

a ship." The most important question for a party in power is simply this: Can you govern? I say this to my Republican friends. In other words, can you steer the ship? Can you pilot this great Nation of ours in the right direction?

We are just over 100 days in this Republican-controlled Congress, and it is already clear that the Republican leader and his side have not been up to the task. One need look no further than the Republicans' botched handling of the human trafficking bill before the Senate.

I would just say in partial response to my friend the Republican leader that I have never been a big fan of polling—political polling or any kind of polling—because you can get any answer you want by asking the right question. Of course, the Republican leader, in the questions submitted to the Congressional Research Service, asked the wrong questions.

The majority leader and the assistant majority leader took a piece of legislation and steered it right into the rocks. The ship has sprung many leaks. All Democrats and Republicans support the provisions of this bill to help the victims of sexual trafficking and hold the offenders accountable, but instead of legislating on common ground, the Republicans are legislating to obstruct. When they were in the minority, all they did was obstruct. So they know how to do that. I vouch for that. One of the things I said was that we are not going to treat them the way they treated us. And we haven't done that.

The Republicans, now in the majority, can't filibuster themselves so they are resorting to tanking good legislation—bills they themselves wrote and support—in order to score some type of political point. Does that seem like reasonable governance to anyone? I don't think so.

Yesterday, I sat listening to the majority leader—and I did today—claiming that they are seeking a compromise, even saying that Republicans have offered three compromises. Well, if we are just going on the number of offers made, we have done 10. We have made 10 good-faith offers to get this human trafficking bill on the right path. We have tried and tried and tried to reach an agreement. We have done 10. I will mention just a few.

We proposed that they strip the Hyde language from the bill. Then we proposed the Leahy substitute, which would strip the Hyde language and also include LEAHY's Runaway and Homeless Youth Act and Senator KLOBUCHAR's Stop Exploitation through Trafficking Act, which would strengthen the legislation. Then we proposed to use the entire trafficking bill passed by the House instead of the Cornyn bill. That is the bill the House passed. Let's bring it to the floor here and pass it. We even proposed to keep the Cornyn fund but use it only for law enforcement efforts to help catch sex traffickers and use the House bill's authorization for victims services, including health care.

But Republicans would not agree to any of those changes. They simply are not interested in getting to "yes." This morning, I heard some talk that maybe we can work something out. I hope that, in fact, is true. I hope they are not using this urgently needed trafficking bill to continue to push through the party's backward agenda relating to women's health.

The Hyde language—I served in the House of Representatives more than 30 years ago. I served with Congressman Hyde, a fine man. If there ever were anyone who looked like a public servant, it was Henry Hyde—big man, beautiful white hair, great speaking voice. He, this good Congressman, is responsible for the Hyde language. It has been in bills since then, but it applied and has always applied to government money, taxpayer money—taxpayer money.

What we have said over the last couple of weeks time and time again is that Hyde should not be expanded to cover nontaxpayer dollars. That is what this is all about. We are not going to bend on that issue. It is not right. We do not need to expand Hyde. We think the Republicans believe this is a way to pacify the right-to-life community, some of these—not all but some of these ideologues out there who want to expand Hyde. We are not going to allow that to happen. Hyde should apply to taxpayer-funded money and nothing else.

What has taken place on the direction of human trafficking is an effort to obfuscate—to hide the real purpose of the legislation. We all agree that human trafficking should stop. This legislation we have before us is a step in the right direction. We want to support that legislation.

My friend the Republican leader said: Well, all they are complaining about is a sentence or so. Well, that is why people spend all these years going to law school, taking contracts courses. That is why my friend the assistant Republican leader, who served as a trial court judge, a supreme court justice—during his entire career, he dealt with lawyers coming to him talking about sentences in a contract or sentences in a piece of legislation. That is what this is all about.

We should eliminate those sentences that allow Hyde to be expanded to nontaxpayer money. We cannot allow that to happen.

So, over 100 days into this Congress, we should move forward and get this bill done. It is time that, on this legislation, Republicans right the ship. If human trafficking legislation is any indication, Republicans have not had a desire to govern dependably. I think that is unfair.

I hope this cloture vote will be defeated. I hope at that time people will finally come to the realization that we are willing to do whatever needs to be done to change this language so that the Hyde language is not applied to taxpayer dollars. If that is the case, we can move forward expeditiously.

## RESERVATION OF LEADER TIME

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

## JUSTICE FOR VICTIMS OF TRAFFICKING ACT OF 2015

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 178, which the clerk will report by title.

The senior assistant legislative clerk read as follows:

A bill (S. 178) to provide justice for the victims of trafficking.

Pending:

McConnell (for Cornyn) amendment No. 1120, to strengthen the Justice for Victims of Trafficking Act by incorporating additional bipartisan amendments.

The PRESIDING OFFICER. Under the previous order, the time until 11 a.m. will be equally divided in the usual form.

The Senator from Texas

Mr. CORNYN. Mr. President, I ask unanimous consent to waive the mandatory quorum call with respect to the cloture vote at 11 a.m. this morning.

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

## 100TH DAY OF THE NEW CONGRESS

Mr. CORNYN. Mr. President, I am an optimistic person. As a matter of fact, I think everybody from Texas is an optimist. Can you imagine the challenges the people who founded our State had—Indians, wide-open hostile territory, tough weather. But they persevered because they were optimists. They thought the fight was worth the struggle. They thought the goal and the accomplishment—the hope for accomplishment—was worth the struggle.

I still remain optimistic—despite the last few weeks that have challenged that optimism—that we will actually break through here and get to consider and vote on the Justice for Victims of Trafficking Act and get help to the people whom the majority leader, Senator MCCONNELL, described, the children who cannot help themselves. I mean, for heaven's sake, if we cannot help the most vulnerable people in our country—children who cannot help themselves, who are the victims of modern-day slavery—what in the world can we do?

So we have marked 100 days here in the Senate with the new Republican majority. As I look back, I do not think anybody can deny that under the majority leader's stewardship we have had some significant accomplishments in a relatively short period of time. Sure, it has been bumpy along the way. The Keystone XL Pipeline was a significant bump in the road. But we had a strong bipartisan vote. Unfortunately, the President decided to veto that legislation.

After years of this Chamber being used solely for the purpose of messaging and conducting political show votes, we are actually starting to get

some things done. It is pretty exciting. As somebody who has been here since 2002, it is hard to believe, when I say that, that I have actually been here during different phases and cycles of the Senate operating. I have to tell you that the last 4 years or so has been a dark period, a stain on the reputation of the Senate in terms of actually getting things done in the interests of the American people.

I understand the he said-she said and the blame game. The blame game is a world-class sport here in Washington, DC. But most of our constituents couldn't care less about the blame game; they actually want to see government function in their interest. Consistent with our principles, we are going to have some disagreements, there is no doubt about it. But they hate the dysfunction. They hate the political posturing. You know what. I do, too. I dare say that the vast majority of Senators hate the dysfunction the Senate has experienced.

So there is a new spirit of optimism and, yes, hope, not that the Age of Aquarius has suddenly broken out—peace, love and understanding and we are all going to hold hands and sing “Kumbaya.” That is not going to happen. But can we work together as Americans, as people who love our country, who have taken an oath to uphold and defend the Constitution and laws of the United States, who owe a fiduciary duty to the people we represent? I represent 26.9 million people. That just staggers my imagination when I think about it, when I think about the responsibility associated with it. But I am encouraged when we have the chance to help people, especially those who cannot help themselves.

Well, one reason for my optimism about the new Congress is that we have held a lot of votes. We had 15 votes last year, 15 rollcall votes in the Congress last year. We have had about 100 in the 100 days we have been here. As a matter of fact, I have heard some of our colleagues say: I am a little tired of voting quite as much as we have, particularly on the budget vote-arama which lasted until 4 in the morning. I understand that. But, you know, we have passed a balanced budget in the Senate without raising taxes. The Congress has not passed a budget since 2009. What more fundamental, basic function of government is there than to pass a budget?

The distinguished Presiding Officer was Governor of his great State. I am absolutely confident he viewed that as one of the fundamental responsibilities of his State government and of his office in particular—to get the fiscal house in order. The way you do that is by passing a budget and determining what your priorities are—things you absolutely have to do, things you perhaps want to do but maybe have to delay, and things you simply cannot afford.

Every State, every local government, and, yes, the Federal Government

should pass a budget. We will in short order. The Senate has, and now we need to reconcile our differences with the House, which we will shortly. But it is not just government; every family and every business has to work on a budget. So that is progress. I am happy about that.

On Tuesday night, we actually fixed a problem that had been nagging the Congress since 1997. Back in 1997, we, the Congress—we were not here; the Presiding Officer and I were not here. The Congress had this bright idea: We are going to save money on health care by whacking the payments we make to providers and hospitals. Well, after a while we found out that if we do not pay doctors and hospitals for treating Medicare patients, they will not see them.

So our seniors, to whom we had made a sacred promise—we will continue to make sure Medicare provides quality service and is accessible—all of a sudden, it was not quite so accessible because people could not find a doctor who would take a new Medicare patient.

That is still a problem, so we came back over the intervening years and 17 times out of the 18 times those cuts would have been imposed, Congress reversed them. We had an expression around here that unfortunately we had to use a lot; we called it the doc fix. That is an inelegant way, perhaps, of describing what we were doing, but basically what we were trying to do was preserve Medicare and access to doctors and hospitals for our seniors who are the beneficiaries of the Medicare system. That, to me, represents some progress, that we have fixed that once and for all.

Then, imagine my surprise that, after the contentious issue of congressional approval of the anticipated Iranian-U.S.—along with our allies—nuclear negotiations, this deal that could be forthcoming this summer, imagine my surprise, after the President said he would veto it, when the Senate Foreign Relations Committee unanimously passed a bill out of the committee. All Democrats voted for it. All Republicans voted for it. Oh, by the way, when the President began to count the numbers and the support in the Senate on a bipartisan basis, he said: You know what. I think I will sign that piece of legislation when it comes to my desk. I think that represents progress.

One other item that has made me somewhat optimistic on this 100th day of the new Congress is that we are very close to working out a trade deal that the President supports and I would say Republicans by and large support. Honestly, there is probably more controversy on the Democratic side than there is on the Republican side. But in a world where 80 percent of the purchasing power and 95 percent of the population exists beyond our shores, why in the world would we not want to open new markets to the stuff we

grow—our farmers, our ranchers—the livestock we raise, and the things we make? I think it makes good sense.

So you can see why I, perhaps, am optimistic about this new Congress and what we have been able to do together on a bipartisan basis to make progress in the interests of the American people.

The one thing that has me completely bamboozled and befuddled is the objections over this antitrafficking legislation that had 30 cosponsors—roughly an equal number of Democrats and Republicans—and passed—sailed out of the Judiciary Committee.

My friend the Senator from Illinois, the Democratic whip, knows that the Judiciary Committee is no place for the faint of heart. We have a lot of disagreements. Maybe that is because we have a lot of lawyers on the Judiciary Committee. We fight a lot about things we believe in strongly. But this antitrafficking legislation sailed out of the Judiciary Committee on a unanimous basis.

I hope we can work out these differences, and I have made multiple suggestions and compromises in an effort to try to get everybody to yes.

I agree with the majority leader's description of the sordid, unspeakable, evil of human trafficking and the compelling reason we ought to do something to address it.

I know that is where the hearts of all of our colleagues are, but somehow we have just gotten stuck. We need to get unstuck, and I hope today will be that day. Of course, human trafficking is a plague in all 50 States, and my State, unfortunately, has way too much of its share.

I, like all of our colleagues, have had the chance to meet many of the brave victims of human trafficking. One victim I met last week in Austin is Brooke Axtell.

Our friends at Google convened a meeting in Austin. The technology community understands that a lot of the solicitation of underage girls and victims of human trafficking occurs online. So they have come together to try to work with law enforcement, work with victims' rights groups to try to come up with a comprehensive way to combat it.

At Google last week in Austin, I met Brooke Axtell, who was introduced to America when she gave a moving speech at this year's GRAMMY Awards. In Texas, she is better known for her work with a number of non-profits that are focused on ending domestic violence and human trafficking. I can't begin to tell you how inspiring she is and her words were, particularly when you comprehend the horror, the absolute horror of what she had been through as a victim of human trafficking herself.

Starting at the age of 7—7 years old—Brooke was sexually abused. She was literally put in chains and a cage—treated like an animal—in a basement. She was repeatedly sold to men who raped and abused her.

Out of this horror that she experienced as a young child, Brooke has brought life to her pain, and I think her leadership in the antitrafficking effort has actually helped her heal. She is one brave, courageous, young woman. She founded a group called Survivor Healing and Empowerment, which is a healing community for the survivors of rape, abuse, and sex trafficking.

That is why, today, at 11 o'clock, I hope all of our colleagues listen not only to Brooke's voice and her experience, but each one of us on the floor could tell a similar story about somebody in their State, somebody they know, they have met, who would be helped by this legislation.

I hope we don't tell them no. I hope we don't shut another door in their faces.

I see some of our colleagues on the floor. I want to briefly give them a chance to speak before we vote at 11 o'clock, just to say that the underlying legislation is not partisan. It would strengthen law enforcement tools and authorities to rescue victims, while taking down the human traffickers and the criminal networks that support them. The goal is to provide at least \$30 million through fines and penalties paid into the public Treasury that would then go to help heal and rescue the victims of human trafficking.

Now, this is not tax money, so it is deficit neutral. We are not raising taxes to do it. We are making the people who purchased these services, who were convicted and have to pay fines and penalties, pay to help rescue and heal the victims.

Shortly, we will vote on another compromise I have offered. I have tried to listen to the objections of our friends across the aisle—and I don't want to relitigate those because, frankly, that is not particularly productive. They seem to be locked in. I am sure they would say we are locked in, and so we are trying to find a way forward.

First, and most important, this amendment would completely replace a provision that Members on the other side have objected to regarding the application of the Hyde amendment. The amendment would replace the language or the provision negotiated by Leader PELOSI from the doc fix bill I mentioned earlier that passed the House with 392 votes; 180 House Democrats voted for this bill, including Leader PELOSI. So we have substituted that language for the original language.

Of course, in the Senate we had 92 Senators vote for that same language, and our colleagues across the aisle have repeatedly voted for similar language.

So the Pelosi language from this bill that my amendment includes would simply say any funds used to provide services for victims of human trafficking would be subject to the same requirements as funds of the Public Health and Services Act.

The majority leader has said it well: If this language is good enough to help

the doctors and the hospitals, surely it is good enough to help young 7-year-old victims of human trafficking, such as Brooke Axtell.

To further clarify, to address the stated concerns of our friends across the aisle, this amendment would also clarify that all money—all the money in the Domestic Trafficking Victims' Fund—must be derived from the General Treasury. This is an objection I don't personally understand, but we want to make it clear—just perhaps to help our colleagues get to yes—that all of the money would be derived from the General Treasury, which, of course, is where all Federal funding comes from, and we would make clear that all of the money would be public dollars.

I don't get this because tax dollars are private dollars until you give them to the government, and then they are no longer public-private, they are public. Private penalties are private until you pay it to the government, and then it is public.

But we want to make clear, to eliminate any rationale for any objection, and say that explicitly these would be public dollars. The requirements placed on funds under the bill would not be placed on the fees and penalties. That seemed to be a matter of concern, and we tried to address that.

As I explained, the pending amendment would do what I have tried my dead-level best to do, to try to address the concerns our Democratic colleagues, who have blocked the bill so far, have continually expressed.

So the language is just the same as the doc fix, and we have made clear that none of the fines and penalties themselves—but rather funds derived from the General Treasury—would be used to pay for these services in an equivalent amount to the fines and penalties.

I would add, parenthetically, when I was talking to one of our colleagues about it, they said: Well, that is money laundering. You are taking fines and penalties and you are transferring it, you are substituting it into a general fund.

I mean, give me a break. What we are trying to do is find a solution. I think we have given our colleagues every opportunity to get to yes.

I know, because I have talked to a lot of them—including the Senator from Illinois—people want to get to yes. I hope we have found a way to do that. So I hope we will not let the political gamesmanship continue to get in the way of a bill that would bring relief and healing to victims of human trafficking.

I hope we will have that vote at 11 o'clock, and there will be broad, bipartisan support to proceed to the bill and to pass the legislation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, how much time remains on the Democratic side?

The PRESIDING OFFICER. There is 20 minutes remaining.

Mr. DURBIN. Mr. President, I will be very brief because I see my colleague from Connecticut on the floor.

Let me say at the outset, in the most positive way, I thank Senator CORNYN and Senator KLOBUCHAR of Minnesota for their bipartisan effort to bring this issue to the floor and to the Senate Judiciary Committee.

We had a hearing in a subcommittee on this subject, and it was heart-breaking to hear about the exploitation of these young women at such a tender age. Unspeakable things were happening to them.

Sadly, in many States, when they finally came into the custody of law enforcement, some of them—some of the children—these young girls, were being charged as criminals until it was clear they had been enslaved and they had been exploited for so many years. So thinking on this subject is moving in the right direction. The suggestions of Senator CORNYN and Senator KLOBUCHAR are also in the right direction.

So why don't we pass this bill? We have all of this bipartisan support. One provision in this bill turns out to be fraught with controversy.

Thirty-nine years ago, a Congressman from Illinois named Henry Hyde offered compromise language on the issue of abortion. It was just a few years after *Roe v. Wade*. It was still very controversial. He said: We will prohibit the expenditure of taxpayer funds for abortion except in cases of rape, incest, and the life of the mother.

For 39 years, that has been the standard. There has been an uneasy truce between those who see this issue in many different ways. They have come to the conclusion this will be the standard that would be applied to the expenditure of taxpayer funds, and it is renewed year after year.

Senator CORNYN, perhaps by accident or perhaps by design, crossed the line and started talking about not taxpayer funds but funds collected in fines from those guilty of human trafficking to create a victims' fund.

That has brought all of the debate and controversy—in fairness to Senator CORNYN and to Senator MURRAY, who has joined with others in this battle, there has been an active exchange of compromise language. We have counted, I think, 12 different versions we have sent over to Senator CORNYN. He sent probably as many our way.

So it isn't as if both sides have hunkered down and are just staring one another down. There is an honest effort to find a solution. The solution would not be embodied in the vote that had been scheduled for 11 o'clock; it is the old language. But they are still working on new language, and I hope we reach a point soon where we achieve that. We all agree human trafficking should stop and victims should be compensated.

I yield the floor to the Senator from Connecticut.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I rise with regret because, unfortunately, we remain divided. There is so much common ground, so many good ideas in this bill, and so much that unites us. We have so much more in common than in conflict on this bill.

The Justice for Victims of Trafficking Act has involved so much work by great colleagues—Senator CORNYN, Senator KLOBUCHAR, Senator MURRAY, Senator FEINSTEIN, and my colleague who has just finished speaking.

I am proud to be a cosponsor of this bill. We are divided on one paragraph that is simply unacceptable, and it is fundamental to the goals of this bill, which is to restore human dignity and freedom to victims and survivors of human trafficking. Restoring freedom involves giving those survivors choices over whether they will bear children as a result of that trafficking. Trafficking is, fundamentally, modern-day slavery. It is sex slavery and sex exploitation, which results, all too often, in pregnancy. At its core, the human trafficking bill before us today is about restoring human dignity to those victims and survivors and enabling them to avoid the long-lasting and enduring consequences of that slavery.

This legislation is an acknowledgment of our common commitment to these survivors and to providing them the services and support they need so much. One of them is abortion. Where we are divided is on guaranteeing that reproductive right—the essence of freedom, dignity, and choice. So it is well beyond a technicality here. It is about the fundamental goals of this bill, which are contradicted by this provision in the law.

Senator CORNYN's proposed amendment changes the words of this paragraph that we find objectionable, but it doesn't change the basic substance or its practical effect. We are told the provision in question doesn't matter because it includes a rape exception, but it requires the survivor to request, to ask, to entreaty and supplicate to the State whether the rape was really rape, whether it is a pretense or they must bear a rapist's child.

We are told the provision in question is essentially the same as the Hyde amendment, but that is flatly untrue because the Hyde amendment applies to taxpayer funds. I would say to my colleague from Texas, a good friend, who is determined to address this problem of human trafficking, there are no taxpayer funds in that \$30 million that is taken from criminal fines and penalties. It is an entirely different source of funds.

As a former prosecutor, I view those moneys as restitution. They come from criminals and they are used to try to support and serve the victims of that criminal activity. There is nothing more fundamental than using funds taken from criminals for the benefit of their victims. Congress has never be-

fore privileged the concerns of criminals over the rights of women, and we should not start now.

I respect my colleague from Texas and other colleagues who may differ with me on this issue. He has stated, in heartbreaking and eloquent terms, the practical human impact of trafficking, sex slavery. I ask my colleagues now to give these women the real freedom from that sex slavery. Liberate them, truly, from this heinous and horrific violation of basic human rights by guaranteeing them one of the basic human rights, which is the right to make choices about their own bodies, about their futures, about their hopes and dreams as they are liberated from this slavery. Let this Chamber and my colleagues recognize the rights they have to truly be free from those who enslave them. I urge this body to strike the Hyde language from S. 178 and to make good on its promise.

As cochair of the bipartisan Senate caucus to end human trafficking, I agree completely this cause ought to be bipartisan. It ought not to divide us along any partisan or party lines. I am proud to have worked with Members on both sides of the aisle, and I hope we can come to agreement now with my good friend and my excellent colleague Senator CORNYN and others who have worked so hard and who are so genuinely determined to solve this problem and to take a step—it is only a first step—in the direction of combating human trafficking.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. MCCONNELL. Mr. President, my friend and colleague Senator CORNYN has been involved in discussions with the minority about a path forward on the trafficking bill, and I would like to ask him if he is optimistic that we may be able to reach an agreement at some point in the near future about a way to go forward.

Mr. CORNYN. Mr. President, I would say to the distinguished majority leader that I am more optimistic than I have been at any time in the last few weeks. I just talked to the Democratic leader who told me there are active discussions taking place by all of the key people who can help us break this deadlock, and so I am more optimistic. We are not there yet, but we are in a much better place than I think we have been certainly in the last 3 weeks. So I am hopeful and somewhat more optimistic.

Mr. MCCONNELL. Mr. President, we would like to be able to process this important bill and move on to a vote on the President's nominee for Attorney General. Based upon the progress that is being made by my friend and

colleague from Texas, I ask unanimous consent to withdraw the cloture motion on the Cornyn amendment No. 1120.

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

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

The PRESIDING OFFICER (Mr. GARDNER). Without objection, it is so ordered.

#### WASTEFUL SPENDING

Mr. COATS. Mr. President, as I have done for the last several weeks, I am back again for this week's "Waste of the Week," a series of weekly speeches which points out how we can save taxpayer dollars by looking at waste, inefficiency, duplication, and other factors that are simply a waste of taxpayer money.

Because this is April and because it is just a day after that fateful day in April, April 15—and we all know what that means—our waste of the week.

Clearly, there is a growing consensus that our Tax Code is hopelessly complex, hopelessly burdensome, hopelessly anticompetitive, and needs comprehensive reform. That is not what we are here to talk about today, but I am a strong proponent of moving forward on that issue. It has been almost 30 years now—1986 was the last time a comprehensive reform was enacted by Congress. It turned out to be a tremendous stimulus to our economy. It created a boost in growth and boosted the economy in a way that provided us with the necessary funding without having to raise taxes, and, in fact, it lowered taxes because of its dynamic effect. That is an issue for another day. We will continue to try to pursue that. As a member of the Finance Committee, I know that is one of our major goals this year, as it is in the House of Representatives. Whether or not we are able to achieve our goal, we need to keep working on that.

Today, I want to talk about the waste of the week by looking at the Tax Code and doing something I think would be a relatively easy and simple way to save the taxpayer some money. It involves a refundable child tax credit. The tax laws allow a refund which is not an offset of taxes owed but an actual direct payment that occurs if you have children. The refundable child tax credit is pretty straightforward. It qualifies a taxpayer for a credit of up to \$1,000 per child depending on their income level.

I am not here today to talk about the merits of that tax credit. I have supported it in the past, and I think it is something that ought to be given serious consideration in any kind of tax reform. Rather, I am here to discuss the cost to the American taxpayer due to

the improper use of payments that are made to recipients who don't legally qualify for this refundable payment.

According to the inspector general at the IRS, the Internal Revenue Service sent out at least \$5.9 billion in improper payments in 2013—payments that went to people who did not legally qualify for the benefit.

Listen to what Russell George, the Treasury Inspector General for Tax Administration, said:

The IRS has continually rated the risk of improper Additional Child Tax Credit payments as low. However, [our] assessment of the potential for improper payments in this program indicates that its improper payment rate is similar to that of the Earned Income Tax Credit.

What is that rate? Nearly \$6 billion and even more than that over a period of time.

He goes on to say:

It is imperative that the IRS take action to identify and address all of its programs that are at high risk for improper payments.

Today, we are talking about one of those programs that Russell George, the Treasury Inspector General, defined and suggested we look at, and we will be looking at some others later.

We are proposing a pretty easy fix, and I am supporting legislation that will require the submission of a valid Social Security number in order to claim the refundable portion of the child tax credit. Requiring the submission of a valid Social Security number does not take the credit away from anyone who legally qualifies for this credit, but it does help ensure that only those who are truly legally qualified will benefit from the credit and will receive the payment.

According to the most recent estimate by the Joint Committee on Taxation, this simple fix—simply requiring a valid Social Security number before a payment is given so we can weed out those improper payments—could save taxpayers \$20 billion over a 10-year period. Compared to our multitrillion-dollar budget, \$20 billion is a fairly small percentage, but compared to the way the taxpayer looks at this, \$20 billion is a lot of change. It is a lot of money, and the savings from that can be used in any number of ways. Hopefully, it will be used to lower rates people have to pay in terms of the tax revenues they send to Washington, but if it is needed for essential programs, such as national defense or homeland security, and we can prove a need for that—we are constantly looking for ways to pay for things that are essential and need to be done—this is a perfect pay-for. So one way or another, it is a benefit to the American taxpayer.

As we mark tax day this week, I wish we could say we are getting close to major tax reform, but since we are not, it is important that we continue to look at the Tax Code as well as other functions of government to determine how we can continue to save taxpayers money and how we can continue to identify unfair and complicated areas of our Tax Code.

So with that we add to the gauge, which is growing every week that we identify a program. We started off at zero. Now we are approaching \$50 billion worth of savings for the taxpayer. Our goal is \$100 billion. We are going to keep doing this week after week, and we are going to keep adding money that is identified by our politically neutral accounting efforts. We are going to keep adding to this gauge until we reach our goal and hopefully go well beyond it.

Mr. President, \$20 billion is no small amount of change. It is being used improperly, and we can save that money.

Stay tuned for next week's "Waste of the Week."

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. FISCHER). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

(Mr. FLAKE assumed the Chair.)

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

The PRESIDING OFFICER (Mrs. ERNST). Without objection, it is so ordered.

#### DEYO NOMINATION

Mr. JOHNSON. Madam President, I come to the floor today to recommend to the Senate the confirmation of a very qualified individual, Mr. Russell C. Deyo, to become Under Secretary for Management at the Department of Homeland Security.

We are very fortunate to have an individual of Mr. Deyo's qualifications and integrity willing to serve our government working with Secretary Jeh Johnson and trying to help him succeed in his mission of keeping this Nation safe.

Mr. Deyo has a long and successful career and background. After law school, he clerked for Judge John Hannum of the U.S. District Court for the Eastern District of Pennsylvania and then spent 2 years at a private law firm.

In 1978, Mr. Deyo joined the U.S. Attorney's Office for the District of New Jersey as an assistant U.S. attorney.

In 1983, he was promoted to chief of the special prosecutions unit for public corruption.

In 1985, he came to Johnson & Johnson as a litigation attorney and became associate general counsel in 1999. He ultimately became vice president and general counsel later in 2009 and was responsible for human resources.

After retiring from Johnson & Johnson in 2012, Mr. Deyo served as both a standing member of a panel for potential product liability arbitration for Eli Lilly and as chairman of the Corporate Board of Advisers of the National Counsel of LaRaza.

He obtained his education at both Dartmouth College, with an associate bachelor's degree, and at Georgetown University with a J.D. in June of 1975.

Again, I wish to thank Mr. Deyo for being willing to serve his Nation in this crucial capacity.

I would also like to thank the members of our conference for clearing his name. I have worked very closely with our ranking member, the Senator from Delaware, in trying to develop not only a mission statement but also a commitment to enhance the economic and national security of our Nation. We listed a bunch of priorities. The Presiding Officer is on our committee, and she is also committed to those exact same goals. One of the priorities we listed was our commitment to do everything we can to help the Secretary of Homeland Security, Secretary Jeh Johnson, succeed in his mission of keeping this Nation safe. Our committee worked hard over a number of obstacles to make sure Mr. Deyo has his vote now for confirmation.

I certainly thank my ranking member, the Senator from Delaware. I thank my Republican colleagues for clearing the way for this vote.

I urge all of our colleagues here in the Senate—I would love to see a unanimous vote to approve Mr. Russell Deyo as the Under Secretary for Management at the Department of Homeland Security.

Thank you, Madam President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Madam President, today I wish to express my gratitude to the chairman for his work with his conference to clear the path to this discussion today of the nomination of Russ Deyo and to bring his name forward for hopefully confirmation this afternoon.

When I first met Russ Deyo, I asked him: How do you pronounce your name?

He said: "Dio" as in Rio.

I said: I think you mispronounce your own name.

He said: No, no. It is "Dio" as in Rio.

So I try to do that, but he has been called a lot of things. Some of the things he ought to be called are talented and dedicated, and we should call ourselves lucky that a guy or gal with his credentials from the private sector is willing to come and go to work for the people of America and to serve all of us.

The Department of Homeland Security is a Department that, as we know, does enormously important work to protect us. People all over this Nation—in the air, on the ground, on the borders, in our cities, and all over our countryside—have my gratitude and I know the gratitude of all of us.

Every organization of any consequence needs good management, and the idea of bringing in Russ Deyo is—this is a fellow who will offer real strength to the management team at the Department of Homeland Security. We need him. We are glad he is ready to go into the lineup, and I hope we will put him in there later this afternoon.

The position for which he has been nominated, the Under Secretary of

Management, is the third highest position in the Department of Homeland Security.

While this vote is long overdue, he has been approved by our committee now not once, I think, but twice. Unfortunately, we failed in the Senate to act on his nomination before the end of the last Congress, so we had to start over again. I am just glad he is willing to serve in this role.

As of this week, more than a year will have passed since the last Senate-confirmed Under Secretary for Management—a fellow named Rafael Borrás, a very good leader—stepped down from this post. I again thank Chairman JOHNSON for his efforts and our joint efforts to move this nomination forward.

Everything I have learned about Russ Deyo over the past several months has led me to conclude that he is an exceptional candidate to be the next Under Secretary for Management at DHS. Chairman JOHNSON has already walked through his impressive career.

Russ Deyo is also no stranger to public service. We tend to emphasize his very significant responsibilities at Johnson & Johnson and as a partner in a major law firm, but he has also worked with law enforcement organizations. He was an assistant U.S. attorney in New Jersey for 8 years—something we don't always note—including a period as chief of the public corruption unit. His perspective from the private and public sectors is going to be a great asset to Secretary Jeh Johnson and to Alejandro Mayorkas, the Deputy Secretary at the Department, as they work together to get the Department operating in a more unified and cohesive manner, in creating one DHS.

If confirmed, Mr. Deyo is going to face plenty of challenges. For example, the Government Accountability Office continues to remind us that the overall management of the Department remains on GAO's high-risk list of government operations that need urgent attention. Of course, if confirmed, Mr. Deyo will inherit the challenge of improving morale across the Department. I believe Mr. Deyo has the leadership, the experience, and the skills necessary to tackle these and other challenges at the Department and that he really will make a difference.

I would just say in closing that all of the organizations I have ever been a part of or observed, whether they happen to be a school or a university, a sports team, a military unit, a business, a church, the House or the Senate—here or at the local level—the most important element in the success of those organizations is almost always leadership. What we have endeavored to do over the last year, or actually a little more than a year, is to take the Department of Homeland Security—which was largely bereft at the senior levels of Senate-confirmed leadership—and with the addition of Russ Deyo in this No. 3 position to be in charge of the management shop at DHS, they

will have a full slate. They will have a full slate for not the C team or the D team or the B team but I think in many respects the A team. We expect them to rise to the challenge—there are plenty of challenges they face today—and Russ will help make that possible.

I wish to say to Russ Deyo, if he is listening: Thanks for your willingness to hang in there with us until we could get to confirmation.

To the Deyo family: We appreciate very much your willingness to share your spouse and in this case your dad with the people of this Nation. We need him. We will put him to good work, and after a while we will send him back to you safe and sound.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

#### EXECUTIVE SESSION

#### NOMINATION OF RUSSELL C. DEYO TO BE UNDER SECRETARY FOR MANAGEMENT, DEPARTMENT OF HOMELAND SECURITY

#### NOMINATION OF JONODEV OSCEOLA CHAUDHURI TO BE CHAIRMAN OF THE NATIONAL INDIAN GAMING COMMISSION

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 senior assistant legislative clerk read the nominations of Russell C. Deyo, of New Jersey, to be Under Secretary for Management, Department of Homeland Security; and Jonodev Osceola Chaudhuri, of Arizona, to be Chairman of the National Indian Gaming Commission for the term of three years.

#### VOTE ON DEYO NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Russell C. Deyo, of New Jersey, to be Under Secretary for Management, Department of Homeland Security?

Mr. VITTER. Madam President, I ask for the yeas and nays on the Deyo nomination.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ) and the Senator from Florida (Mr. RUBIO).

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER) is necessarily absent.

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

The result was announced—yeas 95, nays 2, as follows:

[Rollcall Vote No. 154 Ex.]

#### YEAS—95

Alexander	Flake	Murray
Ayotte	Franken	Nelson
Baldwin	Gardner	Paul
Barrasso	Gillibrand	Perdue
Bennet	Graham	Peters
Blumenthal	Grassley	Portman
Blunt	Hatch	Reed
Booker	Heinrich	Reid
Boozman	Heitkamp	Risch
Brown	Heller	Roberts
Burr	Hirono	Rounds
Cantwell	Hoeven	Sanders
Capito	Inhofe	Sasse
Cardin	Isakson	Schatz
Carper	Johnson	Schumer
Casey	Kaine	Scott
Cassidy	King	Sessions
Coats	Kirk	Shaheen
Cochran	Klobuchar	Shelby
Collins	Lankford	Stabenow
Coons	Leahy	Sullivan
Corker	Manchin	Tester
Cornyn	Markey	Thune
Cotton	McCain	Tillis
Crapo	McCaskill	Toomey
Daines	McConnell	Udall
Donnelly	Menendez	Warner
Durbin	Merkley	Warren
Enzi	Mikulski	Whitehouse
Ernst	Moran	Wicker
Feinstein	Murkowski	Wyden
Fischer	Murphy	

#### NAYS—2

Lee Vitter

#### NOT VOTING—3

Boxer Cruz Rubio

The nomination was confirmed.

#### VOTE ON CHAUDHURI NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Jonodev Osceola Chaudhuri, of Arizona, to be Chairman of the National Indian Gaming Commission for the term of three years?

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid upon the table, and the President will be immediately notified of the Senate's actions.

#### LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

Mr. SCHATZ. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

#### JUSTICE FOR VICTIMS OF TRAFFICKING ACT OF 2015—Continued

Mr. INHOFE. Mr. President, I am going to have, later on—I was hoping