOR's bill. I am a cosponsor. We were about to have a press conference, and the bottom line is there is no way to fully repay someone who puts their life on the line for our country, but we can do what we can, and this legislation ensures that we continue to do all we can. That is a summary of the whole thing.

I have the privilege of being a senior member of the Armed Services Committee, and from day one one of the things we recognize is that we want to keep our promises to the men and women of our military. The strength of the military will always be the people, and they commit their lives to the service of the country. During that commitment there is a lot of sacrifice: overseas deployments, they miss births, birthdays, and countless other hardships.

A retiree has spent years earning the benefits they looked forward to and those were some of the reasons they made the sacrifices when they took the oath of office and put on the uniform.

When that servicemember joins the military, they look at the retirement system in place at the time, and they began to build their life and their plans around those specific retirement benefits. Those who choose to devote long years and the retirement period of 20 years of service—and then happen to retire and pursue a second career—it gives them the flexibility to move back to a location where they can help out a family member or finally become a full-time part of a family business, whatever it is. Those folks shouldn't be penalized because they are not yet 62 years old. They have already done 20 years of service, if not more.

They are choosing to innovate to serve their community or to finally

start that small business they had always dreamed about, and so it is unfair to penalize them when others are not. Why in the world would we want to make a difference between those who had retired from the military?

So safeguarding the benefits servicemembers have earned not only protects the all-volunteer force, but it also attracts and will continue to attract the best talent and encourage somebody to make the military a career. For the career soldier, sailor, airman or marine, what they give back over those 20-plus years is immeasurable.

We have bipartisan agreement that restricting military benefits in this way is not the correct path to address defense cuts and the debt. We must restore this full cost-of-living adjustment for military retirees.

With that vote yesterday, zero against it, why are we out here having to spend all this time? Why don't we just take it up and pass it, because the votes are obviously here. I am hoping that is what the Senate is going to do in the next few hours.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Ms. AYOTTE. I come to the floor to talk about an amendment I have pending to the bill pending on the floor to fix the unfair cuts to our military retirees.

Let me remind everyone of how we got to this point. It was right before the holidays and there was a budget agreement that was reached between the chairman of the Senate Budget Committee and the chairman of the House Budget Committee.

Let me remind everyone in this Chamber that I serve on the Senate Budget Committee. No one on the Senate Budget Committee—at least myself, I wasn't included, I guess I missed it—brought to our attention the budget agreement before it was brought as a fait accompli to the floor, and that is one of the problems that brought us to where we are today. Only in Washington could you serve on the actual Budget Committee, they come up with a budget agreement and actually never show it to you—even though you are on the Budget Committee.

Had they shown it to me in advance, I can tell you what I would have told them, that this idea to single out our military retirees is totally unfair. It is the wrong priority for America to single out those who have taken the bullets for us when, if we look at the changes that were made in the budget agreement to the contributions for Federal employees, they were prospective. Only new hires had to pay additional contributions.

But for our men and women in uniform, those working-age retirees under 62—and originally our wounded warriors were included in that as well—took the cut. So when I did find out about it—and I see my colleague from South Carolina, who also serves on the Senate Budget Committee, is here—

when we and others found out about it—also my colleague Senator WICKER from Mississippi—we pointed out from the beginning, before this body even voted on the budget agreement, that the cuts to military retirees were unfair; that of all the people we were going to single out, why would we single out the people who have taken the bullets for us? What kind of message does that send to those who have served us and sacrificed so much for our country?

So I remember it. We came down here before Christmas, before the holidays. Senator GRAHAM, my colleague from South Carolina, came down here, Senator WICKER from Mississippi, and we said to our colleagues then: Let's fix this. Let's fix this unfair cut now before we actually pass this budget into law, because we have time to do it. Do you know the response we got? We are in a rush. We have to get home to our families before the holidays, rather than fix what was wrong from the beginning.

Right now I hear so many of our colleagues coming to the floor and saying: We have to fix this, even though they voted for this budget agreement.

Mr. GRAHAM. Will the Senator yield for a question?

Ms. AYOTTE. Yes, I yield for a question.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. GRAHAM. I thank the Chair.

Does the Senator agree with me, if the budget deal had not been paid for it would never have passed?

Ms. AYOTTE. I would agree with that.

Mr. GRAHAM. Most Republicans, and I am sure some Democrats, would not have voted for a budget deal unless it was deficit-neutral and paid for. I know it wouldn't have passed the House. So now, after the fact, if you fix the COLA problem without paying for it, haven't you basically blown the budget deal apart?

Ms. AYOTTE. Well, that is the irony of where we find ourselves. We have people who came to the floor, even though we warned them and said this is really unfair, why are we doing this to military retirees, we should fix this now and we can find other ways to cut spending—

Mr. GRAHAM. And their response was: We can fix it later. Our response was: Well, will you pay for it later? And everybody said yes.

So here we are. I appreciate Senator PRYOR and Senator HAGAN from North Carolina wanting to fix it. The good news is everyone in the body wants to undo the damage done to our military retirees. That is the good news. The bad news is we are doing it in a fashion that would break the budget agreement, and I don't think that should be our choice.

In order to right a wrong done to the military retirement community—which was a \$6 billion taking from them, unlike anybody else in the coun-

try—can we not find \$6 billion over the next 10 years to make up for it? Because if we don't, we have broken the budget agreement and put a burden on the next generation. So, really, to help the military retiree, do you have to turn around and screw future generations by adding \$6 billion of debt on top of the \$16 trillion? I guess that is the question. And I would say no. That is why I appreciate the Senator's offset.

Ms. AYOTTE. The answer is no. Of course we don't. We don't have to burden the next generation to fix what we should have fixed from the beginning, which was unfair from the beginning. That said, I have an offset—

Mr. GRAHAM. What is the Senator proposing here?

Ms. AYOTTE. I have an offset that is pretty straightforward. We have two major refundable tax credits in our Tax Code, the earned income tax credit and the additional child tax credit, both of which, when you claim them, you actually get money back under the Tax Code. My amendment is pretty straightforward. When you file for the earned income tax credit, you actually have to put a Social Security number when you file for it as the tax filer. Also, if you have a dependent, you have to put a Social Security number. For the additional child tax credit, there was a Treasury IG report done under this administration in 2011 and it raised real concerns about the way this tax refund was being administered, because when you filed for it, you didn't have to put a Social Security number. Also, for any child for whom you were seeking a refund, you didn't have to put a Social Security number.

My fix is very straightforward: All I am asking is, if you want to seek that tax refund for your child, you list a Social Security number for the child. Why is that important? It is important because the Treasury IG found with this tax refund billions and billions of dollars going out the door. In fact, with the amendment I just mentioned, we can save \$20 billion over the next 10 years.

There were investigations done of this tax refund, and guess what they found. Massive examples of fraud, which I will go through in detail, of people claiming kids who may not even live in this country; of people claiming kids who might live in Mexico, because there are absolutely no parameters on the way this is being interpreted right now.

So here is the question: Should we fix fraud in our Tax Code and really address this issue, still allowing American children and children who the President has said are eligible—certain DREAMer children—to get this tax refund—real children in this country—or should we let this fraud continue and also add to our debt and not address the underlying problems facing our Nation?

I don't understand why we can't pass something commonsense like this.

Mr. GRAHAM. Let me see if I have this right. There is an earned income



tax credit you can receive based on need; is that right?

Ms. AYOTTE. Exactly.

Mr. GRAHAM. We are not going to get it. You are not going to get it for your kids because you make too much money.

Ms. AYOTTE. Right.

Mr. GRAHAM. I think this is a Ronald Reagan idea. If you are working, even though you may not have any income tax liability, we are going to give you an earned income tax credit. I think it is \$500 per child; is that right?

Ms. AYOTTE. This is the earned income we are talking about.

Mr. GRAHAM. Yes, I know. But under the earned income tax credit—

Ms. AYOTTE. I don't know the amount.

Mr. GRAHAM. I think it is \$500. But the point is, do you have to have a Social Security number?

Ms. AYOTTE. Yes.

Mr. GRAHAM. Ok. If the argument is that by adding a Social Security number requirement to the additional credit you are somehow burdening people, why isn't that an argument made against the EITC? Because to get the earned income tax credit you have to have a Social Security number.

This new additional tax credit, on top of the earned income tax credit, doesn't have the same requirements. So those who come to the floor to say we are destroying families, why wouldn't you come down here and propose to do away with the Social Security number on the earned income tax credit? That would make perfect sense to me.

If requiring a Social Security number is a bad thing for families, why do you tolerate it for the EITC? The reason you wouldn't propose that change is because people in Treasury would say you would be crazy, because now you have an additional tax credit, something new on top of the EITC, that Senator AYOTTE has found without a Social Security number you have \$19 billion in fraud.

So I am curious. If you think requiring a Social Security number for a child to get an additional tax credit is destroying the family, why don't you come down here and suggest changing the law for the EITC? If you did that, you would get blistered by the auditor saying you are opening a new line of fraud.

So could the Senator tell us what would happen to the American taxpayer, what benefit would inure to the American taxpayer if we followed the Senator's proposal and accepted her amendment of requiring a Social Security number?

Ms. AYOTTE. The American taxpayer would save \$20 billion over the next 10 years. This is about protecting the American taxpayer. Let me talk about some of the fraud that was found.

In Indiana, they found 4 workers were claiming 20 children living inside 1 residence. The IRS sent these illegal

immigrants tax refunds of a total of \$29,000-plus. They also found many people were claiming the tax credit for kids who live in Mexico. These are our taxpayer dollars going out the door in this way.

An Indiana tax preparer, who acted as a whistleblower, said: We have seen sometimes 10 or 12 dependents, most times nieces and nephews, on these tax forms. The more you put on there, the more you get back, even though they are not verifying that any of these children live here or exist. That is our tax money going out the door. The whistleblower had thousands of examples.

Another example from a whistleblower: We have over \$10,000 in refunds for nine nieces and nephews, he said. It is so easy. I can bring out stacks and stacks. It is so easy, it is ridiculous.

In North Carolina, investigators tied at least 17 tax returns totaling more than \$62,000 in returns to a Charlotte, NC, apartment that 1 woman leased. At another apartment nearby, investigators discovered 153 returns valued at over \$700,000 in refunds. Another address in the same apartment complex had 236 returns worth over \$1 million in returns.

This is money taken into our treasury and turned back in. All I am saying with this amendment is if you can put a Social Security number for the child you are claiming the credit for, you can get this credit. That is all this is, making this consistent with the earned income tax credit. And in fact, the filer can be an undocumented worker in this country and have a child who legitimately has a Social Security number and get the credit for it. So I have modified my amendment to address that issue.

What I am saying is this: Let us end fraud and let us take that money that is being taken from the American taxpayer—\$20 billion—and take \$6 billion of it to be used to restore these military cuts. This will make sure we do not burden the next generation and we fix a wrong that should be righted.

Let me talk about some other examples of what we have seen. In Tennessee, a search warrant was prepared by the IRS for a tax company that was encouraging undocumented workers to lie on their tax returns by claiming children who live in Mexico as dependents. Why can this tax preparer even encourage that? Because right now, when the refund for the additional child tax credit is filed for, you don't have to put anything about the child to prove the child even exists. So simply requiring a Social Security number for the child you are getting money back for would end that fraud.

The IRS says the Tennessee tax preparer has filed 6,000 tax returns over the last 3 years, and although his—listen to this—although his clients only paid \$3.3 million in taxes, they were able to receive back \$17 million in refunds. Imagine that: \$3.3 million in taxes his clients as a whole claim they

have paid, and they received \$17 million in refunds back. Pretty good deal, isn't it. Well, it is a bad deal for the American taxpayer.

This amendment makes so much common sense I just hope I can get a vote on it on the floor of the Senate. In the past, when I have tried to bring this amendment forward, I have been denied a vote on many occasions.

I hope the people of this country understand what the vote on the floor is. The vote on the floor is straightforward. This amendment fixes the unfair cuts to our military retirees and ensures we aren't breaking the budget agreement that was just passed or burdening the next generation with debt. In fact, my amendment will further reduce the debt because it saves more money than just paying for this fix. We can also fix this tax fraud and do the right thing by the American taxpayer.

What worries me most is that because this is Washington, and this makes so much sense, I fear I won't get a vote and that my colleagues will use excuses to say: We shouldn't vote for this because—as I heard my colleague from Illinois on the floor this morning saying—we are going to harm children. Well, children will still be able to get this refund. Put a Social Security number down and American children will get this refund. Also children the President has already deemed eligible—so-called DREAMers. In fact, my colleague from Illinois who came to the floor this morning admitted already ½ million of them have filed for a Social Security number, and they too could receive this tax refund.

If we don't pass this amendment, there are two groups that lose: the veterans, but also, most importantly, all of us—the American taxpayer.

Before I conclude, I wanted to mention the groups endorsing my amendment: the American Legion, American Veterans—AMVETS—Concerned Veterans for America, the Military Officers Association of America, the National Guard Association of the United States, the National Military Family Association, the Naval Enlisted Reserve Association, the Retired Enlisted Association, the U.S. Army Warrant Officers Association, the U.S. Coast Guard Chief Petty Officers Association, and the U.S. Coast Guard Enlisted Association.

I hope my colleagues will vote for this commonsense amendment, so we can fix this unfair cut to our military retirees and pay for it and make sure we aren't also adding to our debt and burdening future generations.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I ask unanimous consent to yield to the majority leader.

The PRESIDING OFFICER. The majority leader.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that at 4:30 p.m., the

Senate proceed to executive session to consider the following nominations: Calendar Nos. 516, 517, 518, and 593; that there be 30 minutes for debate equally divided in the usual form; that upon the use or yielding back of the time the Senate proceed to vote without intervening action or debate on the nominations in the order listed; that the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order; that any related statements be printed in the Record; that the President be immediately notified of the Senate's action and the Senate then resume legislative session; further, that there be 2 minutes for debate, equally divided in the usual form prior to each vote, and that all rollcall votes after the first be 10 minutes in duration.

I appreciate the Senator yielding.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. MCCAIN. Mr. President, I ask unanimous consent to engage in a colloquy with the Senator from South Carolina.

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

#### AFGHANISTAN PRISONER RELEASE

Mr. MCCAIN. Mr. President, I would say to my friend from South Carolina that we have received some disturbing news today; that is, the President of Afghanistan, President Karzai, has made a decision to release 65 of the 88 detainees at Parwan prison in Afghanistan.

The Senator from South Carolina and I have known the President of Afghanistan for many years. We have had many meetings with the President of Afghanistan, and I believe we had established a rather cordial relationship over these last 13 years.

Many of my colleagues may not know that the Senator from South Carolina, in his capacity as a Colonel in the U.S. Air Force Reserve, a lawyer, has spent a great deal of his active-duty time in Afghanistan on Active Duty primarily focusing on the whole issue of detainees, how they are tried, how they are incarcerated, and steps for release and detention. In other words, there is no one that I know who has more indepth knowledge of this issue than the Senator from South Carolina. I don't believe anybody has ever worked as hard as he has on this issue, and there have been significant accomplishments as a result of his and other wonderful Americans' work.

I think facts are stubborn things; and I would ask my friend from South Carolina, isn't it true the release of these detainees poses a direct threat to the lives of our service men and women who are serving in Afghanistan? Is it true that 25 of these individuals are linked to the production and/or emplacement of IEDs; that 33 tested positive for explosive residue when processed after capture; that 40 percent are

associated with direct attacks, killing or wounding 57 Afghan citizens and allied forces; that 30 percent are associated with direct attacks, killing or wounding 60 U.S. or coalition force members; that 32 were captured after the ANSF assumed responsibility?

So isn't it clear, I ask my colleague, after all these years of work trying to get this whole system of detainees and trials and incarceration, that we are now seeing—sadly—this result of individuals who can be traced to attacks on or directly responsible for the deaths of brave Americans?

Mr. GRAHAM. Senator MCCAIN is absolutely right.

I thank him for showing such an interest in this topic. He has been so helpful in making sure we get this detention issue right. Having been incarcerated in a war, I think Senator MCCAIN knows the difference between a system that works and one that doesn't. It has always been helpful to have Senator MCCAIN travel with me and make a point to the Afghans that he knows what doesn't work.

General Dunford called this morning with a lot of sadness and, quite frankly, anger in his voice. We have captured thousands of Afghans and some third-country nationals during the 12-year war in Afghanistan. Our confinement facility at Bagram Air Base has improved a thousand percent. We have made our fair share of mistakes, but the prison now called Parwan I would put up against any prison in West Virginia, South Carolina or Arizona. It is a state-of-the-art prison. It is being transferred over to the Afghans.

As we take this prisoner population and turn it over to the Afghans with a collaborative process where we work together to determine what force to take, they have what is called an Accountability Review Board, which is an Afghan board looking at the disposition of this prison population. They were about ready to release about 88 about whom our commander felt the evidence in question deserved criminal court disposition.

The Afghan criminal court at the prison, which is attached right to the prison—the JSAF—has heard 6,000 cases with a 70-percent conviction rate. I am very proud of the judges and lawyers who run that facility.

All we are asking is that they not let 65 of the 88 walk out the door because of an administrative review board which is not recognized under Afghan law. The guy in charge of it is openly against the Bilateral Security Agreement. I think he is a corrupt individual.

General Dunford has basically said: You are going too far here. I cannot in good conscience not object.

We have lodged our objections, and we thought this would be fixed, and they were going to turn these cases over to the attorney general. I received a phone call Sunday night. There was a caveat which nobody told us about. They turned the 88 files over to the at-

torney general we thought for prosecution, but apparently President Karzai told the attorney general to release 65 of the 88.

If you believe in the rule of law, the President of the country does not have the authority under Afghan law to tell the judiciary or the attorney general what cases to dispose of. This is an extrajudicial exercise of legal authority by the President of Afghanistan. The people in question, the 88, are responsible for killing 60 Americans and coalition forces and 57 Afghans, and the Afghan population does not like the idea that these people are going to walk out of the jail.

I will read the statement issued by our commander in Afghanistan right after the phone call:

United States Forces-Afghanistan has learned that 65 dangerous individuals from a group of 88 detainees under dispute have been ordered released from the Afghan National Detention Facility at Parwan.

The U.S. has, on several occasions, provided extensive information and evidence on each of the 88 detainees to the Afghan Review Board, the Afghan National Directorate of Security and the Attorney General's office.

This release violates the agreements between the U.S. and Afghanistan.

The agreement is called the Memorandum of Understanding, and this violates the spirit and the letter of the agreement we have negotiated.

We have made clear our judgment that these individuals should be prosecuted under Afghan law. We requested that the cases be carefully reviewed. But the evidence against them was never seriously considered, including by the Attorney General, given the short time since the decision was made to transfer these cases to the Afghan legal system.

So within 24 hours they decided to let 65 people go. Clearly, they didn't spend much time.

The release of the 65 detainees is a legitimate force protection concern for the lives of both coalition troops and Afghan National Security Forces.

It goes to Senator MCCAIN's question, and I have spent a lot of time looking at every file. This is our own ground commander, General Dunford, who I think is doing a great job, telling us: If you let these people go, it represents a force protection problem.

He further goes on to say:

The primary weapon of choice for these primary individuals is the improvised explosive device, widely recognized as the primary cause of civilian casualties in Afghanistan.

And quite frankly, the death of our own troops. Senator MCCAIN made a good point. Twenty-five of the 65 are directly linked to planting IEDs against our forces. We have fingerprints on these people. I have literally seen the evidence where there is biometric identification, where we can look at the pressure plate and the tape and all the material around the making of the IED and pick up fingerprints. When we do that, they match to the biometric data. We have identified the person by fingerprint, and they are going to let that person go. Some of



these people have been captured previously. The recidivism rate is growing in Afghanistan.

This is the final paragraph:

The release of these detainees is a major step backward for the rule of law in Afghanistan. Some previously-released individuals have already returned to the fight, and this subsequent release will allow dangerous insurgents back into Afghan cities and villages.

Back into the Afghan cities and villages to kill our troops and kill innocent Afghans.

I thank Senator MCCAIN so much for his interest in this subject matter.

We are drafting a resolution condemning the actions of the Afghan government, President Karzai, in the strongest terms possible. We are suggesting that, in light of the breach of this agreement, putting our troops at risk, letting killers go, that we suspend all economic aid until after the election.

I want to let this body know that the troops are watching this. Can you imagine being one of the soldiers—Afghan and American—who risked their life to capture these people to have them walk right out the door and never face justice for killing one of your comrades? They are watching us. We have to prove to the troops on the ground in Afghanistan—both Afghan and American and coalition forces—that the Congress of the United States will not accept this; that we have their back; and that we should push back as hard as humanly possible to make the message clear to President Karzai and the Afghan government how much this displeases us. They are due to walk out of the jail Thursday.

I hope I don't have to come back on the floor of the Senate and read about the death of an American caused by one of the people President Karzai released.

Senator MCCAIN and I have been to Afghanistan more times than I can think of. I have not found anybody more attuned to the idea that we need a sustaining permanent relationship with the Afghan people than the Senator from Arizona. He understands a follow-on force is necessary, and that we can win this conflict and end it well with honor if we have a follow-on force, and the Senator from Arizona wants to stay involved.

But does Senator MCCAIN agree with me that the actions of President Karzai defying our commander, his own judges, his own legal system has done enormous damage to public support for this war effort—which is already low—and has hurt the relationship between the Congress and the Afghan government?

Mr. MCCAIN. I thank the Senator from South Carolina, and I hope my colleagues will understand the in-depth knowledge which he has about this issue. No one understands it as well or has been more involved, to the point of being involved with each of the individual cases.

Before I respond to the question, I think it important for our colleagues to understand some of these specific cases. I am not going to submit for the record all 65 because it is long. But let me just mention a couple of examples of people who are about to be released into Afghanistan while our men and women are still there in harm's way.

Habibulla Abdul Hady is a Taliban member, emplaced IEDs used in attacks against ANSF and ISAF forces in Kandahar province which took American lives, and was biometrically matched to an IED incident in Daman, Kandahar, where pressure plate IEDs and components which took American lives were seized by coalition forces.

Nek Mohammad facilitated rocket attacks against our forces in Kandahar province, is an IED expert, and transferred money to Al Qaeda.

The list goes on.

Akhtar Mohammad is a suspected Taliban commander who conducts attacks, provides lethal aid and supports Taliban leaders in operations against ANSF and ISAF in Nangarhar and Kunar province. He acted as a trusted courier for the former Ghaziabad Taliban shadow governor. The list goes on and on. These are not random arrests. These are not misdemeanors. These are serious, hard-core professional terrorists who have already committed these acts, and that is what is so disappointing about it.

Again, I say to my friend from South Carolina, we have been there often, and being around these brave young Americans who are serving and sacrificed has probably been the best part of our lives. Some of them have had three, four, five, six tours of duty in Afghanistan and Iraq. It seems to me that we owe them at least the security of not releasing these trained killers—they are not amateurs—into the fight again. We already know that the ones we released voluntarily—I think it was 27 or 30 percent—reentered the fight.

I say to my friend in response: Isn't it almost totally predictable that these hard-core individuals will quickly reenter the fight? They are talented, professional, trained zealots, and it would obviously put American lives in danger.

Finally, in answer to my colleague's question, again, I am saddened because President Karzai, my friend from South Carolina, Senator Lieberman, and I have developed a relationship over many years of cooperation and assistance. There are reasons for some of his behavior. It has been terribly mishandled by this administration. We still don't know the number of troops they want to leave behind.

Having said all of that, and the sadness I feel, I think it has been replaced a bit by anger because this kind of action cannot be excused when we have an obligation to do everything we can to protect the lives of the young men and women who are serving. To let this go without a response is an abrogation of our responsibility to these young men and women.

I still have hopes for the agreement. I would point out to my colleagues that it was first raised a couple of years ago by Senator GRAHAM when he and I were over there. The overwhelming majority of Afghans support this agreement. But when we have people such as this running around, it is not just Americans and our allies who are in danger but the lives of the Afghan people, whom President Karzai was elected to represent, are in danger.

I ask my colleague again how many times he has been through this drill with President Karzai where they were about to release these people and we managed to pull them back from the brink? Apparently they have finally stepped over the line.

Mr. GRAHAM. We are not asking to bring these people back to the United States for trial. We are asking that they go through the criminal process under Afghan law where Afghan judges will decide their fate. Afghan prosecutors and defense attorneys will take over the case, not us. We agreed to 550 people being released under this administrative review board, but these 88—according to General Dunford, and my own review—represent a different case of detainee.

The evidence in some cases is overwhelming. With some investigation, I think a case could be made against all of them. Many of the people who are part of the NDS, which is basically their FBI and CIA rolled into one, lost their lives capturing these folks.

All we ever asked the Afghans to do is basically follow their own rule of law. The accountability review board was never meant to be a release mechanism. General Dunford did the right thing by lodging a complaint.

I talked to the President of Afghanistan personally about how this is against the letter and spirit of the memorandum of understanding we have regarding detainees and how this will play back in America. Apparently what we think doesn't matter to him anymore. I understand being upset with this administration for the uncertainty and a lot of mistakes they made.

We may be the last two in the whole Senate who understand that we need a relationship with Afghanistan post Karzai. I believe a lot of my colleagues understand that too.

I hope every U.S. Senate Member will agree, no matter what they may think about what we should be doing in the future in Afghanistan, that we need to make a clear statement and agree to this resolution. If there are any Members who have any ideas to enhance it, I welcome those ideas.

I want this body to speak with a single voice—Republicans and Democrats—and stand behind our general and tell the President of Afghanistan that we will not let this happen without a push-back. We owe it to those who have died, we owe it to those who are in harm's way, we owe it to our own value system, and now is the time

for the Congress—and particularly the Senate—to speak with one voice and let President Karzai know that he doesn't understand what is going on in America. He is detached from reality when it comes to Afghanistan and America. No President of Afghanistan who understood this issue at all would ever do this. He is making it impossible for an American political leader and an American general to not respond forcefully.

I look forward to working with Senator MCCAIN on this resolution.

Mr. MCCAIN. I will emphasize one point that my friend from South Carolina has already made. We are not giving up on Afghanistan. We believe that we can't afford to see the movie that we saw in Iraq in which the total withdrawal of American forces caused the chaos and the situation in Iraq today.

In the second battle of Fallujah, 96 soldiers and marines were killed and 600 were wounded. Today the black flags of al-Qaida fly over the city of Fallujah. There is no greater metaphor for the failure of this administration in Iraq.

We are saying that we will make a new deal with Karzai's successor. We will provide the economic assistance and we will provide the follow-on force. But right now we cannot stand by without responding to this act which directly puts the lives of Americans and Afghans in danger. These are professional killers. They are terrorists. They are good at their work, and we cannot expose our allies, our friends, and our men and women to this kind of danger without a response.

I will finally say again that no one understands this issue better than Colonel Graham. Colonel Graham has been through every single one of these cases. He has fought this battle many times before, and if anybody has any question about the severity and the consequences of the act being taken today by President Karzai, I suggest they talk with him since he has all the information.

I thank my colleague for his many years of service in Afghanistan and Iraq on behalf of the men and women who are serving and have served with him.

Mr. GRAHAM. I thank the Senator from Arizona.

To conclude, this is not LINDSEY GRAHAM or Colonel Graham saying this. This is what General Dunford is saying. I know he is right. I clearly understand what he is telling us. I have seen it firsthand.

To the folks at 435, who are in charge of the detainee population—they lost two yesterday. An IED killed two of our civilian contractors, Paul and Michael, who were working out of the Pul-i-Charkhi prison. I know them well. I met them a bunch of times. They have been over there as civilian contractors for years trying to improve the Afghan detention facilities and legal system, and they gave their lives for a very worthy cause.

All I am saying is we need to suspend aid. We are taking hundreds of millions of dollars of American taxpayer money and investing it in Afghanistan in a way that is inappropriate.

After President Karzai's decision to release these detainees, we should cut off the money. Not a dime should go to economic development. No more money. I can't go to a taxpayer in South Carolina and say that they should write a check to a government that is being led by Karzai. Hopefully, as Senator MCCAIN said, when somebody new comes along, reason will prevail.

I thank my colleagues and need their support. I urge every Member of this body to speak out with one voice.

I will conclude with recognizing my good friend from Connecticut. His son is a marine who served in Afghanistan, and he has been there many times. I want Senator BLUMENTHAL to know that we are doing this today to let our marines know that their sacrifice will not go unnoticed, and we will not let these guys walk out of jail without a fight.

Mr. MCCAIN. I want to also recognize that the Senator has a son in the Navy as well.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. I thank my distinguished colleagues for recognizing my sons' service. One is a marine reservist deployed to Afghanistan and the other is a Navy officer currently in further training.

I thank them and offer my support to the goals they have articulated today. I look forward to the resolution they are offering and talking further about the specifics of it. I again thank them for recognizing the urgent need for this body to take action at this point in supporting those goals. I look forward to continuing my work with them. Again, my gratitude to them for their courage and determination, and I offer my thanks and support.

I am here today to talk about a bill that undoes an injustice, and frequently the work of this body is to undo injustices, and sometimes even mistakes, such as the repeal of the cost-of-living adjustment reduction for certain military retirees.

I have spoken before in this Chamber and at home in Connecticut about my opposition to the pension cost-of-living adjustment reduction contained in the budget agreement approved by this body. I firmly believe there is no just way to balance the budget on the backs of our military retirees. It was a mistake then, and we can undo it now without a so-called pay-for. Their sacrifice and service has been paid in full. With their sacrifices, military retirees deserve to be paid in full for the promises we have made to them. We made those promises to them for their service and sacrifice that they have given us already, and we should not break that promise.

The reduction in these cost-of-living adjustments impacts both the brave

veterans who served for 20 years in the military and those who earned their retirements because of a service-connected medical disability. We should keep our promises to both.

Last month I discussed this problem with about 25 veterans in American Legion Post 96 in West Hartford with Commander Ken Hungerford. Our brave patriots who served and sacrificed for our country understandably agreed they should receive the full benefit of present cost-of-living adjustments. This is a promise we have made and a promise we must keep.

To fix this issue, Senator SHAHEEN of New Hampshire and I first introduced the Military Retirement Pay Restoration Act. I continue to support it. I also support Chairman SANDERS' comprehensive veterans legislation that would restore this cut to military retiree pensions, along with improving access to health care and tackling benefits backlogs for veterans.

I am very proud to have helped draft the omnibus bill, known as the mega bill, that has already been offered on the floor.

There is a very simple, straightforward solution that we should adopt before either of those two options. It is S. 1856, which would repeal section 403 of the Bipartisan Budget Act of 2013. S. 1856 meets this criteria of paid in full. It is simple and straightforward. It has no pay-for because there is no need for an offset when we are talking about fulfilling our promises to our brave and dedicated veterans, who have given on the battlefield their all, who have given us, in service and sacrifice—even before they reach combat or even if they had no combat—the kind of contribution to our national security and our national defense that merits these cost-of-living adjustments.

As a member of the Armed Services Committee, I listened to the testimony of Acting Deputy Secretary of Defense Christine Fox that it was not consulted in the drafting of the cuts in COLA—the cost-of-living adjustments—and does not support the reduction in military retiree benefits enacted through section 403 of the Bipartisan Budget Act of 2013.

If there is a need to combat fraud in any of our programs, let the Department of Justice increase the vigor and effectiveness of enforcement efforts. If there is a need to repair a statute, to prevent waste or fraud or corruption, we should deal with that issue separately and distinctly. If there is a need to reduce the debt and the deficit—and I agree we should be mindful of fiscal responsibility—we ought to do it without breaking our promises to veterans. We ought to keep those promises without worrying about the debt that could be cut by other measures. And we should adopt those other measures rather than demanding a payback or an offset or whatever the terminology may be.

In the next 5 years, we will see 1 million Americans leave the U.S. military.

As troops come home from Afghanistan, as the military downsizes, the Marines and the Army reduce the number of men and women serving in uniform, 1 million Americans will leave the military. That number consists of individuals' lives—it is not just a statistic—individual stories of heroism and bravery on the battlefield, of invisible wounds, as well as horrific visible injuries; invisible wounds involving the issues of post-traumatic stress and chronic brain injury. More than one-third of them, perhaps as many as a half of all of those young men and women leaving the military, will bear those invisible wounds of war.

We need to provide them with the health care, job counseling, skill training, jobs, and treatment for those invisible wounds of war they deserve and they have earned. That is the purpose of the bill I have helped to draft with Senator SANDERS' leadership, the omnibus bill that will address those issues.

I am hopeful, also, we will adopt the VOW to Hire Heroes Act, to extend tax credits for employers who hire those veterans, tax credits that expired at the end of last year. My bill would restore them.

But let us now urgently and immediately adopt S. 1856—a simple and straightforward measure to restore justice to the Federal pension system for military retirees. Let us not balance our budget on the backs of our brave veterans. Let us restore those pensions to the level we promised and keep our promises as a nation to the military veterans who have kept our freedoms strong.

Mr. President, that is the end of my remarks. I thank you. I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I thank Senator BLUMENTHAL for his remarks, and I am going to utilize the same chart he had in a moment because I think it says it all. It was my colleague MARK BEGICH who first used this terminology—that our soldiers have paid for this benefit already and to get distracted by a discussion on how much to hurt children in order to restore these benefits is not worthy, in my opinion, of the men and women in uniform. So I am proud to stand up in support of Senator PRYOR's commonsense bill.

Mr. President, I ask unanimous consent that I be allowed to proceed for 15 minutes.

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

Mrs. BOXER. Senator PRYOR's bill is a restoration bill. It restores fairness and justice to our military veterans. It repeals the cuts to cost-of-living adjustments—we call them COLAs—for military retirees under the age of 62.

I see the Senator from Alaska just came in the Chamber, and I want to reiterate how much I appreciate his leadership. I say to Senator BEGICH, his analysis of this important restoration bill—restoring fairness and justice—

was so right when he said our veterans have paid in full, and to get into some conversation of who do we hurt in order to pay these veterans is not worthy of our men and women in uniform. I want to thank him for his leadership.

Repealing these COLA cuts, well, that is the right thing to do. We are talking about men and women in uniform who have served our Nation bravely for more than 20 years. I have to say, as I stand up in strong support of the Pryor amendment in restoring these benefits to our veterans, I adamantly oppose the Ayotte amendment, which is hurtful to children, very hurtful to children, and I will get into that later.

When these veterans first put on the uniform and they promised to protect and defend our Nation, we made them a solemn promise to provide them with the care and benefits they earned. These men and women have sacrificed so much for us and, tragically, too many of them made the ultimate sacrifice.

In my State of California, we lost 892 service men and women in Iraq, and we have lost 411 in Afghanistan. We cannot break faith with those who put their lives on the line for our Nation. We hear about people who have served 4 deployments, 5 deployments, 6 deployments—I have heard of 10 deployments.

When this benefit was diminished as part of the budget deal, everyone knew we would have to move quickly and change it. We knew right away. That is what we are trying to do. We are not offering a slew of amendments on unrelated matters that hurt children and risk losing this very simple premise: that we honor our men and women in uniform.

We want a simple vote. Either you are for the vets or you are not for the vets. It is pretty simple. Thirty-five organizations are supporting this. We must recognize that when you attach unrelated amendments that have nothing to do with veterans, you slow down the bill. We all know that. It is a way to derail things.

Look what my friends tried to do on unemployment compensation—get us off on some discussion of how to pay for all that in an emergency situation with the long-term unemployed; and that rate is so high historically. Then we said: OK, we will play on your turf. We will agree. We will find a pay-for. We found a pay-for they said they liked. No. It was not good enough for them. We only got 59 votes. We needed 60. If anyone thinks that was not planned, I have a plot of land to sell you in a dump somewhere. Come on. We know how it goes around here. Don't tell me 59 and no more. Please. Those are games. This is not an issue we should be playing games about—restoring veterans' benefits.

So what we have in the Ayotte amendment is an amendment which means an entire population—an entire population. The amendment is

antichildren, it is anti-immigrant, and it does not do one thing to help our veterans. But it will hurt some of our young DREAMers. We know the DREAMers. We have met the DREAMers—those children who came to the United States through no fault of their own, but now they want to contribute to our great society by staying in school and staying out of trouble. But yet the Ayotte amendment attacks the childcare tax credit, which impacts some of these DREAMers and which protects 1.5 million children from falling into poverty every year.

Honestly, this Ayotte amendment is so mean-spirited, so unnecessary, I just hope it is defeated soundly. The U.S. poverty rate is now the highest it has been in 20 years, with 22 percent of children living in poverty. Why would someone come down to the floor and attack children? Twenty-two percent of children live in poverty.

Low-income immigrant families who claim the child tax credit earn an average of \$23,000 a year, and they use this tax benefit to provide for their children's basic needs, including food, rent, and clothing.

This tax credit, which Senator AYOTTE would essentially take away from a whole group of people, is an incentive to do the right thing. These low-income families are working hard. They are earning money. But they need a tax break to help care for their children.

My Republican friends are always fighting for tax breaks for the top, top, top—for the top. What about the people struggling, who are working and earning \$23,000 a year? Where are my friends on raising the minimum wage? So far I have not heard of their support. I hope they will change their mind. Where are my friends on giving unemployment insurance to those who through no fault of their own cannot find a job and who paid into that insurance system? Where are they? They are absent. They offer amendments they know are going to get us off track, distract us, and bring the bill down. But we are not doing it this time, I hope. I hope we will say no to the Ayotte amendment because it is an amendment that guts a very important tax break.

So let's be clear. To claim the child tax credit, which is what Senator AYOTTE's amendment wants to weaken, families have to file taxes. So we are talking about tax-paying families. The child tax credit only goes to working people who earn money and pay payroll taxes, who pay State and local taxes, and any other taxes they may owe.

This Ayotte amendment is an outrageously disproportionate response to a problem the Internal Revenue Service is addressing. The IRS has implemented changes to improve enforcement. They are working with the Department of Homeland Security to make sure fake documents do not slip through the cracks.

Let me be clear. If a person commits fraud in this program, as in any other

program, we should go after that person. The law is on the books. I ask Senator AYOTTE, look at the law. The law says: If you commit in any way fraud in the filing of this credit, and you are found guilty of a felony, you will be fined not more than \$100,000—\$500,000 in the case of a corporation—or imprisoned for not more than 3 years, or both.

So here we have a situation where if fraud is committed by anyone claiming this child tax credit, they can go to jail for 3 years and be fined \$100,000.

But what does Senator AYOTTE do? She takes a brush and she paints it all across America to immigrant families with children and says: We do not trust you. I think it is so offensive. It is not fair for law-abiding, tax-paying families to lose their child tax credit because of fraud that might be committed by a few.

I have worked with a number of my colleagues. They have identified billions and billions of dollars of tax-avoidance schemes in this country. We have corporations that use tricks so that they pay zero in taxes. I do not see Senator AYOTTE—and I hope she will do this in the future—come down to the floor and rail against these wealthy individuals and corporations. No. She just goes after the weakest constituency—children. Children. Why should any of us attack children, literally take food out of the mouths of children? Why?

We need to keep our promise to the veterans, but we should keep our promise to the children. You do not say: I will restore one promise, but I will break another promise. We already have a law on the books: If anyone is guilty of fraud in this program, they go to jail for 3 years; they could be fined up to \$100,000.

I just think it is so wrong. It is so wrong.

We can do this.

I wish to close by reading from Sister Simone Campbell, executive director of NETWORK, a national Catholic social justice lobby. I know Senator DURBIN has quoted this. I hope I am not being too repetitive, but her words ring to my heart.

Some of you know about Nuns on the Bus. These were nuns who saw the injustice in some of the budgets that came before the Congress. They went on a bus and they said: Please do not cut funds for the most vulnerable people. That is not America. We are already losing the middle class.

The Presiding Officer knows that 400 families are worth more in this country than 150 million Americans. I want us to think about that—400 American families are worth more than 150 million Americans. Surely we can do better than hurt our most vulnerable children as we aim to restore benefits to our veterans.

This is what Sister Simone Campbell says about the Ayotte amendment:

For a while now, kids—particularly those in immigrant families—have been unfairly

under attack in the Senate, and the only plausible explanation is unconscionable: to score political points.

This is Sister Simone:

Sen. KELLY AYOTTE recently proposed variations of a plan to strip away the refundable Child Tax Credit that now goes to millions of children of taxpaying immigrant workers in low-wage jobs. The proposal is misguided and antithetical to the Gospel call to care for children and those at the margins of society. It violates our long-held values as a nation, and it should be rejected.

I have such respect for Sister Simone Campbell and the work of NETWORK because they do not just read the gospel and go to church and practice their religion, they live it. They live it. When they see things happening on this floor that hurt the most vulnerable people, they speak out. That is what Nuns on the Bus did. That is what Sister Simone Campbell says.

This is what she says further:

Ayotte says she understands families' needs, yet she wants to deny a child tax credit to taxpaying immigrant families. Actions speak louder than words, and her proposal hurts families. Our political leaders should never place poor children in the condition of competing with other vulnerable populations for funds that help pay for food and other basic needs.

Deliberately harming immigrant families goes against the fundamental goodwill of Americans, including thousands of people we met last year as our "Nuns on the Bus" traveled 6,500 miles across the U.S. to speak out for justice. Throughout our journey, we stood with, prayed with, and heard the stories of hundreds of immigrants who have long served the needs of our nation.

Responsible leaders in Congress should look into their hearts and reject proposals like this one . . . The political tactic is not good for our economy or the wellbeing of our entire nation—especially children who are the future of our country. We are better than this.

As I sum up, let's go back to our other chart. Senator PRYOR, Senator BEGICH, and a group of Senators, I believe including Senator SHAHEEN, Senator HAGAN, and Senator LANDRIEU—I believe they are all on this proposal.

With their sacrifice, military retirees paid in full. They paid in full. And to offer amendments that have nothing to do with the subject matter but open an entire battle on immigrant families, who are working so hard, because there are some examples of fraud, just as there are examples of fraud in corporate America—unfortunately, there are examples of fraud all across America, including in politics. But I have to say that to go after the most vulnerable children and the most vulnerable families and try to convince this Senate that is something fair—I think it is off the mark. I hope we will reject the Ayotte amendment. I hope everyone will read what Sister Simone says:

The proposal to go after children is misguided and antithetical to the gospel call to care for children and those at the margins of society. It violates our long-held values as a nation and it should be rejected.

I want to remind everyone that if anyone commits fraud in this society, I will be the first one on the floor say-

ing: Go after them. We already have a law that is very clear. Anyone who commits fraud in connection with the child credit, the refundable credit, shall be guilty of a felony and upon conviction thereof shall be fined not more than \$100,000—\$500,000 in the case of a corporation—or imprisonment of not more than 3 years or both.

If the Justice Department or the IRS is not doing enough to go after this fraud, I have to say, let's call the folks in charge and let's tell them we want to make sure there is an effort. Write a letter. But do not say—because a few people are doing a bad thing and should go to jail for it, do not take your paint brush and paint every immigrant family who has dreams with this. This is an outrageous thing to do, especially to claim that you are not doing anything to hurt children and you are doing it to help the veterans. The veterans have paid in full.

Let's vote for the veterans—for the veterans and for the children. You vote for the veterans by voting for Pryor. You vote for the children by voting no on the mean-spirited Ayotte amendment.

Ms. MIKULSKI. Mr. President, I come to the floor today in support of S. 1963, a bill to restore the 1 percent COLA cut for military retirees.

We must honor the sacrifices our military men and women—and their families—have made at home and abroad. We can do this by making sure that they have a government on their side and that promises made are promises kept.

Our men and women in uniform face specific challenges when it comes to their own financial security. It can be difficult to save for retirement while serving abroad or to build equity in a home when relocating every few years. Having a COLA you can depend on and plan for is crucial to building financial security.

That is why I fully support restoring the 1 percent COLA for all military retirees. As chairwoman of the Appropriations Committee, I included a provision in the fiscal year 2014 omnibus spending bill to cancel the COLA cut for working-age disabled veterans and survivors of departed members. This provision was an important downpayment toward restoring COLA for all military retirees.

Today we must finish the job to ensure that no military retiree has his or her COLA reduced. There are smarter and fairer ways to save money than reducing COLAs for men and women who served in uniform. We can start by closing tax loopholes for businesses sending jobs overseas or canceling outdated Dust-Bowl farm subsidies.

Rather than targeting veterans for budget savings, we should be working together to make sure they and their families are supported medically, financially, and emotionally.

Today is the day to right this wrong, and I encourage my colleagues to support this legislation.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. BOXER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded and that the nominations be reported.

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

#### EXECUTIVE SESSION

NOMINATION OF RICHARD STENGEL TO BE UNDER SECRETARY OF STATE FOR PUBLIC DIPLOMACY.

NOMINATION OF SARAH SEWALL TO BE AN UNDER SECRETARY OF STATE (CIVILIAN SECURITY, DEMOCRACY, AND HUMAN RIGHTS)

NOMINATION OF CHARLES HAMMERMAN RIVKIN TO BE AN ASSISTANT SECRETARY OF STATE (ECONOMIC AND BUSINESS AFFAIRS).

NOMINATION OF SLOAN D. GIBSON TO BE DEPUTY SECRETARY OF VETERANS AFFAIRS.

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 legislative clerk reported the nominations of Richard Stengel, of New York, to be Under Secretary of State for Public Diplomacy; Sarah Sewall, of Massachusetts, to be an Under Secretary of State (Civilian Security, Democracy, and Human Rights); Charles Hammerman Rivkin, of the District of Columbia, to be an Assistant Secretary of State (Economic and Business Affairs); and Sloan D. Gibson, of the District of Columbia, to be Deputy Secretary of Veterans Affairs.

The PRESIDING OFFICER. Under the previous order, there will be 30 minutes of debate equally divided in the usual form.

Mrs. BOXER. Mr. President, I ask unanimous consent that any time in quorum calls be equally divided.

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

Mrs. BOXER. 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. MENENDEZ. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. MENENDEZ. I come to the floor to talk about three highly qualified nominees for very significant posts at the Department of State.

The Foreign Relations Committee, which I am privileged to chair, has moved 48 nominees through the committee this year alone. I am pleased these three will move, but I would like to express my concern about the remaining nominees. They are critical to us promoting our foreign policy and our national interests and security interests abroad. I urge my colleagues to support movement of these nominees to the floor as quickly as possible.

There are three today.

Richard Stengel has more than 30 years of experience as an author and journalist. He brings a very unique perspective to his role as Under Secretary for Public Diplomacy and Public Affairs, on which we will be voting.

He has served as the managing editor of Time magazine during the past 7 years, demonstrating his impressive managerial capabilities.

As president and CEO he led the National Constitution Center in Philadelphia, where he led public education efforts to raise awareness about our Nation's founding charter and the values enshrined in it.

This public diplomacy role is incredibly important in a world that is constantly getting closer and smaller by virtue of the mass media, the Internet, and all of the different forms of communication. Our advocacy in public diplomacy is incredibly important to get our message out as the United States in terms of our bilateral and multilateral pursuits.

Dr. Sarah Sewall has been nominated to serve as Under Secretary for Civilian Security, Democracy, and Human Rights. She comes to this position with significant relevant experience. She taught at the Naval War College and served as a director of Harvard's Carr Center for Human Rights Policy. She is highly regarded as an expert on mass-atrocity prevention and response. She is now a senior lecturer in public policy at the John F. Kennedy School of Government at Harvard University.

Her large portfolio includes a range of issues, including challenges to civilian security in Latin America; Syria's growing refugee problem, which is a concern for us in terms of the entire region and our good ally—Jordan, for example; counterterrorism; counter-narcotics; human trafficking; and women's issues. These are all incredibly important in the pursuit of our foreign policy.

I am confident Dr. Sewall will be an excellent Under Secretary, and I urge my colleagues to support her nomination.

Finally, we have Ambassador Charles Rivkin's deep experience in the private sector and clear talent for managing large organizations which position him well to take on the position of Assistant Secretary of State for Economic and Business Affairs.

At a time when our country is pursuing the most ambitious trade agenda in generations and our companies and workers are facing tougher and more aggressive competition than ever before, Ambassador Rivkin has demonstrated the skill and the experience needed to lead the State Department's participation in formulating and implementing international economic policies aimed at protecting and advancing U.S. economic, political, and security interests.

Particularly at a time in which we are seeking to create more jobs here at home, our advocacy abroad to open markets, to have transparency, to have the rule of law for our companies that do invest abroad, to ultimately ensure that when they make such decisions, if there is a violation of their contracts, they have a transparent judicial process in which they can litigate their judicial issues are not only incredibly important to our companies' investments abroad but to the jobs created at home that promote the products and services we generate across the globe.

I urge my colleagues to support these nominations in pursuit of the national interest and security of the United States.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. MENENDEZ. I ask unanimous consent to yield back all time on both sides, including the 2 minutes prior to the vote.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the nomination of Richard Stengel, of New York, to be Under Secretary of State for Public Diplomacy?

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

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The clerk will call the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Oklahoma (Mr. COBURN) and the Senator from Tennessee (Mr. CORKER).

The PRESIDING OFFICER (Ms. WARREN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 90, nays 8, as follows:

[Rollcall Vote No. 27 Ex.]

YEAS—90

Alexander	Blumenthal	Burr
Ayotte	Blunt	Cantwell
Baldwin	Booker	Cardin
Barrasso	Boozman	Carper
Begich	Boxer	Casey
Bennet	Brown	Chambliss