

deserve the hard-earned wages for which they work. They also deserve elected officials who will advocate on their behalf.

As we recognize Latina Equal Pay Day, I call on Republicans to support a pay equity bill that empowers women to receive equal pay they have so rightly earned, not just because it strengthens families and benefits our country but because it is the right thing to do.

#### RESERVATION OF LEADER TIME

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

#### TRADE ACT OF 2015

**THE PRESIDING OFFICER.** Under the previous order, the Senate will resume consideration of the House message to accompany H.R. 1314, which the clerk will report.

The senior assistant legislative clerk read as follows:

House message to accompany H.R. 1314, an act to amend the Internal Revenue Code of 1986 to provide for a right to an administrative appeal relating to adverse determinations of tax-exempt status of certain organizations.

#### Pending:

McConnell motion to concur in the amendment of the House of Representatives to the amendment of the Senate to the bill.

McConnell motion to concur in the amendment of the House of Representatives to the amendment of the Senate to the bill, with McConnell amendment No. 2750, to change the enactment date.

McConnell amendment No. 2751 (to amendment No. 2750), of a perfecting nature.

McConnell motion to refer the amendment of the House of Representatives to the amendment of the Senate to the bill, to the Committee on Finance, with instructions, McConnell amendment No. 2752, to change the enactment date.

McConnell amendment No. 2753 (to (the instructions) amendment No. 2752), of a perfecting nature.

McConnell amendment No. 2754 (to amendment No. 2753), of a perfecting nature.

**THE PRESIDING OFFICER.** The Senator from Oregon.

Mr. WYDEN. Mr. President, today we are kicking off a debate on major bipartisan legislation. Chairman HATCH and I are also involved in an important Senate Finance Committee hearing. He will be here a little bit later today.

I ask unanimous consent that our colleague, Senator DURBIN from Illinois, be allowed to speak after I do. I believe that his remarks will also be completed before Chairman HATCH arrives.

**THE PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. WYDEN. I thank the Presiding Officer.

Chairman HATCH and I will be managing this bill, and we want our colleagues to know that we are anxious to give everyone an opportunity to speak out on this extraordinarily important issue. If Senators who wish to speak come down and consult with the Fi-

nance staff—majority and minority—in our respective cloakrooms, we are going to work very hard to accommodate all of our colleagues on both sides of the aisle.

Here, in my view, is what this issue is all about. Fiscal battles in the Congress come and go, but nothing should ever be allowed to threaten America's sterling economic reputation, and this legislation will preserve it. Without this agreement, the Congress is staring at a potential debt default—a debt default that would be literally days away, when the Treasury would lose its authority to borrow in order to make payments.

By now, I think a lot of Senators understand the disastrous consequences of default: housing costs shooting upward, retirement accounts shrinking, jobs disappearing, and consumer confidence dropping. We also understand that no one can get particularly thrilled by the prospect of raising the debt ceiling. Yet it is a job that must be done.

Our country is an economic rock in tumultuous seas, and we certainly have disagreements. Disagreements practically come with every news cycle and election. But what doesn't change is that our country pays its debts and we pay them on time. That is why this legislation is so important.

The bipartisan compromise reduces the threats of a potential government shutdown in December. When this becomes law, the pin, in effect, goes back in the grenade, where it belongs. That is positive news, as we look for some predictability and certainty, and we all hear from our businesses, our employers, and our citizens that this is so important.

Congress ought to look at this compromise, in my view, as a springboard to a full and productive debate over the budget in the upcoming 2 years. The fact is, last-minute deals have become too commonplace and they have left a lot of important policy reforms and policy improvements on the cutting room floor.

For example, with America's West getting hotter and drier each year, our broken system of budgeting for wildfires is in drastic need of improvement. The same goes for many programs and services that are a lifeline for rural America. Fortunately, this legislation lays the groundwork for the Congress to go back to having robust budget debates that can actually solve these challenges.

With my time this morning, I wish to address some specific elements of the bill, starting with what I see as several particularly constructive policies.

First, the legislation staves off the full brunt of the automatic budget cuts known in the corridors of Washington as sequestration. This policy was designed in effect to be painful from the get-go, and it would weaken Medicare, the lifeline for older people, and other domestic programs. It was supposed to be considered so god-awful that it

would vanish 2 years after it began, but it continues to haunt budget debates to this day.

It is important that this legislation eases the burden by \$80 billion over 2 years. That means more opportunities to invest in education, in medical and scientific research, in housing assistance, in public health, and more.

Second, this bipartisan plan is going to prevent a big spike in Medicare costs for millions of older people. Several weeks ago, the news came down that seniors were facing a hike in premiums and deductibles in Medicare Part B, the outpatient portion of Medicare, of potentially more than 50 percent. That would amount to an increase of hundreds of dollars—perhaps more—in a year when Social Security benefits are not expected to grow. From my years as codirector of Oregon's Gray Panthers, I can tell my colleagues that for many seniors living on a fixed income, that would have really hit them like a wrecking ball.

When we got those initial reports, several of my Democratic colleagues and I got together and introduced legislation that would fully shield older people from this huge financial hit. Following our work, the bipartisan compromise before the Senate includes a version of this important fix. It is not as generous as the proposal my colleagues and I introduced. There are questions about how it will affect the landscape a few years down the road. But, make no mistake about it, this approach goes a long, long way toward protecting seniors, particularly the dual eligibles—seniors eligible for Medicare and Medicaid—and this is a very important part of this legislation.

Third, the budget compromise takes an extraordinarily important step to shore up one of our country's most vital safety net programs: the Social Security Disability Insurance Program. Without a fix, what is called SSDI—Social Security disability insurance benefits—that workers have earned would have been slashed by 20 percent, and that 20-percent cut would have hit those affected very quickly.

This proposal is going to follow what has been a frequently used bipartisan approach of shifting funding within the Social Security Program to make sure that those who depend on this program are protected through 2022. I introduced legislation earlier this year, along with 28 of our colleagues, which would have gone further by guaranteeing that the program remain solvent through 2034, but this compromise package strengthens the program for several years, and we will have a chance to come together—hopefully on a bipartisan basis—and go even further.

Fourth, the budget package makes real progress on what is called complying with our tax laws—tax compliance. It is important to note that these are not tax hikes. This is a question of enforcing tax law so that when taxes are owed, they are actually paid.

In the tax compliance area, there are several important proposals that are

going to crack down on taxpayers who seek to dodge their responsibilities and pass the buck to other Americans. For example, enforcing the tax laws with respect to large partnerships has been a challenge for some time. There are more than 10,000 of these complex businesses in our country. More than 500 of them have at least 100,000 partners. So there has not been an effective way to conduct audits under the current rules because the rules are basically decades old and haven't kept up with the times. In my view, the proposal before the Senate makes meaningful improvements. More taxpayers will pay what they owe instead of using sleight-of-hand approaches to dodge their responsibilities.

We all understand that the Tax Code almost boggles the mind in terms of its complexity. I think it would be fair to say there may be more work that goes into getting this policy right as it relates to partnerships and several of the other issues, and my colleagues and I on the Finance Committee intend to keep giving the scrutiny the partnership issue deserves on an ongoing analysis.

Those are four specific areas of progress in this compromise that staves off a risky budgetary battle.

I do feel it is important to share one of my concerns with the bill at this time, and it is a provision that really has little to do with the budget. It is called section 301, and it allows debt collectors to make robocalls directly to Americans' cell phones. Here is my view. Debt collectors should not be gifted broad permission to harass our citizens, particularly through robocalls, running up costly charges in many cases. The Federal Communications Commission has limits on the number and duration of calls, and they are not sufficient. In a healthier budget process, this kind of proposal would get weeded out. So I would like to say to our colleagues in the Senate, both Democrats and Republicans, that I am going to do everything I can to reverse this action in the weeks ahead.

Finally, in my capacity as ranking member of the Finance Committee, I wish to discuss how these fiscal agreements ought to be financed in the future. Medicare and Social Security absolutely cannot become the honey pots that Congress raids whenever it needs to pay for legislation. If we go around the country—to Oregon, to Illinois, to Georgia, to the Dakotas, to Texas—and we ask typical Americans what they want their representatives in Congress to do, protecting Medicare and Social Security is right at the top of the list. I hear it in every townhall meeting. I have had more than 700 of them in my home State. And I have to believe many colleagues in South Dakota and Illinois and elsewhere hear the same thing.

There is a longstanding tradition that says changes in Medicare policy should be for strengthening Medicare in the future. The same principle goes

for Social Security. Yet, twice now, these vital programs have been used to fund budget deals, and Medicare sequestration is sticking around long past its original expiration date.

This legislation preventing a calamitous default is coming down to the wire. I would tell colleagues that this is a must-pass bill. I support it, and I urge Democrats and Republicans to do so as well.

I would also say as we talk about where we go from here that it is important to recognize that Medicare and Social Security must not be used as ATMs for other spending in the future. The bottom line has to be that the process of reaching a budget and keeping the lights on in this wonderful institution—the people's branch—keeping the lights on in the process of reaching a budget has to change. The Congress cannot continue to just go from crisis to crisis to crisis. It is our job as lawmakers, working in a bipartisan way, to set the right temperature in our economy with smart, forward-looking policies that help our businesses succeed and give everybody in America—I want to emphasize that; everybody in America—the opportunity to get ahead. It is pretty hard to do when we lurch from one crisis to another.

Let's use this legislation as an opportunity to get back to writing the budget in a bipartisan fashion through the traditional approaches that have been used in what is called regular order, pass this bill now so as to ensure that America's sterling economic reputation is intact, and then let's look to the future around some of the principles I have laid out.

Again, Chairman HATCH will be here in a bit. He and I, as the managers of the bill, want to make it clear we want to try to accommodate as many colleagues as we can, and we ought to be able to. I look forward to the remarks of the distinguished senior Senator from Illinois. I believe that before too long Chairman HATCH will be here as well.

With that, I yield the floor.

**THE PRESIDING OFFICER.** The assistant Democratic leader.

#### UNIVERSITY OF PHOENIX

Mr. DURBIN. Mr. President, yesterday the senior Senator from Arizona, the chairman of the Senate Armed Services Committee, came to the floor to speak to an issue and mentioned my name several times during the course of his remarks on the floor. I come here this morning to respond to the senior Senator from Arizona.

The issue is a decision by the Department of Defense on October 7 of this year to place the University of Phoenix, a for-profit university, on probation and prohibit the company from enrolling new Department of Defense tuition assistance and MyCAA beneficiaries. Under this Department of Defense order, the company—University of Phoenix—was barred from accessing military bases. This is a serious action, and there is a reason for it.

The senior Senator from Arizona came to the floor to protest this decision by the Department of Defense and to also protest other actions that have been taken relative to other for-profit universities. I come this morning to respond.

What is at stake is something that is very essential. When men and women volunteer for our military and hold up their hands and say "I am willing to die for this country," they make a promise and we make a promise. Our promise is that if you will serve this country and risk your life for America, we will stand by you when you come home. If you are injured, we will provide medical care. If you want to pursue education and training, we will help you do it; in fact, we will help your family do it. And there are many other benefits that we rightly promise to these members of the military.

Department of Defense tuition assistance and the GI bill, which has been characterized as the GI bill since World War II, is really the vehicle that gives to many of these servicemembers, while they are serving and after they have completed their service, a chance to build their lives. They are generous programs, and they should be. MyCAA is generous to their families, and it should be. But these are virtually once-in-a-lifetime opportunities. We hope these members of the military choose well in terms of the courses they need to take and the training they need to prepare for their lives after they have served our country. We have a responsibility when it comes to those who are currently in the service to monitor the activities of the schools that are offering education and training as part of these programs. We would be derelict in our responsibility if we did not.

The Department of Defense wrote a memorandum of understanding to all schools saying: If you want to offer Tuition Assistance program training and education, if you want to offer training for the families of servicemembers, here are the rules to play by. And I think virtually every institution of higher learning knows going in to follow the rules, whatever the institution may be.

Let me say a word about the University of Phoenix. This is not just another for-profit school; it is the largest by far. At the height of its enrollment, the University of Phoenix, a for-profit university largely offering online courses, had as many as 600,000 students. That is dramatically more than the combined enrollment of all the Big Ten colleges and universities. Over the years—in the last 5 years, the size of their student body has declined; it is now slightly over 200,000. As an individual institution, it is the largest in America, and it certainly is the largest of the for-profit colleges and universities. You can hardly escape the advertising, the naming rights to the stadium where the Arizona Cardinals play their football games in Arizona. They have advertising on television, radio,

and billboards. It is a company that markets in every direction and as a consequence has built a large student enrollment.

How about the University of Phoenix in terms of dollars it receives? That is interesting. Unlike universities and colleges around the United States, whether in North Dakota, South Dakota, Nebraska, Illinois, or wherever, these for-profit universities get a substantial portion of their revenue directly from the Treasury through Pell grants and student loans. Dramatically higher percentages of their revenue come from Treasury than virtually any other college or university. This is unique to the for-profit college and university sector. They are the most heavily subsidized for-profit private businesses in America today.

Let me give an example of what I am talking about. Eighty-two percent of the revenue going to the University of Phoenix—\$2.7 billion—comes out of title IV. When it comes to Department of Defense tuition assistance, University of Phoenix is the fourth largest recipient in the United States—\$20 million. Under the GI bill, it is the largest recipient from the Department of Defense and the Treasury—\$346 million. Their CEO, Mr. Cappelli, is paid \$8 million a year in total compensation, which is dramatically more than virtually any other university president in the ordinary course of higher education—what is a record.

University of Phoenix students cumulatively owe more in student debt than any educational institution in America. University of Phoenix students owe \$35 billion in student loans. Only half of the University of Phoenix borrowers are paying down their debt 5 years after graduation or after they have dropped out of school. Phoenix's overall 3-year repayment rate—that means how many borrowers are making payments on their debt after 3 years—is 41 percent. Less than half of the University of Phoenix students and graduates after 3 years are paying back. Their 5-year repayment rate is 47 percent. Nearly one out of every two students who graduated or dropped out in 2009 has defaulted within 5 years. The University of Phoenix's 5-year cohort default rate—students who graduated in 2009 and defaulted by 2014—is 45 percent. The Arizona location—which includes online students across the country—the 4-year bachelor's-seeking graduation rate is 1 percent and the 6-year bachelor's-seeking graduation rate is 10 percent.

In the for-profit college and university industry, there are three numbers to remember. Ten percent of the students graduating from high school go to these for-profit schools. Twenty percent of all the Federal aid for education goes to these schools. Why? They are very expensive. The tuition they charge is dramatically more than colleges and universities across the country. But here is the number to remember: As an industry, 40 percent of

all the student loan defaults are students who attend for-profit colleges and universities. Why? It is so darned expensive that students can't continue the education and drop out or they complete the education and many times find that the diploma is worthless.

Let's go back to the Department of Defense. We want to protect our men and women in uniform from being exploited by any college or university, for-profit or not. The Department of Defense wrote a memorandum of understanding and said: If you want to offer courses to our men and women in uniform, here are the rules to play by.

On October 7, the Department of Defense announced that they placed the University of Phoenix on probation and prohibited them from enrolling new servicemembers in the DOD Tuition Assistance and MyCAA Programs. They barred them from accessing military bases. The decision, the Department said, was based on violations of the memorandum of understanding, which I described this morning, based on their own review.

Yesterday the senior Senator from Arizona came to the floor to protest the decision by the Department of Defense. There were several things he said during the course of his floor statement which I would like to address.

The senior Senator from Arizona claimed that the Department of Defense's "actions were taken without due process" and based on "an outside investigative report." The Senator went on to say that it "wasn't a department investigation. There was no scrutiny." He said that on the floor to protest the Department of Defense decision.

Here are the facts. The Department of Defense conducted nearly 4 months of review of the University of Phoenix's practices after the report by the Center for Investigative Reporting raised allegations relating to the company strategy using corporate sponsorship of events on military bases to skirt the Federal rules on recruitment that had been spelled out in the memorandum of understanding.

The Department of Defense placed the University of Phoenix on probation when its review "revealed several violations of the Department of Defense Memorandum of Understanding." DOD also gave the company 14 days to provide the Department of Defense with materials in response to the decision.

To argue that there was no due process in this is betrayed by the facts.

The senior Senator from Arizona went on to say: "If the University of Phoenix is guilty of some wrongdoing, I want to be one of the first to make sure that proper penalties are enacted."

Here is the fact: The Department of Defense confirmed that the University of Phoenix is guilty of wrongdoing. The Department of Defense's notice to the university stated that "it conducted a review of the agreements between the

University of Phoenix and the DoD, as reflected in the DoD MOU. . . . This review revealed several violations of the DoD MOU attributed to the University of Phoenix, including, but not limited to, transgression of Defense Department policies regarding use of its official seals or other trademark insignia and failure to go through the responsible education advisor for each business related activity requiring access to the DoD installations. . . ." They go on to say that they found that "the frequency and scope of these previous violations of the DoD MOU is disconcerting."

Despite this, the senior Senator from Arizona is urging the Department of Defense to ignore what they found in their investigation and to reverse their decision putting the company on probation.

The senior Senator from Arizona went on to call Phoenix's violations "minor breaches in decorum" and "technical in nature."

The Department of Defense found that the University of Phoenix violated terms of its memorandum of understanding—a legal document laying out the rules and standards every institution must adhere to in order to be eligible to participate in voluntary military education programs. For instance, this document specifies that the base's education officer, not the base commander, is the sole approving authority for any and all access to the base. In their violation of this memorandum of understanding provision, the Department of Defense called the University of Phoenix's violations disconcerting in their frequency and scope.

The company had a corporate strategy of spending millions of dollars to sponsor events on military bases to skirt Department of Defense rules and the 2012 Executive order that was designed to prohibit institutions from recruiting servicemembers on military bases.

Mr. President, let me spell out some of the things that were being done by the University of Phoenix. Remember what we are talking about. This university is receiving \$20 million a year through DOD tuition assistance and \$346 million through the GI bill. Of course, it is a big profit center for them to continue this pursuit of the military, and they spent a lot of money to support it, and that is what got them in trouble.

The University of Phoenix spent over \$250,000 in the last 3 years just in one location—Fort Campbell, KY—sponsoring 89 events. One event featured a performer named Big Smo; that alone cost \$25,000. Across the country, the University of Phoenix sponsored events on military bases, including rock concerts, Super Bowl parties, father-daughter dances, Easter egg hunts, a chocolate festival, and even brunch with Santa.

The University of Phoenix paid the Department of Defense to have its staff serve as exclusive résumé advisers in

Hiring Our Heroes job fairs and workshops, many on military bases. A Center of Investigative Reporting hidden camera documented that all of the résumé workshop materials, presentation slides, and sample “successful” résumés were labeled with University of Phoenix marketing, and trainers urged attendees to go to the University of Phoenix Web site for more information.

The University of Phoenix used “challenge coins”—which the Senator from Arizona raised on the floor—with DOD seals and logos to show its close relationship with the military without receiving prior approval. The Senator from Arizona noted that other schools have done the same thing, including, he mentioned, Southern Illinois University. This Senator is not going to send a letter to the DOD protesting if they hold SIU or any school accountable for the same conduct as the University of Phoenix. The senior Senator from Arizona did, and I think he ought to reflect on that for a moment.

The senior Senator from Arizona says the University of Phoenix has a long history of serving nontraditional students, such as Active-Duty military and others. According to Paul Reickhoff of the Iraq and Afghanistan Veterans of America, the university of Phoenix “is constantly reported as the single worst by far” when it comes to for-profit colleges taking advantage of its members.

The Senator from Arizona says the Consumer Financial Protection Bureau, the Education Department, and the California attorney general, Kamala Harris, drove another for-profit school, Corinthian, out of business without ever proving misconduct, and now we are attempting to do the same to the University of Phoenix.

The fact is, there are ongoing investigations into the University of Phoenix by the Federal Trade Commission related to unfair and deceptive practices, including military recruitment and the handling of student personal information. There is an investigation underway of the University of Phoenix by the Department of Education’s inspector general related to marketing, recruitment, enrollment, financial aid processing, fraud prevention, student retention, personnel training, attendance, academic grading, et cetera.

There is an ongoing investigation into the University of Phoenix by the Security and Exchange Commission relating to insider trading, and not one but three different state attorneys general are investigating the University of Phoenix for unfair and deceptive practices. The Senator from Arizona comes and protests that we are involved in some sort of ideological grandstanding—that is what he said, ideological grandstanding—ignoring the evidence which I have presented this morning about the investigations into the University of Phoenix going on across agencies, State and Federal, and the investigation by the Depart-

ment of Defense that led to this decision.

He also went on to say yesterday in his remarks:

Last year, the Education Department, Consumer Financial Protection Bureau—

And an individual named Ms. Harris—

mounted a coordinated campaign that drove for-profit Corinthian College out of business without ever proving misconduct.

They were able to drive a college out of business. What a coincidence that he would make that statement on the floor of the Senate yesterday, the same day it was reported that a Federal judge in Chicago ordered Corinthian College—now bankrupt—to pay \$530 million to the Consumer Financial Protection Bureau, resolving a year-long lawsuit against the for-profit chain for allegedly steering students into predatory student loans.

The CFPB Director, Richard Cordray, said in a statement, “Today’s ruling marks the end of our litigation against a company that has severely harmed tens of thousands of students, turning dreams of higher education into a nightmare.” I don’t understand how the Senator from Arizona could come to the floor the same day this Federal decision was reported and raise this issue without some knowledge of what the Corinthian Colleges were doing. What they were doing was lying. They were misrepresenting to the Federal Government how many students were employed after they graduated. It turns out Corinthian was paying employers several thousand dollars to hire their students—graduates—for a month or two so they could report to the Federal Government they had jobs.

Of course, when the money ran out from Corinthian, the students lost those part-time jobs. Corinthian was caught. They were asked to provide information to refute what I have just said. Instead of doing that, they started dissembling and going out of business. They were also steering students to what they called genesis loans at Corinthian College. Students were paying outrageous tuition and fees for bachelor’s degrees, \$60,000 or \$75,000, and then they were facing genesis loans, they called them, with interest rates as high as 15 percent.

This industry does have good schools and good courses in the for-profit business sector, I am sure, but there has clearly been misconduct. We have to call them on it and hold them responsible. It is our Federal Government that virtually acknowledges the accreditation of these schools that offer Pell grants and direct student loans to their students, creating the impression among students and families that these are perfectly good colleges and universities. We have a responsibility to students and families across this Nation to police their ranks when there is misconduct. In this case, the Department of Defense looked closely and decided that the University of Phoenix was involved in misconduct. That is why they reached their decision.

There was a letter that was prepared by a number of organizations—I will not read all of their names—but it was sent October 27 this week to the Honorable Ashton Carter, the Secretary of Defense, thanking the Department for their recent action when it came to the University of Phoenix. These organizations went on to catalog the things I have said this morning. They also talk about the students these organizations have worked with. This letter says servicemember complaints regarding the University of Phoenix fall into three categories: servicemembers who were signed up for loans without their knowledge or permission after being promised they would incur no loans, servicemembers who were misled about the cost of tuition increases at the University of Phoenix, servicemembers who were misled about the accreditation and transferability of University of Phoenix credits.

Yesterday, the senior Senator from Arizona cited three students. I would like to read from this letter. They note three students who were members of the military commenting on the University of Phoenix. First, Cody Edie, of the U.S. Marines said:

I was told these credits would transfer anywhere nationwide but as I began my transition from active duty I found out they will not transfer to the schools in my home state. I wasted my time and 15 credits for nothing.

A statement from Erin Potter, U.S. Army:

I was told by the University of Phoenix that I would be eligible for grants that I did not have to pay back. I came to find out they enrolled me in loans and now I cannot afford the payments.

From Dennis Chamberlain, U.S. Army:

I attended the University of Phoenix to obtain my bachelors degree. I racked up close to \$20,000 in debt to attain my degree. I feel they targeted me for my military student aid. I struggle every month paying back the student loans I could have avoided. I was shot twice in Afghanistan by shrapnel from RPGs.

The letter is signed by about 20 different organizations: the Air Force Sergeants Association, the Association of the U.S. Navy, the American Association of State Colleges and Universities, Blue Star Families, Paralyzed Veterans of America.

I ask unanimous consent to have this letter printed in the RECORD.

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

OCTOBER 27, 2015.

Hon. ASHTON CARTER,  
Secretary of Defense,  
Washington, DC.

DEAR SECRETARY CARTER: We write to thank you and your staff for the Department’s recent action to enforce its Tuition Assistance Memorandum of Understanding (MOU) with the University of Phoenix. The MOU is the Department’s main tool for implementing Executive Order 13607 and its directive to protect service members from deceptive recruiting, including surreptitious recruiting on military installations.

In these difficult financial times, protecting the integrity of the Tuition Assistance program is essential to preservation of

the program and its goal of military readiness and professional development for our men and women in uniform. In this context, the Department's action to enforce the MOU is a prudent measure, and we feel more needs to be done to protect the integrity of the program. Failure to take swift and serious action against violations of the MOU harms service members, taxpayers, and the program itself, and sends the wrong message to other MOU signatories about the acceptability of violations.

The Department's investigation concluded that “the frequency and scope” of the University's violations was “disconcerting,” including “transgression of Defense Department policies regarding use of its official seals or other trademark insignia and failure to go through the responsible education advisor for each business related activity requiring access to the DoD installations.” The Department's letter to the University also raised concern that “several additional provisions” of the MOU may have been violated if allegations are substantiated about deceptive marketing, recruiting, and billing of U.S. military personnel raised in the law enforcement inquiries of the U.S. Federal Trade Commission and California Attorney General. We also would draw to your attention similar allegations that also, if substantiated, would violate provisions of the MOU, raised in ongoing investigations of the Attorneys General of Delaware, Florida, and Massachusetts; the Enforcement Division of the U.S. Securities & Exchange Commission; the Mid-Atlantic Region of the U.S. Education Department's Office of Inspector General; and the whistleblower suit brought by University of Phoenix military recruiters filed in the federal district court in Kentucky.

Although signatories to the MOU promise to eliminate unfair and deceptive marketing and recruiting, such practices continue. For example, many of our organizations are helping service members and veterans who experienced deceptive recruiting, and nearly 1,000 of these attended the University of Phoenix. Their experiences over the past decade, and through 2015, demonstrate a pattern consistent with the allegations made by current law enforcement investigations. Service members' complaints regarding the University of Phoenix tend to fall into three categories: (1) service members who were signed up for loans without their knowledge or permission, after being promised they would incur no loans; (2) service members who were misled about the cost and tuition increases at University of Phoenix; and (3) service members who were misled about the accreditation and transferability of University of Phoenix credits. Below is a small sampling of complaints about the University of Phoenix from service members who used Tuition Assistance. The first student attended the University as recently as 2015:

“I was told these credits would transfer anywhere nationwide but as I begin my transition from active duty, I found out they will not transfer to the schools in my home state. I wasted my time and 15 credits for nothing.”—Cody Edie, U.S. Marines E-4

“I was told by University of Phoenix that I would be eligible for grants that I did not have to pay back. I came to find out they enrolled me in loans and now I cannot afford the payments.”—Erin Potter, U.S. Army E-5

“I attended University of Phoenix to attain my bachelors degree. I racked up close to \$20,000 in debt to attain my degree. I feel they targeted me for my military student aid. I struggle every month paying back the student loans I could have avoided. I was shot twice in Afghanistan by shrapnel from RPGs.”—Dennis Chamberlain, U.S. Army O-3

Because the Department's action affects only prospective students, we also urge you

to alert service members currently enrolled at the University about the probation and current law enforcement investigations, and remind them about the availability of the Department's complaint system. Doing so would aid those students and enhance the Department's ability to identify MOU infractions. As you may know, the University was required by SEC rules to notify its investors of these actions; current students deserve to be informed as well.

We thank you for your efforts to protect the integrity of the Tuition Assistance program and to protect service members from deceptive recruiting practices. We hope the Department will continue to take action against violations and consider that reinstatement following a short probation could indicate to other MOU signatories that violations are met with little repercussion.

Sincerely,

Air Force Sergeants Association, American Association of State Colleges and Universities, American Federation of Labor—Congress of Industrial Organizations, Association of the U.S. Navy, Blue Star Families, Campaign for America's Future, Children's Advocacy Institute, Consumer Action, Consumer Federation of California, Consumers Union, Empire Justice Center, Higher Ed Not Debt, Institute for Higher Education Policy, Iraq and Afghanistan Veterans of America.

Leadership Conference on Civil and Human Rights, League of United Latin American Citizens, National Association of Consumer Advocates, National Consumer Law Center (on behalf of its low-income clients), Paralyzed Veterans of America, Public Law Center, Student Debt Crisis, Student Veterans of America, The Education Trust, The Institute for College Access & Success, University of San Diego Veterans Legal Clinic, Veterans Education Success, Veterans for Common Sense, Veterans Student Loan Relief Fund, VetJobs, VetsFirst, a program of United Spinal Association, Vietnam Veterans of America, Working America, Young Invincibles.

Mr. DURBIN. Mr. President, I am going to wrap up. I read carefully what the senior Senator from Arizona had to say yesterday. I hope I have addressed each of the major points he raised. There was indeed an investigation. There were standards which the University of Phoenix agreed to follow and then failed to follow. There is an effort underway to make sure we protect the men and women in the military and their families from exploitation when it comes to their GI bills. We should continue that effort.

I hope my friend and colleague from Arizona who has made a record in the Senate of speaking up, standing up to avoid those misuses of Federal funds, will continue in that same vein when it comes to this issue. We want money well spent. We want our men and uniform well served.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. FLAKE). 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.

#### CROP INSURANCE PROGRAM

Mr. McCONNELL. Mr. President, the chairman of the Senate agriculture

committee is on the floor, and I thank him for his tenacity and diligent work on behalf of America's farmers and rural communities.

I have discussed with the chairman his concerns about crop insurance provisions in the fiscal agreement and their impact on farmers, concerns which are shared by our counterparts in the House of Representatives. I also have concerns about the changes to crop insurance and what it will mean to the future farmers in my State. We have a big agricultural community in Kentucky, and I have certainly heard from them in great numbers over the past couple of days.

Farming has been a long tradition in my State. Kentucky is made up largely of smaller family farms—farms that have been passed down from generation to generation. These folks rely heavily on the notion that a bad-crop-year year will not stop their ability to continue farming because of the certainty provided through this crop insurance program.

It is our joint understanding that the House leaders will work to reverse these crop insurance changes and find bipartisan alternative deficit reduction savings when they consider the omnibus appropriations bill later this year.

So I assure my friend from Kansas and the other Members of our conference who care about this that I will work closely with him to support the House in these efforts.

Mr. ROBERTS. Mr. President, will the distinguished leader yield?

Mr. McCONNELL. I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. ROBERTS. Mr. President, I rise to engage in this colloquy that our distinguished Republican leader has already mentioned or stressed. I also thank our majority whip, the Senator from Texas, and the senior Senator from South Dakota, Mr. THUNE, with regard to a commitment made between all of us on the floor.

This commitment is in reference to the obvious need to remedy the language adversely affecting our Nation's farmers and ranchers that is now included in the Bipartisan Budget Act. This provision, section 201, included in the underlying bill, should it go into effect, would greatly damage the crop insurance program as we know it, not to mention the farmers who purchase this crop insurance.

The commitment we have reached is to reverse these damaging cuts and policy changes to the crop insurance program in order to protect our producers' primary risk management tool and their No. 1 priority. In all of the great talk and effort that we had to pass the farm bill—over 400 days—the No. 1 issue to farmers, ranchers, and every commodity group and every farm organization was crop insurance.

This legislative action—or fix, if we want to call it that—will take place in consideration of the year-end spending bill. I have been working very closely

with House Agriculture Committee Chairman MIKE CONAWAY, who has reached a similar position with the House leadership. It was a tough trail, but MIKE got it done.

We have all agreed here to restore these funds to the program and reverse this policy and do so with support from the House and the Senate.

I yield to our distinguished majority whip.

The PRESIDING OFFICER. The majority whip.

Mr. CORNYN. Mr. President, I express my gratitude to the majority leader and to the chairman of the agriculture committee in the Senate, as well as to the two Senators from South Dakota, Mr. THUNE and Mr. ROUNDS, for their cooperation and their commitment to address this issue.

I particularly wish to join the chairman of the agriculture committee, Senator ROBERTS, in commanding MIKE CONAWAY, a good Texan, who is chairman of the House Agriculture Committee, whom I know cares very deeply about this issue.

Texas is a huge agricultural State and 98 percent of our agricultural production is run by families and employs one out of every seven Texans. Texas ranchers and farmers are no strangers to the perils caused by drought and other weather-related events beyond their control.

With the current regulatory environment and unforeseen perils they face, I understand the necessity and the viability of the crop insurance program to their livelihoods.

So I wish to say that I too stand ready to support our colleagues, working together to find a solution to this important problem.

I yield the floor.

Mr. ROBERTS. Mr. President, I yield to my distinguished friend and colleague from South Dakota, the senior Senator from South Dakota, Mr. THUNE.

The PRESIDING OFFICER. The Senator from South Dakota is recognized.

Mr. THUNE. Mr. President, I wish to thank the Senator from Kansas, who is the distinguished chairman of the agriculture committee, on which I serve, as well as the leader and the whip in the Senate.

I rise in support as well of restoring what would be some very devastating cuts to an important program, the crop insurance program. The cuts were supposed to be imposed by the budget agreement that was reached and that we are going to be voting on later today.

Crop insurance plays a critical role in supporting South Dakota agriculture. It is my State's No. 1 industry. Crop losses due to drought, wind, hail, and excessive moisture provide the greatest challenges to economic survival and sustainability in production agriculture. Crop insurance provides the only viable risk management tool to meet those challenges. So it is imperative that we preserve crop insurance and maintain its viability.

I support the agreement that has been discussed on the floor today. I will work with the leader, the chairman, my Senate colleagues, and my colleague from South Dakota, Senator ROUNDS, who has been involved in these discussions, to make sure we find a reasonable alternative to the unworkable cuts to crop insurance that are found in section 201 of the Bipartisan Budget Act.

I thank the majority leader, the whip, and the chairman of our agriculture committee for their commitment to our farming families and rural economies across this great country. I also thank those who have worked in the House to come to a point where we can have this discussion and move forward in a way that will preserve what is a very important program for production agriculture in this country.

I ask the chairman of the agriculture committee, Senator ROBERTS, through the Presiding Officer, if the House has reached a similar agreement in terms of the discussion that we are having in the Senate today.

Mr. ROBERTS. Mr. President, I thank my friend for the question. I respond to my friend that, yes, the chairman, MIKE CONAWAY, has reached a bipartisan agreement with the House leadership and also the chairman of the Committee on Appropriations, Mr. ROGERS from Kentucky. So there is bipartisan agreement with the House leadership, and it is now time for the Senate to respond.

I also echo the comments of the senior Senator from South Dakota, with the help of Senator ROUNDS, and I would be remiss in not mentioning virtually every member of the ag committee who has been involved in this effort as well. I appreciate the work of my colleagues and the work of our ranking member, Senator STABENOW. I especially want to thank her for raising this issue and helping to find an agreement.

I note that I have worked my entire career to build crop insurance as a public-private partnership that best protects our producers, taxpayers, and consumers, not to mention a very hungry and malnourished world. This agreement reached today continues in that effort to fulfill that mission. I thank the majority leader, the majority whip, and Senator THUNE for their commitment. I also thank many of our colleagues who helped reach this solution today.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I rise to speak in support of the bipartisan Budget Act of 2015, the legislation that passed in the House last night and that I expect we will be voting on soon in the Senate.

Anyone who hasn't been living in a cave for the last few weeks is aware of the controversy surrounding this legislation. However, while the bill is likely no one's idea of an ideal path forward,

I believe the controversy stems more from political considerations than from policy or substance.

Let me say one thing up front. I don't love this legislation. If we were living in the "United States of Orrin Hatch" this bill would look very different, but while I may not like parts of this deal very much, there are other things I like much less, including political brinksmanship on important matters and election-year posturing on complicated issues.

This budget deal, while far from perfect, will help eliminate several hurdles that must be overcome in the near term and hopefully allow Congress to function and to actually govern over the next year. That said, there are some very important provisions in this bill that I think will be counted as wins for good government and will help us address some important issues. So I would like to take just a few minutes and talk about some of the specifics of this legislation and why I believe these provisions are important.

First, as we all know, the bill would suspend the statutory debt limit through mid-March of 2017. I have heard a number of my colleagues decry this provision, arguing that any increase in the debt limit should be accompanied by fiscal reforms, and on that count my colleagues are right.

I think you would be hard-pressed to find many Members in this Chamber who have spent more time than I have talking about our Nation's debt and calling for reforms. I have spoken extensively about the need to rein in our broken entitlement programs, which are the main drivers of our debt. Unlike most Members of Congress, I have actually come up with specific proposals that would help stave off the growing entitlement crisis. On top of that, as chairman of the Senate committee with jurisdiction over the debt limit, I have repeatedly called on the Obama administration to do what past administrations have done, which is to use debt limit increases as opportunities to reexamine our fiscal situation and work with Congress to find a path toward reforms that will improve our fiscal outlook.

Unfortunately, these calls and similar calls made by other leaders in Congress have largely gone ignored as the administration refuses to even consider fiscal changes in the context of a debt limit increase. I am as frustrated as anyone by the refusal of this administration to even engage on this issue. However, the President's refusal to be reasonable and to do his job when it comes to our debt is no excuse for Congress failing to do its job and prevent a default.

I know some of my colleagues either don't believe a default would be that bad or that the result of hitting the debt limit would even be classified as a default. I will not delve into the semantics of the issue, I will just say that hitting the debt limit would prevent the government from meeting a

large number of its obligations. Nothing good and many things that are bad will come from that result. No reasonable person would dispute that.

In addition, I don't think any reasonable person wants to see Congress push up against debt limit deadlines multiple times throughout 2016. Mixing a looming possibility of default with election-year posturing—and I am talking about posturing on both sides of the aisle, by the way—is, in my view, a recipe for disaster. This budget bill will suspend the debt limit and spare Congress and the American people the spectacle of ticking debt clocks in the middle of an election season. Once again, this isn't my preferred result, but it is much better than the alternative.

In addition to raising the debt limit, the bill would extend the life of the Social Security disability insurance, or SSDI, trust fund through a temporary reallocation of resources from the retirement trust fund into the disability insurance program.

As we all know, the SSDI trust fund is set to be exhausted sometime late next year, which would lead to benefit cuts of around 20 percent for disabled Americans. I am not willing to do that. Right now, the beneficiaries in the disability program face enormous uncertainty, and that will only get worse between now and the end of 2016 if Congress fails to act.

I have been urging action on this issue for quite some time and have put forward a number of proposals to reform various aspects of the disability insurance program. Sadly, despite many calls for bipartisan cooperation, the administration has decided to remain silent, aside from the very simple and overly broad reallocation proposal. Nonetheless, the budget bill will, as I mentioned, provide an interfund reallocation that will add an additional 6 years of viability to the SSDI trust fund, preventing benefit cuts to disabled American workers and removing the current uncertainty.

That is not all. The bill would also put in place reforms to the SSDI Program, including some of the proposals I put forward earlier this year and reflecting a great deal of work between Chairman PAUL RYAN of the House Ways and Means Committee and Representative SAM JOHNSON, who chairs the Social Security Subcommittee, and me. Our work led to a number of features of the budget bill's treatment of SSDI that will help combat fraud in the program, make it easier for those who can and desire to return to work to be able to do so, and improve the overall administration and integrity of the disability program.

As I said before, this is not a budget bill that I would have written, and I think there are a number of other ways to improve the SSDI Program and Social Security more generally. However, nothing in the bill prevents us from continuing our work to develop and refine ideas and come up with additional

improvements. Given the unsustainability of the Social Security System generally, we will have to continue to work on reforms to ensure these programs are available to future generations.

For now, we must be realistic. If we don't act now to prevent next year's benefit cuts, we will create a cliff that will occur right in the middle of an election campaign, when fundamental reforms to an entitlement program will be virtually impossible. Instead of a real debate over the future of this important program, we would see accusations lobbed back and forth about which side is responsible for the impending benefit cuts. Why would anyone want that? What good would that accomplish?

I would also like to remind my colleagues that the SSDI reforms in this budget bill represent the most significant changes to any Social Security program since 1983—more than three decades ago. That is nothing to sneeze at. So while critics may be right that these changes aren't the only types of long-term fixes the SSDI Program needs, they should not by any means be overlooked.

While we are on the subject of entitlements, I also want to point out that this budget bill will avert an unprecedented and large increase in Medicare Part B premiums for millions of elderly Americans. Under the law, there is a complicated interplay between the Social Security and Medicare Programs, where under what is called the "hold harmless" rule, the majority of Medicare beneficiaries cannot see a premium increase greater than their cost-of-living adjustment under Social Security. However, due to very low inflation, there will be no cost-of-living adjustments in Social Security in 2016, meaning there can be no premium increases for the majority of Medicare Part B participants. This means the full amount of what the Medicare system needs to collect in Part B premiums for next year will be charged to the nearly 30 percent of Medicare beneficiaries who do not have their premiums deducted from their Social Security payments.

Long story short, absent some kind of action, more than one-quarter of all Medicare Part B beneficiaries will see their premiums go up as much as 52 percent in 2016. This bill is important, with all its faults, and that is a great reason to vote for it. The legislation before us will prevent this increase, once again allowing Congress to avoid a contentious fight and preventing many seniors from becoming pawns in the unending liberal political gamesmanship and demagoguery. Most importantly it would do so in a responsible manner.

In addition to sparing our country some needless political fights over Social Security and Medicare, this bill will also repeal the employer autoenrollment requirement under the so-called Affordable Care Act. This pro-

vision, once implemented, would require large employers to automatically enroll new employees in health insurance plans, putting the burden on employees who prefer alternative plans to opt out. This provision, like many provisions of ObamaCare, never made sense and ultimately had few champions outside left-leaning think tanks that continually advocate for the government to "nudge" citizens into what some technocrats believe are preferred outcomes by removing certain nonpreferred choices.

So with this legislation we have bipartisan agreement on the need to remove at least part—and not an insignificant part—of ObamaCare. That is important. That is a good reason to vote for this. Obviously, we need to do more, but in my view any acknowledgement from my friends on the other side that any part of the President's health care law doesn't work is good progress. We haven't been able to get them to admit that in all these years of this failing program that is going on.

Finally, and for many most significantly, the bipartisan budget legislation would partially lift the budget caps established under the Budget Control Act both for domestic spending priorities and national defense. While very few people in Congress or elsewhere are big fans of the sequester threat, it did result in the only legitimate measurable spending cuts we have seen in quite some time. It is especially noteworthy, given the current administration's seemingly insatiable desire for more debt-fueled spending.

I sympathize with my colleagues who might be hesitant to lift those spending caps. However, I think we need to keep a few things in mind. First, the increase in the spending baseline under this bill is fully offset. That is important. While not all of the offsets are ideal, it is important that the spending cap relief will not result in increased debt or a tax hike. Let me repeat that. It is important to note that the spending cap relief will not result in increased debt or a tax hike. In that sense, the spending caps, even with the relief included in this bill, continue to be successful.

Second, lifting the spending caps will help us ensure our military is properly funded, although many of us would like to do more with the world in the turmoil it is in. Many Members of Congress, particularly on the Republican side, have expressed concern regarding the impact of the spending caps on our men and women in uniform and our overall military readiness. Make no mistake, these are dangerous times. American generals and military officials have made clear the spending levels under the Budget Control Act are not enough to meet the challenges our Nation faces on the world stage. Between the threat of ISIS in Iraq and

Syria, Russian aggression in Eastern Europe, and our newly prolonged troop presence in Afghanistan, now is not the time to underfund our military. We need to be sure our troops have all the resources they need to succeed.

As we know, President Obama has conditioned any budget-cap relief for defense on similar relief for other domestic spending programs. While I agree with many of my colleagues that this represents an odd set of priorities for a Commander in Chief—his No. 1 duty is to keep us safe—we should not let the President's refusal to do right by our military lead us to do the same.

In addition to criticisms of the substance of the bill, some of which I agree with, I have also heard complaints about the process that led us here. On that front as well, I share some of my colleagues' concerns. It certainly would have been better to move this legislation through regular order, including committee consideration and an open amendment process. I can't speak for anyone else, but I would assume that almost everyone involved would prefer to see legislation of this magnitude move through the House and Senate in a more deliberative process and a longer timetable. Unfortunately, for a variety of reasons, that is not what happened.

However, much of the time, effective government is about the art of doing what is doable. Though Republicans control both Chambers of Congress, there is a Democrat in the White House and enough Democrats in the Senate to sustain a filibuster. That is just a fact. We have to live with that. If we want to get anything done around here, we cannot demand perfection, nor can we operate in a zero-sum environment where every victory for the other side, however minor, is considered a loss for yours.

I get that there are some who sincerely and truthfully believe that compromise inherently means failure, and I know there are others with different agendas in mind that lead them to oppose anything resembling a concession to the other side, no matter what their side may get in return, but I have been around here long enough to know that such an approach does not often yield satisfactory results. If you are going to wait for that perfect bill to come around, my experience has taught me that you are likely to wait a very long time.

The budget bill before us is far from perfect. But, as the saying goes, the perfect should not be the enemy of the good. Under the circumstances, I believe this bill needs to pass so we can solve these problems, remove many dangerous obstacles directly in front of us, and give ourselves a chance to govern effectively without the cliffs, crises, and deadlines that all too frequently dictate what we do around here. For these reasons I plan to vote yes on this legislation, and I urge my colleagues to do the same.

Having said that, I would like to compliment our majority leader. He

has one of the toughest jobs ever on Capitol Hill.

I want to compliment the House as well. I have worked very closely with the distinguished new Speaker of the House. He is a tremendous human being. He does not reject the doable. He is a very strong conservative, one of the strongest people in either House of Congress, as is our majority leader. Both of them are doing what has to be done, and they deserve to have support in doing that. I compliment my friends on the other side for the successes they consider they have made.

On the other hand, I wish to pay tribute to our majority leader and the work that he is doing, trying to keep this fractious group of people together in so many ways and to get important legislation like this passed so that we are working on even more important legislation in the future.

I want to personally pay tribute to PAUL RYAN for his election to Speaker of the House. We have worked very closely together, as he has been chairman of the Ways and Means Committee. We have met almost weekly ever since he took over as chairman of that committee and I as chairman of the Finance Committee. He is one of the truly great people in the Congress, and I personally want to express my view that we are lucky to have him. We are lucky to have our distinguished majority leader as well.

I want to compliment my friends on the other side who have been working to do the art of the doable and, though imperfect, have worked with both of these leaders to get this done.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

#### THE MIDDLE EAST

Mr. NELSON. Mr. President, I rise to discuss a very troubled part of the world, the Middle East, a region that is experiencing perhaps the greatest turmoil it has seen since the end of the First World War.

After more than 4 years, with over 200,000 people killed and 4 million forced to flee, Syria's civil war and humanitarian crisis continues to drag on. President Assad still clings to power, and he clings to that power with the help of Iran, Russia, and Hezbollah.

Opposition groups remain divided, and they are weak, while terrorist groups like ISIS and Al Qaeda's al-Nusra Front exploit the chaos. ISIS also exploits sectarian tensions across the border in Iraq, where its fighters battle Iraqi and Kurdish forces, as well as Shia militias, for control of large parts of the country. And, according to press reports, a Saudi-led coalition meanwhile battles Iranian-backed Houthi rebels for control of Yemen, home to Al Qaeda in the Arabian Peninsula.

In addition to its support for Assad and terror and proxy groups, Iran continues other hostile activities, such as testing ballistic missiles, attacking in cyberspace, and violating human

rights. I think this is an important thing to remember, as the expectations of the Iranian joint nuclear agreement—this was not a panacea for all of the things that Iran is doing. As a matter of fact, it specifically was a negotiation to prevent Iran from having a nuclear weapon, which I think has been achieved for at least 10, if not 15 to 25, years.

Then, to add to the complications regarding Iran, there are still four Americans detained or missing. One that is missing, of course, is our Floridian Bob Levinson, a former FBI agent.

These are tough challenges that reflect a changing balance of power, and we have already taken important steps to meet them. I am talking about steps other than the Iranian nuclear joint agreement. American and coalition air strikes against ISIS in both Iraq and Syria and the training and equipping of Iraqi and Kurdish forces in Iraq have blunted ISIS's momentum, and we are starting to see some reverses there. As the Secretary of Defense just a few days ago told our Armed Services Committee, we are changing our approach to supporting the moderate Syrian opposition and equipping those forces already on the battlefield against ISIS. It is much more difficult in Syria, and we have not had a lot of success in training and equipping those so-called moderate forces in Syria.

So now the changing strategy is that the United States is focusing on what the Secretary of Defense referred to as the "three R's"—the ISIS strongholds of Raqqa in Syria and Ramadi in Iraq and then targeted raids in both to build battlefield momentum. We saw such a raid that tragically took the life of a senior enlisted Special Forces Special Operations sergeant the other day, but that raid was particularly successful in that it rescued 70 people who were about to be executed the next morning. In those raids, the three R's the Secretary mentioned are underway.

Turmoil and violence in the Middle East may seem distant to everyday Americans, but the consequences extend far beyond those regions. We see it daily on our television screens. Tens of thousands of Syrians have sought refuge in Europe. ISIS, we are reminded, uses the Internet and social media to spread its propaganda and radicalizes young people far from Iraq and Syria and even some in the United States.

So in this whole perplexing problem, as we try to get our arms around it, meeting these challenges, protecting our national security and interests, including those of our allies like Israel, is going to take strong and patient leadership on the part of our country.

I wanted to share these thoughts with the Senate.

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.

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

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

Mrs. MURRAY. Mr. President, I ask unanimous consent to speak as in morning business.

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

#### EXPORT-IMPORT BANK

Mrs. MURRAY. Mr. President, it is not always easy to get a majority of Congress to agree on something. But when it comes to the Export-Import Bank, the numbers are now clear. Three days ago, the House easily passed a bill to reauthorize this critically important program, 313 to 118. Months before that, here in the Senate, we approved reauthorization 64 to 29. That is a supermajority in both Chambers, so no one should think we should not be able to pass this. But right now, the will of a bipartisan supermajority is being blocked by Senate Republican leaders who have so far refused us the opportunity to act. This lack of movement on this critical issue is unacceptable, and people across the country are not going to stand for it.

Every single day that passes without this program in operation, America's businesses—most of them small businesses—are at a disadvantage. That is because one of the main goals of the Export-Import Bank is to level the playing field for American companies to sell their goods overseas.

There are 60 other export credit agencies worldwide, including several in China. While companies around the world are enjoying the support of their own lending programs, this Congress allowed one of its best tools to grow the economy to go dark. That is now hurting our economy at a time when we should be continuing to work to build and grow and create jobs.

For months, I have heard from businesses in my home State of Washington that they are being held back by partisan grandstanding nearly 3,000 miles away. Businesses in Washington State make great products, and they want to ship what they make overseas and continue to build their business at home, and Congress ought to be a good partner in that effort.

This isn't a Republican issue or a Democratic issue. This is about supporting American companies that are creating local jobs, adding to our economy, and helping our economy grow from the middle out. It is why the Export-Import Bank has had the support of this body now for more than 80 years.

I urge Republican leaders to stop allowing extreme members of their party—a minority of their party—to hold our economy hostage. It is time to renew the Export-Import Bank on behalf of American businesses, American workers, and American families.

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.

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

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

#### UNANIMOUS CONSENT REQUEST—H.R. 597

Ms. HEITKAMP. Mr. President, once again we are down on the floor of the Senate, begging, pleading, and trying to get anyone to listen to our pleas to once again open the Export-Import Bank. As we look at the consequences of having closed—for the last 3½ months—the Export-Import Bank, it becomes readily apparent every day and every hour that we are losing American manufacturing jobs and we are stressing small businesses that have a strong history of reliance on the Export-Import Bank, and that we are, in fact, not only not helping American business, but we are hurting American manufacturers in this country.

Why would we do that? Why would we wait one more day? Before the charter expired on the Export-Import Bank, we were told that the reason why—even though we had 64 votes in the Senate for the Ex-Im Bank—we couldn't possibly get this done was because the House of Representatives would not take this up. The House of Representatives would not move on the Ex-Im Bank, and, in fact, if it came to the floor, it was doubtful that we would actually get a vote that was favorable to the Ex-Im Bank. Well, a funny thing happened when we looked at the reality of where the House of Representatives is today.

When we counted the votes this week for the Ex-Im Bank, guess what; over 70 percent of the House of Representatives voted to reauthorize the Ex-Im Bank. And probably even more remarkable, a majority of Republicans in the House of Representatives voted to reauthorize the Ex-Im Bank.

Now, you might wonder: What changed? What happened? How could we possibly have been so wrong?

Well, let me tell you that no one in their right mind in the business community ever believed that we would let the Ex-Im Bank charter expire, and so everybody assumed that we would do the right thing here—that the charter would go on and that this would happen. Guess what happened. When we shut down the Ex-Im Bank and people weren't able to approach the Ex-Im Bank to get credit guarantees to do the work of manufacturing and exporting, all of a sudden, those small business men and women and those employees of those institutions picked up their phones and started calling their Members of Congress. When they called their Members of Congress, that is when we saw action. That is when we saw things moving in a direction that actually supports American manufacturing.

This is an institution that has been reauthorized many times. This is an institution that has been in existence for

decades. It is an institution that is in competition with dozens—in fact, about 80 or 90 export credit agencies are run by other countries—of credit agencies every day. They are competing against those same agencies.

What we have now is unilateral disarmament. Imagine this: American manufacturers—longstanding manufacturers—are actually considering moving their manufacturing facilities offshore so that they can compete for this export business. We can't wait another minute. We can't wait another day. We can't wait for another opportunity to present itself. We have to do this now.

I understand and know that I am new to this institution. But most times when you have supermajorities in support of something, it shouldn't be that hard to get it done, and we know the President will sign it.

I am always a little shocked when people say: Well, you know, we still can't get that done because we need to find a vehicle. And I think: Well, what does that mean when you actually introduce a bill and the bill itself is sitting at the desk and there is an opportunity not to try to attach something so that somebody can hide their vote or not to try to attach it to something because you might be able to leverage another idea on there but to actually move this bill forward?

We don't need to look for a vehicle. We don't need to look for another opportunity to advance the Ex-Im Bank. Guess what we need. We need to bring this bill to the floor right now. We need to ask our colleagues to engage in what we should be doing here, which is debate and legislation on the floor of the Senate. We need to resolve this issue and wrap it up.

When we started this journey, we were told the Ex-Im Bank was in need of reform. In a very bipartisan way, my office sat down with Senator KIRK's office, joined by Senator BLUNT, Senator LINDSEY GRAHAM, Senator MANCHIN, and Senator DONNELLY and said: What do we need to do to make the Ex-Im Bank better? What do we need to do to make the Ex-Im Bank more accessible and more accountable?

We negotiated something that is rare here, which is a bipartisan bill, the Kirk-Heitkamp Ex-Im Bank reauthorization bill. That bill has been the vehicle and the kind of blueprint for how we are going to move forward. In fact, when the House did their discharge petition, they discharged the bill that is, in fact, the Kirk-Heitkamp bill. There is nothing in there where we have to balance this or somehow reconcile a House version and a Senate version.

We can get this done today. We can move this forward. We can send the message to the rest of the world that the Ex-Im Bank and American manufacturers are open for business. It makes absolutely no sense for us to wait any longer and in any way delay the movement of the Ex-Im Bank.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, I thank my colleague from North Dakota for her continued leadership on this issue and for pointing out to our colleagues that we really could be just a short step away from reauthorizing a very important business tool for small businesses, manufacturers, and the agriculture industry by making sure that we reauthorize the Export-Import Bank.

What my colleague is referring to is that it would take just a short agreement here this morning to go ahead and take the House-passed bill that, as she explained, was passed after colleagues got a discharge petition, but it is the same as the language that we have had over here in the Senate.

The process to move forward on this reauthorization would be very simple. I am sure Senator HEITKAMP pointed out before I got to the floor that a filibuster-proof majority of our colleagues approve of this legislation. I think 67 of our colleagues approve of this, and now we have this tremendous support—313 votes—from the House of Representatives.

As Senator HEITKAMP said, we are just a short step away. Why are we so emphatic about that? Why wait? When we look at what has just come out, the financial numbers show a 1.5 percent job growth. I think it is something like that. It shows very anemic numbers for our economy.

I don't know about anybody else, but since we are a very cyclical economy in the Northwest, or we have been for various periods of time in our history, my constituents expect me to get up every day and fight for things that will improve the economic opportunity of America, and that is what we are doing here.

When we look at 2014, it supported \$27.4 billion in U.S. exports and 164,000 jobs. My colleagues know how much the economy outside of the United States is growing. So we want to sell them U.S.-made products. I think it is one of the biggest economic opportunities in front of us. I believe in what we make.

I complained because I think exotic financial instruments got us into trouble, and I want to be known for something in the United States of America besides exotic financial instruments. I like that we make airplanes and automobiles.

The Senator from Michigan has joined us on the floor. I like that we make great agriculture products from North Dakota that are then exported around the globe.

I visited Bob's Red Mill in Oregon. That company makes a great variety of various grain products that are shipped all over the world. They use the Export-Import Bank as a way to gain access because not every bank in Oregon is brave enough to take on a deal in Tanzania or some other country. Why? Because the banking doesn't exist there. So the Oregon bank says: OK, I will bank you. I will get Bob's Red Mill

sold in all of those places, but I want some credit insurance. I want to be sure that you have an insurance program in case something goes wrong, and that is where the Export-Import Bank comes in.

In 2014, we had \$27.4 billion in U.S. exports and 164,000 jobs.

Where have we been since 2008? It has helped us with 1.4 million jobs. Our economic information shows that we have had a somewhat anemic quarter in our country. I would say it is interesting that it did coincide with this issue of the Export-Import Bank, and this whole malaise here of not getting work done probably didn't make anybody happy in business, and there is the fact that a lot of doubt and uncertainty plagued us.

So if you want to help the economy, let's just agree this morning that the Export-Import Bank is a great tool to help U.S. manufacturers grow their economic opportunities outside of the United States. Let's just agree this morning and get this done, and we will be moving ahead on this important issue.

Now, some people are saying: Let's just wait. I am saying: What we are risking by waiting is more job loss, more small businesses at risk, and the U.S. economy at risk. There are more than \$9 billion in pending Export-Import Bank deals on the table—\$9 billion. That can't get done because the Bank doesn't exist anymore. If you just think about that, those are U.S. companies that have economic activity to do around the globe to help us grow the U.S. economy at a time when we have been anemic. If no one objects to my motion, we would restart that engine today.

Ms. STABENOW. Will the Senator from Washington yield for one quick question?

Ms. CANTWELL. Yes.

Ms. STABENOW. Was that \$9 billion?

Ms. CANTWELL. Yes.

Ms. STABENOW. We have economic activity that is hanging in the balance, and because of this inactivity, we are losing \$9 billion every single day?

Ms. CANTWELL. Yes.

Ms. STABENOW. That is billion with a "B"?

Ms. CANTWELL. Yes. That's the dollar value of deals for U.S. companies being held up that could be moved forward.

Ms. STABENOW. Shocking.

Ms. CANTWELL. So I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 282, H.R. 597, the Export-Import Bank Reform and Reauthorization Act, and that the bill be read a third time and passed and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Republican leader.

Mr. MCCONNELL. Mr. President, I would remind my colleagues that we voted on the reauthorization of the Ex-

port-Import Bank already. There are numerous objections on this side of the aisle; therefore, I object.

The PRESIDING OFFICER. Objection is heard.

Ms. CANTWELL. Mr. President, I hope our colleagues realize that the economic activity we could be seeing today could help us in everything we are doing moving forward.

While the Senate has passed the Export-Import Bank, it is part of a larger transportation package that this Senator hopes will actually get done. But there are many people who don't want to see the Export-Import Bank reauthorized. In fact, some of our colleagues suggested in the recent budget deal that they put a 1-year provision in for the Export-Import Bank. I don't support a 1-year provision. We support a 5-year reauthorization, and we want to get to that now. We do not want to see more jobs shifted overseas as we continue to have this debate, because that is what is happening. We are giving economic opportunity to other countries to take advantage of our businesses.

I hope we will take this up and move it forward so that we can get economic opportunities back in front of the American people at a time when we most critically need to.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Ms. HEITKAMP. Will my friend from Washington yield for a question?

Ms. CANTWELL. Yes.

Ms. HEITKAMP. We have now had this experience of 3½ months—really 4 months because we are at the end of October—with no opportunity for a small business to actually look at how they could grow that small business. We know we have lost jobs all across America in States where they are economically challenged. Opportunities are there. We know that the large institutions, the large manufacturers in our country, some of which are in Senator CANTWELL's State, rely on this small business chain of businesses, and those are the businesses that have been hit the hardest.

If we wait, again, for another promise that we are going to put it on another vehicle—how much more inactivity, how much more disruption to these small businesses can these small supply chains have given their economics? Isn't it true that a small business is much more challenged by a day's delay in opening up the Ex-Im Bank than a large corporation?

Ms. CANTWELL. Mr. President, I thank the Senator from North Dakota for her question because she is right on the pinpoint of what this issue is about. It is really about small businesses that don't have huge capital reserves to set aside money so that they can guarantee the sale of their product.

As I said, there is \$9 billion of pending issues before the Bank right now, and many of those are small businesses. So those small businesses could

be opening up economic opportunity that might grow their revenue significantly and allow them to create more jobs. When we think about the motion I just made, if no one had objected, that \$9 billion would have been free to go out into the economy, those deals would have gotten done, those small businesses would have been empowered, and we would be on our way to winning in what is an export economy.

Why is it an export economy? Because the growing middle class around the globe is going to double in the next several years. Ninety-five percent of consumers live outside the United States of America. So we want to win economic opportunity, and we have to be able to sell outside the United States of America. It is hard because not every place in the United States of America is so developed that their banking system is there to do deals.

This great company in my State, in Spokane, SCAFCO—two of my colleagues here—the ranking member on the Agriculture Committee, from Michigan, and my colleague from North Dakota, Senator HEITKAMP—are very active in agriculture issues and will get it. He is basically making and selling aluminum grain containers, silos, all over the world. That is his business. He has expanded it, built new buildings, and he has an incredible workforce.

As the rest of the world—particularly in Africa and South America but even in Asia—starts to grow their agricultural economies, guess what they need. They need agriculture equipment. I am sure the Senator from Michigan understands that because she has some of those manufacturers. So those manufacturers have a huge opportunity to sell U.S.-made agriculture equipment.

I like to say: Guess what we are still No. 1 at in the United States of America? Agriculture. We know how to do agriculture. Guess what the next big opportunity is around the globe? Feeding the growing middle class around the globe. It is one of the biggest economic opportunities. But we have to be able to sell them things. We have to be able to sell them Michigan-manufactured products. We have to be able to sell them agriculture products that my colleague from North Dakota makes. SCAFCO needs to be able to sell their grain silos, but they can't because people want to hold up this process, all to put a trophy on someone's desk saying they did the bidding of a very conservative think tank that—the last I know, I don't think they created any of these manufacturing jobs in America.

I hope my colleagues will help us continue this debate because I know there are some who will say: Well, we passed this bill, and it is going to get done someday. Someday, really? Because everybody said we will get it on the Transportation bill in April. OK. That didn't happen. They did an extension. It didn't happen. We will get it on the Transportation bill in July. The Bank won't expire. Guess what. It ex-

pired. Now they are telling us to wait again, and we do not want to wait on creating more U.S. jobs.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, if I might just wrap up one statement. I know my colleague from New Jersey is here.

I want to thank my colleagues who are such great leaders on the Export-Import Bank, the Senator from Washington State, Ms. CANTWELL, and Senator HEITKAMP from North Dakota.

I just want to put on the record that 100 businesses in Michigan alone were assisted in \$1 billion in exports, which meant jobs in Michigan last year. We can't wait. We need those jobs. Our businesses need the support. We need to get this done now.

Thank you.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I ask unanimous consent that following my remarks, Senator SESSIONS be recognized, and that following Senator SESSIONS, Senator DAINES be recognized.

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

#### THIRD ANNIVERSARY OF SUPERSTORM SANDY

Mr. MENENDEZ. Mr. President, I rise on the third anniversary of Superstorm Sandy to reflect on where we have been, how far we have come, and what is still left to accomplish, and to praise the people of New Jersey who have remained New Jersey proud and New Jersey strong during this long, 3-year recovery process. But, most importantly, it is to remind everyone in this Chamber and all around the Nation that the job isn't done yet. Many people believe that this is over and that everyone just moved on, but I know that for many Sandy victims, that is not the case.

In these last few years, we have made a lot of progress. Billions of dollars of Federal funds have flowed to the State and were used to rebuild bridges, roads, boardwalks, help businesses reopen, and keep people working. Those fortunate enough to navigate the maze of Federal and State programs have rebuilt their homes stronger and more resilient than before. The Jersey Shore has enjoyed a resurgence in tourism which fueled the local and State economy, creating jobs and supplementing the recovery.

But while the beaches have been replenished and the boardwalks have been rebuilt, 3 years later, for far too many working-class New Jerseyans, the recovery not only is incomplete, in some cases it has still barely begun. There are still parts of the State that remain neglected. There are still families who haven't stepped foot in their homes for 3 years. They may not have a reality TV crew following them around, but they are the real New Jerseyans, the salt of the Earth, and the backbone of our great State. They

are the unsung, hard-working New Jersey families who suffered loss and pulled themselves back up and kept going, one foot in front of the other, every day, not only because they wanted to but because they had no other choice.

For these families, even after the storm passed, the clouds parted, and the Sun came out, a different kind of disaster—this time manmade—was looming on the horizon. They went from filling up sandbags to fend off the Atlantic Ocean to filling out endless forms to fend off insurance companies and government officials. They had endured the fight against Mother Nature but were simply no match against Uncle Sam.

Doug Quinn, a constituent of mine who served as a marine—and once you are a marine, you are always a marine, so I won't say former marine but who served as a marine—and who served his country with distinction, encapsulated this sentiment perfectly in a letter he wrote to me. In it he said:

I was in my home the night the floodwaters rushed in. I waded out through waist deep water at midnight to escape while electrical transformers exploded and houses burned down. That was the easy part. It's the year-and-a-half since then that has been the tragedy.

Let me repeat that. He says the flood was the easy part. This is a picture of him in that flood and the consequences to his home afterward.

Doug had maximum coverage of \$250,000 and received estimates of damages in excess of that—\$254,000—but he received only \$90,000, just over a third of what he needed to rebuild. And Doug was not alone.

Chuck Appleby is another one of the thousands of New Jerseyans who has had to engage in this fight for the past 3 years to just get what he deserves. Like many others, Chuck, who joined us recently, was lowballed by FEMA and his insurance company, which somehow claimed it wasn't Sandy that severely cracked the foundation of his home. According to them, it was all a preexisting condition that just happened to magically appear the day after Sandy hit. Imagine that. He played by the rules, he faithfully paid for flood insurance for 10, 20, or 30 years, never had a claim until Sandy, came only to find out it wasn't enough.

People assumed that since they have insurance, they would be made whole and that the resources necessary to rebuild would be there. But after surviving the wind, the rain, and the storm surge, he woke up to another nightmare: A flood insurance claim process that threatened to take what the storm had not.

As much as I wish it were an aberration, Chuck's story is not unique. Thousands of New Jerseyans were lowballed by their insurance company, stunting the recovery and leaving families out of their homes.

Fortunately, I, along with Senators BOOKER, SCHUMER, and GILLIBRAND, was

able to convince FEMA to allow all Sandy survivors to have their claims reviewed, which will result in tens of millions of dollars going to the recovery. Chuck is one of those people who opted into the process, and FEMA recently admitted its mistake and acknowledged he was shorted at least \$50,000.

Dawn and Sonny Markosky are another example. They stood next to me in Belmar this week after having received a check for \$56,000 from FEMA's claims review money that they should have received the first time around. Sonny served our country as a retired Army reservist and a police chief. He is now only receiving the justice he deserved and the chance to rebuild. And even Dawn's mom, who was lowballed \$17,000 on her house, got an additional \$17,000 from the claims review—money she had been owed all along. And it goes on and on.

It shouldn't have taken this long, nor should the path have been this winding and difficult, but these successes illustrate the incredible resiliency of all the Sandy survivors who wouldn't give up no matter how dark things appeared on the morning of October 30, 2012, and throughout the 3 years that followed.

I will continue to fight to help everyone recover. I will continue to be a voice for everyone in the Sandy community as we seek to repair what happened and make our communities more resilient in the future and more capable of dealing with storms like Sandy, which left incredible devastation in its wake.

As we take a moment to think back on that day 3 years ago today, when the clouds finally parted and the ominous seas receded, the destruction Sandy left is almost unimaginable. We remember images like these of Seaside Heights. In fact, I actually took this photo while touring the damage with Vice President BIDEN.

This is a photo of Hoboken, in northern New Jersey, where street after street looked like a series of canals. Thousands of families lost everything and suddenly found themselves homeless. Billions upon billions of dollars worth of property, roads, bridges, trains, schools, fire stations, and hospitals were in ruins. Most tragically of all, dozens of people lost their lives. It was a dark time for our entire State, no doubt about it, but, as the proverb goes, the darkest hour is just before the dawn.

Today, as we remember that dark hour, we commit ourselves to completing the job and entering the dawn of a new era in the long journey to rebuild and recover not just to where we were before the storm but to a place where we are stronger, more resilient, and more prepared. I have no doubt we will get there together, not just through our efforts here in Washington but because of the indefatigable, dogged character of the people of New Jersey. We showed that character in the immediate aftermath when, despite the

level of devastation, New Jerseyans were true to their reputation of being New Jersey strong. Communities united, families took in neighbors who lost their homes, and we all came together and worked together. It was a testament to the fundamental nature of community action, community involvement, and to what real community service is all about.

After seeing the impact of the damage that day, I came back to Washington with a heavy heart but a determined mind, solely focused on representing the countless victims of our State who had their lives turned upside down. They didn't ask for handouts; they asked for help and kept moving forward.

I remember working closely with my late colleague and dear friend Senator Frank Lautenberg, and we made it our No. 1 priority to bring every available resource back to the victims of our State. I continued to work with Senator BOOKER, who jumped head first into the fight from the moment he entered the Senate to do the same. And to be clear, we had to fight from the very beginning. We had to fight a tea party-inspired opposition that was blocking the relief we so desperately needed. We had Senators and Congressmen who said no to disaster victims in New Jersey with one side of their mouths, while asking for Federal funds when a disaster struck their State on the other side. Ultimately, we overcame the callous and ideological attacks and secured more than \$50 billion for the entire region. These Federal funds have been absolutely critical to our recovery, but mistakes by government agencies at the Federal and State level hindered our progress.

On this third anniversary of Sandy, I don't come to the floor to point fingers at FEMA or the State or to play a blame game. This is not about politics or scapegoating; it is about continuing to do all we can to deliver for the people in every disaster who still need help, and that requires cooperation and teamwork from all levels of government.

One example of bipartisanship was our effort to stop the draconian flood insurance rate increases that Sandy survivors were facing after the storm. These families were being confronted with skyrocketing premiums which threatened to take what the storm had not. In response, I led a broad, bipartisan coalition from all parts of the country and passed legislation to stop these egregious hikes and restore fairness in the flood insurance program.

A recovery requires more efforts like this. It requires the State to be transparent and open to correcting any inefficiency that causes delays and for every Federal Government agency to step up, step in, and make corrections when needed. It requires strong oversight and technical assistance from Federal agencies, such as Housing and Urban Development.

As we have seen in the past, this cooperation can result in significant im-

provement. For example, when I discovered that homeowners were being needlessly delayed from rebuilding because the State chose to conduct historical and environmental reviews at the end of the application process—therefore, further delay—I worked with then-Secretary Donovan to clarify to the State that they could conduct these reviews at the front end of the application process, allowing victims to begin rebuilding sooner without jeopardizing their funding. This was a perfect example of eliminating unnecessary obstacles and inefficiencies, and I was proud to be in charge.

We always need to find more opportunities like this. We need HUD to continue to work with the States to discover these inefficiencies and to get people fully restored. It is our responsibility to make the system and the process work for them.

When I look at two of these families—a marine serving with distinction for his country and a former Army reservist and police chief—their country didn't ultimately respond to them the way it should have. It made life more difficult when, in fact, it should have been the other way around.

We cannot allow partisan and geographical politics into our Nation's disaster response priorities. There is a reason we call our Nation the United States of America. I have cast my vote time and time again for flooding in Mississippi, wildfires out West, Hurricane Katrina—the list goes on and on—because I believe in this we are one. No matter where a disaster occurs, no matter if it is across the street or across the country, we come together as a nation ready to go.

With that, Mr. President, I look forward to our continuing effort to get everyone in New Jersey back in their homes.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I appreciate the remarks of the Senator from New Jersey, and no doubt they faced tremendous challenges.

Mr. President, I ask unanimous consent that Senator DAINES be recognized for up to 2 minutes for remarks and that I then be recognized for the 30 minutes I have noticed.

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

The PRESIDING OFFICER. The Senator from Montana.

REMEMBERING CHARLES "CHARLIE" DECRANE

Mr. DAINES. Today I rise to honor Montana World War II veteran Charlie DeCrane, a member of the Crow Tribe, who passed away earlier this week in Billings, MT.

Charlie was an incredible person. He was hard-working and dedicated to serving his country as well as his tribe. He was a quiet and gentle spirit, and that was apparent to anyone who came into contact with him. Charlie was a man of principle and honor.

I had the privilege of spending time with Charlie in Washington, DC, when

he accompanied me as my one special guest to the State of the Union Address. I was able to witness firsthand truly what an amazing man he was. Our walk from my office to the House Chamber is one I will never forget. To personally know a man who fought so courageously in World War II was a great honor. Many freedoms we have today stem from the sacrifices made by Charlie and men and women like him. His accomplishments in life will continue to live on.

It is my hope that through Charlie's life we will remember how important our veterans are and how much respect and care they deserve.

His passing is one that will affect many, and not just his close family and friends. Cindy and I will be keeping Charlie's family and the entire Crow community in our thoughts and prayers in this most difficult time.

I thank my colleague from Alabama for allowing me to speak.

I yield back to Senator SESSIONS.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, the budget passage that will soon be before us essentially does a number of things. One of the more basic is that it spends a lot more money than the current law allows, and it is done in a way that the new Speaker of the House said "stinks" a day or so ago.

Once again a massive deal is crafted behind closed doors and is being rushed through Congress under the threat of panic. The Bipartisan Budget Act of 2015 serves as a reminder that the most important and controversial legislation is still being drafted in secret with little or no input from the Members of this Chamber. We have been cut out of the process. No amendments will be allowed to this massive package, and the cloture vote will be filed immediately after the bill is placed on the floor in order to force a vote, limiting the debate to the shortest possible time under the rules of the Senate. Those who question, object, and want more time, are accused of wanting to shut down the government and disrupt the machinery of the government. They say that President Obama will accuse us of shutting down the government. They say that we should cower under our debt at this great charge he might make against us. As if insisting that we have a right to read and study a bill of this magnitude is out of order.

It should not be run through the Congress in the shortest possible time. They can bluster and they can huff and puff, but I say the arguments that I am going to make in opposition to this deal are bricks of truth, and this house will not fall down. They will not be able to sustain a charge that somehow we have bad motives by objecting to what is set about here.

At its core, this deal with President Obama provides what the President has demanded throughout.

First, it lifts the Federal spending caps for 2 years, including a \$40 billion

increase in spending on the Federal bureaucracy.

A "yes" vote affirms that this spending level—the new high spending level—is correct and that we need to spend this much money.

Second, it erases the current debt limit we have that stops spending or borrowing money above a certain amount. It erases that debt limit until March of 2017, allowing for approximately \$1.5 trillion more to be added to our debt of \$18.4 trillion, and it could be more than that.

The text states that at that date the debt ceiling shall be raised to whatever level of public debt is at that time. Unlike in the past, when we had a debt ceiling, it was a dollar amount, and we would raise it and approve a certain dollar amount. Suspending this limit is a very unwise process. It was done last time and should not be done in the future—raise it to a date in the future and indicate, in effect, that as much debt as Congress or the President wants to add in that time is approved. We don't even know the amount. This is a covert and clever way of raising the debt ceiling without having to engage in a real discussion of Washington's runaway spending problem. It ensures that no further serious conversation about our debt course or any corresponding action to alter it will take place.

The debt ceiling has always been a pivotal point. It is the classic case of the parents calling the young man home from college. He has overrun his credit card, and they have a little prayer meeting about this spending and demand certain reforms in the young man's spending habits if he wants to continue to have a credit card.

Congress has the debt ceiling power to call in the President and say: We are on an unsustainable debt course. We need to have reform.

That was done in 2011, and that is why we have these numbers in place today that contain spending but are being violated by this act.

Finally, the deal submits the unacceptable precedent that every dollar of increased defense spending should be met with a dollar of increased non-defense spending. How silly is this? What possible logical argument can you make for this? This is upside down.

If an emergency requires more defense spending—as I think it does—we could dispute the amount, but we have had the Russians in Crimea since 2011, Russians in Syria, refugees by the millions in the Middle East, ISIS threatening the very government of Iraq, Afghanistan is still a problem, Yemen, Libya, and so forth. All of these have happened in some part due to the inconsistent, incoherent policies of this President. It has happened. We have a lot of problems out there. We need some more money for defense.

Common sense says we should seek to identify reductions and not demand spending hikes because we have to spend more money on defense. I think

this is a deeply troubling problem that we have.

Raising these budget caps, as we go forward now, removes the moral authority of Senators who vote yes and approve this process and reduces our ability to talk with integrity to our friends and voters back home to whom we promised reform and more principled spending decisions in Washington.

How can we with a straight face say this is a good policy? If we approve these higher spending levels, those who vote for it are prohibited in many ways from objecting to the levels in the future. If they find some waste and cut it, it does not mean we will reduce spending. Instead, the Congress, lacking the moral authority to decrease spending below these levels, will spend that money up to the higher levels in the future. It is a big decision and I think it is wrong.

Furthermore, I would note, as a member of the Armed Service Committee, my concern about defense, but the defense account takes a larger percentage of the budget than does the nondefense account for discretionary spending. By increasing defense and nondefense by the same amount, the nondefense category actually receives a larger percentage of the increase, all to pay for more bureaucracy, employees, and government in Washington.

So let's be clear. The spending caps in law today were placed in as a part of the 2011 Budget Control Act agreement which lifted the debt ceiling by \$2.1 trillion. We objected. Congress objected to raising the debt ceiling without reform. Senator MCCONNELL stood firm, and the Budget Control Act of 2011 is the reform that came. Then we raised the debt ceiling. We approved a raising of the debt limit on the credit card only after we got a containment of the growth in spending. So supporters are calling this bill sequester relief as if that is OK, but sequester and the Budget Control Act were just simply limits on spending. That is what they were.

The fact is, we have never followed the sequester. In 2013 the Congress passed the Ryan-Murray budget deal. That deal raised the discretionary spending \$64 billion over 2 years. Now that deal has ended, and instead of returning to regular order and agreed-upon limits, the President wants us to yet again break the Budget Control Act and raise spending an extra \$80 billion over the next 2 years.

This deal will obliterate future spending restraint, it does do so, destroying our credibility to achieve meaningful spending reform. The Budget Control Act represented a bipartisan commitment to cap spending, limiting it at a fixed amount. It is a good, responsible policy. In fact, I thought it did not limit the spending enough. It was passed by a Republican House, a Democratic Senate, and signed into law by President Obama. He agreed to these limits.

This deal shatters that commitment by spending \$80 billion more than we

promised over the next 2 years. It is problematic because it is filled with gimmicks. They contend, not correctly, that all of this new spending is offset by new revenues or cuts in spending somewhere else. However, I would suggest and would show here that is not accurate. These are a lot of gimmicks we have here.

Secondly, if we have wasteful spending, and some of this is wasteful spending, it needs to be eliminated. But the spending cuts ought to be used to reduce the deficit, which was over \$400 billion last year, will be \$400 billion next year, and will double in the next 10 years according to the Congressional Budget Office. We need to be using this wasteful spending—these low-hanging-fruit problems—to reduce government expenditures and reduce our deficits, not using that opportunity to reduce deficits to instead spend more money somewhere else.

So they offset. It appears the deal is built on the same principles as the deal in 2013. It exchanges instant increases in Federal spending for distant promised savings in the future, as much as 20 years, or two decades down the road, many of which are unlikely to occur. It funds increased spending through increased revenues, violating a core budget principle by extracting evermore money from Americans to expand an already-too-large Federal bureaucracy.

We need to be reducing the bureaucracy, not adding to it.

The deal trades ending spending limits for the promise of new spending limits 10 years from now. We just agreed to limits in 2011. They promised that we are going to have new spending limits in the future. My time in the Senate says promises about the future seldom come to pass in this body.

We need to fight tenaciously to hold the spending limits that are in law today and not exchange those limits for a promised limit in the future. This is how a country goes broke. We are heading to financial catastrophe on the path we are going.

The deal also uses a common gimmick where alleged savings in an entitlement program—a trust fund—are used to boost unrelated spending in the general discretionary budget. This is a bigger issue than most of our colleagues understand. Any savings found in the entitlement programs faced with insolvency must be used to shore up those programs, those trust funds, not for spending somewhere else. Yet this deal claims illusory savings from disability insurance, part of Social Security. That is the disability trust fund. There are two trust funds of Social Security, disability and a retirement fund. Every American pays into both from their paycheck. So 2.2 percent of your paycheck goes to fund the disability fund, the rest of it funds your Social Security, and then there is additional money that comes out of your paycheck to fund the Medicare trust fund.

So this deal claims illusory savings from the disability insurance and increased pension insurance fees in order to boost bureaucratic budgets. Perhaps even worse, the deal attempts to stave off the shortfall in the fraud-ridden Social Security Disability Insurance Program that has a host of problems. We all know and have known for years it is coming into default by the end of 2016. How does it get around the default in the disability program? It raids the Social Security retirement fund to pay for the deficient, ineffective, badly managed disability fund.

It weakens Social Security. We need to be looking at ways to strengthen Social Security, not raid it and weaken it. Some \$150 billion in funds will be siphoned off from Americans' payroll retirement contributions and taken out of the Social Security fund and transferred to the disability program—four-tenths of a percent each year of the income of an American.

This will weaken the Social Security trust fund by \$150 billion while politicians all over America continue to promise that what they are doing is acting to strengthen the Social Security trust fund. We have seen the disability trust fund heading for disaster for several years now. Now, "60 Minutes" and program after program have shown abuse, fraud, and total mismanagement in Social Security Disability. It has not been reformed. It needs fundamental reform. They made a few changes in the program that I am sure are worthwhile, but none that come close to putting the disability fund on a long-term sound basis. It is basically a gimmick to get past the impending insolvency crisis, to kick it down the road, and then create some money to justify the new spending above the spending limits imposed by the Budget Control Act.

People want to end wasteful Washington spending. The people want that. Lifting the budget caps and raising the debt ceiling through 2017 only ensures that our ineffective bureaucracy continues its wasteful ways, while momentum in Washington for deficit reduction stalls out. That is what is happening. We are losing momentum. Several years ago we were in serious discussions about the dangers we faced financially. That conversation has been eroded. It eliminates a powerful opportunity, the debt ceiling, to advance the case for fiscal discipline.

What about Social Security? The deal uses the same fraudulent accounting methods our Democratic colleagues used to pass ObamaCare on a straight party-line vote. We just received a letter from the Social Security Actuary, Mr. Goss, who stated that the "enactment of these provisions [in this proposed legislation] is projected to reduce the long-range 75-year OASDI [the combined Social Security trust funds] actuarial deficit by 0.04 percent of taxable payroll," which is a lot. However, the savings going in are being counted as both, creating money that can be

spent to increase new spending, and also creating money that can be spent to shore up the retirement insurance program. This is an important concept, colleagues. The funds are used to pay for more government spending outside the retirement and disability funds.

Even worse than the promise of saving Social Security, which has been overstated as major entitlement reform, the savings are being counted as money that can be spent on the discretionary account. It basically provides cover to extend the debt of the United States.

This is the very same tool the Democrats used to pass the ObamaCare bill, amazingly, and to produce a phony score so the President could say that every penny of it is paid for—saying it would not increase the deficit. Our colleagues used the same tactic in this deal by counting the funds they cut from your retirement account as being able to fund new discretionary spending.

During the Obamacare debate, the Democrats reduced payments to hospitals and doctors and others, but Medicare is a trust fund. They claimed some \$500 billion would be used both to extend the life of Medicare and to pay for the new ObamaCare spending. They openly and directly claimed that these savings could be used for two different things—\$500 billion. It was one of the largest, I contend, misrepresentations of finances—fraudulent activities—in the history of the world.

You cannot have money that is used for two different purposes. Mr. Elmenдорf, the Director of the Congressional Budget Office, has said: You cannot spend the same dollar twice, even though the conventions of accounting might suggest otherwise. So they used an accounting gimmick to make it appear that this money was available to strengthen Medicare and fund ObamaCare. It is the same money.

We accepted that kind of improper financial analysis. The bill was passed on the promise it would not add to the debt. It certainly did. The same accounting gimmick lies at the heart of the proposed legislation to waive Federal spending caps and to raise the debt limit by at least \$1.5 trillion.

Promoters of the Bipartisan Budget Act of 2015 boast of long-term future savings to Social Security disability, but those savings need to extend the life of the disability program, which is nearing insolvency. Instead, they are spent on new discretionary spending, basically adding to the debt. This is not entitlement reform, this is an accounting gimmick. Any savings to be captured in the future from disability insurance cannot be spent today on bureaucratic budgets for Federal departments such as the EPA, the Department of Labor, or the Department of Health and Human Services.

A second and no less egregious accounting trick siphons off as much as \$150 billion from the Social Security trust fund for retirees and transfers

that money to the fraud-ridden disability program. But there is no surplus in the retirement trust fund. We know the Social Security retirement trust fund is heading toward insolvency. Taking this money out and moving it to the disability program shortens the lifespan, the solvency of the retirement program. All this reform accomplishes is advancing the insolvency date of the retirement fund, while bailing out the mismanaged disability fund by taking working Americans' pension contributions and reallocating them to the disability fund. Again, the authors of the bill double count the savings as both increasing the sustainability of Social Security disability and paying for the new spending.

So instead of implementing much needed reforms to fix the disability program, which is projected to go broke next year, this deal robs \$150 billion from the Social Security trust fund and uses it to pay disability checks through 2022. The Social Security trust fund is never reimbursed. They reduce the amount of dedicated money going to the Social Security retirement fund on everybody's paycheck and redirect it for 3 years to the disability fund, and the Social Security retirement fund is never reimbursed for the money they lost. So Social Security is left in a worse financial situation than it is currently. It is also a violation of the budget law to do that; I am confident.

Furthermore, this bailout lasts only 6 years. In 2022, the disability fund runs out of money again, and Congress will have to bail it out once again. This bill removes the incentive to provide serious reform to fix that broken program and put it on a sound basis. It kicks the can down the road once again.

In conclusion, I would say to my colleagues that we don't have to pass this bill today. There is no crisis that requires us to pass it today. There are a number of interim steps we could take to allow this bill to be out there for the Members who actually study it, to offer amendments on it, and maybe improve it for the American people to understand just what it is the Members of Congress are doing to their Social Security and to the fiscal debt of America.

As I have mentioned, the Budget Control Act of 2011 increased the amount that we can borrow in exchange for \$2.1 trillion in spending cuts that we were able to win in 2011. What we did when we faced the debt ceiling issue was that we were able to enforce our new spending law, which limited the growth of spending in the future, saving \$2.1 trillion over that period of time. We are still in that time period, and we are ceasing to save money because we are violating the law.

We were able to win a concession from the President. We didn't cower under our tables. We didn't retreat from the huffing and puffing of the President on this issue. We stood up as

Members of Congress, committed to fiscal integrity in America, and we told the President: You are not going to get an increase in the debt ceiling unless you agree to some spending reforms. That is what happened. We did that when there were only 45 Republicans in the Chamber. Now there are 54 Republicans in the Chamber, and the House has a huge majority.

I think we can do better. I don't think this should be rushed through the Congress, and I object to its passage.

I yield the floor.

The PRESIDING OFFICER (Mr. SASSE). The Senator from Indiana.

Mr. COATS. Mr. President, I ask unanimous consent that I be recognized for up to 20 minutes and that Senator SANDERS be recognized immediately following my remarks for up to 15 minutes.

Mr. SANDERS. I thank the Senator. If you could extend that up to 20 minutes, that would be great.

Mr. COATS. Mr. President, I amend that to 20 minutes for Senator SANDERS, if there is no objection.

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

Mr. COATS. Mr. President, having previously served in the Senate, I came to the floor once again for the second time as a freshman Senator, in the early months of 2011, full of optimism and a sense of purpose.

Back for a second time as a newly elected freshman, I delivered my inaugural speech, which included the following thoughts:

For each of us serving today, I believe it is our duty to rise to the immediate challenge and resolve the problems which now confront us. It will take all of us, united behind a common purpose—that above all else we must first restore and strengthen our fiscal security. We must articulate a clear vision, set specific goals and make the tough decisions needed to bring our nation out of debt and preserve prosperity and opportunity for future generations.

Those remarks outline a major part of my vision for what I hope to achieve in my term as a Senator. It is now 5 years later. What I came back to try to accomplish hasn't been accomplished.

At the time, I saw—and it was the reason why I answered the call to come back—that our fiscal health was eroding right before our very eyes. I didn't want to be a part of the first generation of Americans to leave our children and the country worse off than the one we inherited.

Anyone who reads through our history knows the sacrifices that have been made by generation after generation so that their children and their grandchildren and their country could be in a better position so that they wouldn't be saddled with the burdens that might not allow them to live the American dream.

I asked Hoosiers to send me back to Washington to focus on taking on these essential issues. It was the first thing in my very first debate, where I put it on the table and said: Unless we go

back and address our runaway mandatory spending and entitlement programs, it is not worth going back, and I will not ask you to send me back there unless you give me the mandate that this is a task that has to be undertaken.

It was called political suicide at the time: Oh, you can't bring that up. I mean those who are on Medicare or Medicaid or Social Security will make sure that you will never be sent back to the Senate if that is what your goal is.

I said: I just want every Hoosier to know, when you walk in that voting booth, what you are voting for and what you are not voting for.

And I received the mandate to come back to address that because people in my generation understood that as to the privileges they had received and the opportunities they had received throughout their lives, they wanted to pass them on to their children and their grandchildren. They wanted us to come back and make difficult decisions so that would happen.

It is not that this issue wasn't worked on. Whether it was to fix the debt or the Business Roundtable, Domenici-Rivlin, Simpson-Bowles, the Gang of 6, the super committee resulting from the Budget Control Act, and the dinner club of Senators—all of these efforts over the early years I threw myself into and in support of. And many of us—even on a bipartisan basis—were working together to try to address this gorilla in the room, the runaway mandatory spending. It is now eating up over 70 percent of our total budget and ever-decreasing discretionary spending.

The President, unfortunately, walked away from every effort that was made. The efforts were divided, and nearly 40 of us—20 Democrats and 20 Republicans—sent the President a letter stating: We need to address that, and we are willing to step up and address this if you will join us in this process.

I was very much a part of the final effort with the President—the so-called dinner club—at the President's initiative. We were working with the President himself, his Chief of Staff, his top Director of OMB—now Secretary Burwell at HHS—and his political director. Over the months, eight of us met privately—there was no press, no staff—working to see, as principals, if we could come up with something. In the end, it fell apart. It fell apart because the President, in the end, wouldn't even accept his own previous proposals—his own White House proposals to address this problem.

Here we are 5 years later. Currently, what we have gone from, under this administration, is a \$10.6 trillion debt at the beginning of this Presidency to now 18-plus, or almost \$18.2 trillion. There was almost a doubling in just two terms of one President, almost a doubling of our debt.

And here we stand with injunctions from the Congressional Budget Office

saying that we are headed toward a crisis and it is holding down our economy. We are not growing as we should and putting people back to work as we should because this is a drag on us. It is an anchor holding us down.

Every Member of this Senate understands that the issue here is not this particular program or that particular program. The issue is runaway mandatory entitlements that are eating up everything—virtually three-quarters of everything they spend money on.

There are essential functions of the Federal Government that have to be addressed: the National Institutes of Health and, obviously, our defense and national security. There is the CDC, which deals with communicable diseases, education funding, veterans programs, law enforcement, border security, and food safety, just to name a few. Those are essential functions. But the money available to do what government needs to do is ever shrinking in terms of our ability to allocate it for that to be done, and the mandatory spending is just simply running out of control.

Is anyone in this Senate or in this Congress saying we should end Social Security, end Medicare, and end Medicaid? Everyone here is saying no. Everyone has to understand, however, that to preserve those programs we have to bring on sensible reforms, and that has been the challenge.

CBO said earlier this year: “Large and growing federal debt would have serious negative consequences, including increasing federal spending for interest payments; restraining economic growth in the long term; giving policymakers less flexibility to respond to unexpected challenges; and eventually heightening the risk of a fiscal crisis.

The evidence that we read and talk about in the Senate every day comes to the same conclusion. Congress too often has governed to avoid a crisis and failed to make the tough but necessary choices.

Now here we are in another crisis looming, another leverage for us to try to achieve some sensible forward movement in terms of dealing with this runaway mandatory spending, and this is the raising of the debt limit. Given all the failure of previous efforts, the exhaustion of the private sector and congressional efforts, we are left with very few options to address our fiscal problems. Now we have a debt limit that is hitting us just days from now, November 3, and we won’t be able to pay our bills unless we raise that debt limit.

So what have we done, using this potential leverage, to try to achieve something of significance? We end up basically waving the white flag and saying: There is really nothing more we can do. We just have to simply raise this. We have to live with it. We have to continue spending more. Oh, and by the way, those caps that we put in terms of discretionary spending, we have to break those also.

There is a legitimate argument for the need to provide additional funding

for our Department of Defense and our national security. All you have to do is turn on the television and watch what is happening around the world to understand that America is in a weakened position and that national strength and defense strength are important for the future of our country. So I do think that was a legitimate issue to try to deal with. But to break the caps on an equal basis for more government spending on the discretionary side simply is something we shouldn’t have to do.

These so-called pay-fors that were put out there are the same old, same old. It is spend now and maybe we will adjust the program later and that will help cover the cost now. That hasn’t worked before, and it won’t work now. It is a gimmick, in most instances. It is something to sell the program, but it doesn’t begin to address the problem of out-of-control debt.

Along with that, Social Security disability, the trustees have said, is going to go broke in just a few months, and the benefits are going to have to be dramatically cut unless it is fixed. So do we come in with a real fix for the real future of the Social Security-related programs? No, we transfer money from the old age fund—actually, there is no money in that fund, we simply allocate the money that is owed to that fund to pay for solvency for the disability part of that fund.

First of all, the thing we need to do is to be honest with the American people is to rename the Social Security trust fund to something else because the trust tells us there is money there to pay these benefits when there isn’t. There are IOUs there, locked in a box or a safe somewhere. There are simply piled up pieces of paper saying: We have to pay you back at some point. Without addressing this—and we saw this last evening in the debate, those of us who watched. I was going back and forth, to be truthful, between the World Series and the debate, trying to catch both of those. But we saw a few Members stand up and tell the truth—tell the American people exactly what the situation is and why we need to do what we need to do. I commend those few who had the courage to go forward and tell the American people straight up that this is the problem and it must be solved.

Anyway, speaking of this vote that is coming up—the vote that will allow more spending for Federal programs, many of which are not priority programs—the arrangement will simply allow us to take a pass on raising the debt limit. We are not going to use it as leverage to try and achieve anything meaningful in terms of entitlement—frankly, offsets that we have used before and we use over and over again. It is the same old shuffle game where we move pieces around, but it doesn’t accomplish the purpose. All of that leads me to the conclusion that I cannot support this particular arrangement.

There are reforms that must be put in place. We have to get to the point

where we stop talking about these reforms and put them in place, where we make the political decisions that I believe will be supported back home. But even if they aren’t supported by everyone back home, even if they are distorted by organizations that are funded by trying to scare seniors into believing Congress or the government is taking away their benefits—which is not the case; we are trying to save those benefits and we are trying to put our future generations, our children and grandchildren, in a better position so they won’t be so saddled with that debt—there are many ways we can go forward.

We have talked about balancing our budget. What entity in the world doesn’t have to balance a budget at some point? What entity can keep borrowing money, saying on a piece of paper they will pay it later—that they are going to spend it now and pay it later? What businessman or woman, what small, medium-sized, or large business, what family, what organization continues to deal with their fiscal issues the way the Federal Government deals with its fiscal issues and survives? We are careening toward a crisis. There are solutions for this, but it takes political will, and we have seen far too little of that political will.

More importantly, it takes support from both branches of government, both the legislative and the executive, if we are going to accomplish this. Unfortunately, it appears now we are going to have to wait for yet another Presidency, yet another Congress, because we are kicking the can down the road. We are dumping this problem on the next group coming in. Boy, I feel for whoever winds up with the Presidency, whether it is Democrat or Republican, because of what they will inherit, given the damage that has been done over the past several years.

Clearly, we need to address the gorilla in the room. Clearly, we need to stand up and be truthful with the American people, as some of our candidates were last evening. We must tell them exactly where we are, what we need to do, and then put the long-term reforms in place that will save these programs and put America in a solid fiscal situation.

Getting a balanced budget amendment in place is something we have talked about. We have made an effort, and we need to continue that. Without the discipline of putting your hand on the Bible with your right hand up and swearing you will uphold the Constitution of the United States, which includes balancing our budget and not spending more than we take in, we will never get there. You have to put people under oath in order to achieve that. We have come close on a couple of occasions but, unfortunately, not close enough.

Therefore, I am resorting to a program that has worked in the past regarding our national defense and our military and proposing that what we

do is create another BRAC. BRAC was the Base Realignment Commission—a process we finally agreed to because there was no way we could touch or close anything, and we were just overrun with excess spending and excess bases in the United States. And that worked. It worked very well. All of us here know exactly or very closely what the parameters of that were.

In this case, if we cannot summon the courage and the will to stand up and do this, as we are required to do under the oath of office we take, but which we avoid doing, we should turn to a commission that would provide a solution. It would be a budget reduction accountability commission. We can use the same BRAC title on the thing. Let's call it the budget reduction accountability commission, which would bring forward a plan to achieve the goal of bringing us back to fiscal health. We would put it before this Congress, both the Senate and the House, with a straight up-or-down majority vote—yea or nay.

Here is the plan. You haven't been able to do it yourself, you have tried it, we appreciate your trying it, but it has come up short, whether it is the executive branch or the legislative branch. So the outside commission presents the path forward, and we say yes or no. Then the people back home all know exactly where we stand in terms of the future fiscal health of this country. They will know exactly where we stand in terms of how we want to leave our legacy to the next generation and future generations, how we want to treat our children and our grandchildren.

Each Member will have to go home and not talk about procedures and not talk about bumping up to the crisis level of spending and how we have to do something to avoid a government shutdown or avoid chaos or avoid economic collapse. Every Member will go home and say they were presented with a plan to get us there, and they were either for it or against it. Nobody could say: Well, we had to do this, we had to do that, it was late, we bumped up against the ceiling, it was running out, and so forth. I am tired of hearing all of that.

Mr. President, clearly solutions exist to deal with this problem. Clearly, we must summon the courage to set aside politics and do what we all know we need to do and suffer the consequences. I think the consequences will be applause and support because finally someone is standing up and saying we are going to fix this problem for the future of America and the future of our children and grandchildren; we are going to take that risk. If the groups outside are going to rally against this kind of thing and try to take us down, fine; we will go down doing the right thing. But I think we will be rewarded for doing so.

I want to close this today with the same words I used to conclude my inaugural speech in 2011, where I said:

I am standing here today to find solutions—to make the hard decisions—and to

leave behind a country that is stronger and more fiscally secure for future generations. This crisis is not insurmountable. We can overcome it by doing what great generations before us have done—mustering our will to do what is right. If we do, I know America's greatest days are not behind us, but still lie ahead of us.

Mr. President, with that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### MARIJUANA LEGALIZATION

Mr. SANDERS. Mr. President, I want to spend a few minutes discussing a major crisis in this country that must be addressed. Tragically, in the United States of America we now have 2.2 million people in jail. We have more people incarcerated than any other country on Earth, including China, which is a Communist authoritarian country four times our size. We have more people in jail than does China.

Further, at a time of large deficits and a very large national debt, we are spending about \$80 billion a year in Federal, State, and local taxpayer money to lock up people—\$80 billion a year to incarcerate people.

Our criminal justice system is broken, and we need major reforms in that system. I think there is no debate in this country that violent and dangerous people must be locked up and they must be kept in jail and away from society. I think nobody argues that. On the other hand, I hope there is also no debate that nonviolent people—people who have been convicted of relatively minor crimes—should not have their lives destroyed while they do time in prison and create an arrest record which will stay with them for their entire lives. The important point is, it is not just the year or 2 years somebody is in prison; this record will stay with them for their entire lives and do enormous damage to their lives.

In 2014 there were 620,000 marijuana possession arrests. That is one arrest every minute. According to a report by the ACLU, there were more than 8 million marijuana arrests in the United States from 2001 to 2010—8 million marijuana arrests—and almost 9 in 10 were for possession. Arrests for marijuana possession rose last year nationwide even as Colorado, Washington, Oregon, Alaska, and the District of Columbia became the first States in the Nation to legalize personal use of marijuana.

Let's be clear that there is a racial component to this situation. Although about the same proportion of Blacks and Whites use marijuana, a Black person is almost four times more likely to be arrested for marijuana possession than a White person. In other words, as

we try to understand why our prison population today is disproportionately Black and Latino, one reason is because in overpoliced Black neighborhoods, African Americans are much more likely to be arrested for smoking or using marijuana than will Whites. Here is the simple truth: An upper middle class White kid in Scarsdale, NY, has a much lower chance of being arrested for using marijuana than a low-income Black kid in Chicago or Baltimore. Those are just the facts.

Too many Americans in this country have seen their lives destroyed because they have criminal records as a result of marijuana use. That is wrong. That has to change. Let's be clear. A criminal record could mean not only jail time, but much more. If a person has a criminal record, it will be much harder for that person later in life to get a job. It is not so easy to come out of jail and get a job, and if you don't get a job, there is a strong likelihood you will go back into your same old environment and end up in jail again. If somebody has a criminal record, it may be impossible for them to obtain certain types of public benefits and in fact make it difficult for them to even live in public housing. A criminal record stays with a person for his or her entire life until the day he or she dies. A criminal record destroys lives.

Right now, under the Controlled Substances Act, marijuana is listed as a Schedule I drug, meaning it is considered to be a drug that is extremely dangerous. In fact, under the act, marijuana is considered to be as dangerous as heroin. I know there are conflicting opinions about the health impacts marijuana may have, but nobody I know seriously believes marijuana is as dangerous as heroin. This is absurd. Nobody believes that.

In my view, the time is long overdue for us to take marijuana off of the Federal Government's list of outlawed drugs. In my view, at a time when Colorado, Washington, Oregon, Alaska, and the District of Columbia have already legalized the personal use of marijuana, every State in this country should have the right to regulate marijuana the same way that State and local laws now govern sales of alcohol and tobacco. Among other things, that means recognized businesses in States that have legalized marijuana should be fully able to use the banking system without fear of Federal prosecution.

In response to the initiatives that Colorado and other States have taken, the Obama administration has essentially allowed these States to go forward and do what the people in those States have chosen to do. That is a good step forward, but it is not good enough because a new administration with a different point of view could simply go forward and prosecute those marijuana businesses and individuals in those States who use marijuana despite what the people in those States have decided to do legislatively.

What I am saying is not that the Federal Government should legalize

marijuana throughout the country. This is a decision for the States. I hope many of my colleagues, especially those who express support for States' rights and our Federalist system of government, those who often decry the power of the big bad Federal Government in undermining local initiatives, would support my very simple and straightforward legislation that will be introduced next week.

All my legislation says is that if a State chooses to legalize marijuana, that State should be able to go forward without legal impediments from the Federal Government.

#### CAPITAL PUNISHMENT

Mr. President, I want to talk about an issue of great importance in this country. I believe the time is now for the United States to end capital punishment. I know this is not necessarily a popular point of view, but in my view it is the right point of view. Virtually every Western industrialized country has chosen to end capital punishment. I would rather have our country stand side-by-side with European democracies than with countries like China, Iran, Saudi Arabia, and others that maintain the death penalty.

We are all shocked and disgusted by the horrific murders we see in this country, including massacres in schools and on college campuses that seem to take place every week. All of us are tired and disgusted with what we are seeing, but it seems to me that at a time of rampant violence and murder all over the world, where people are being blown up and their heads are being cut off, it is important that the state itself, the Federal Government in America, say loudly and clearly that we will not be part of that process.

When people commit horrendous crimes—and we see too many of them—we should lock them up and throw away the key. I have no problem in saying that people who commit terrible murders should spend the rest of their lives in jail, but the state itself, in a democratic civilized society, should itself not be involved in the murder of other Americans.

I know there are strong differences of opinion on this issue. In fact, I think I am in a minority position, but I think those of us who want to set an example, who want to say that we have to end the murders and the violence we are seeing in our country and all over the world, should in fact be on the side of those of us who believe we must end capital punishment in this country.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. HOEVEN). The Senator from Washington.

#### HOMELESS VETERANS SERVICES PROTECTION ACT OF 2015

Mrs. MURRAY. Mr. President, I want to take a few minutes to talk about an issue that is very important to me, and that is the care of our Nation's veterans. As the daughter of a World War

II veteran, I realize what it means for a family member to be willing to sacrifice their life for their country. We promise our men and women in uniform that the country will be there for them after they leave service, and sometimes that means long after the war is over. But I am concerned our country is about to turn its back on thousands of veterans, and I am here today to say we have to fix it.

Last year, the VA told homeless service providers they needed to cut off services to certain veterans who had other than honorable discharges or had not served a certain length of time. If that policy had been enacted, it would have been a major setback for veterans across the country. It would have set us back on our goal of ending veteran homelessness, a goal that the administration has set for itself and hundreds of mayors across the country have committed to. It would have been simply unacceptable. These are veterans who need our support. Many of them struggle with mental illness and substance abuse or simply finding employment.

According to some of our leading veterans and homeless groups—including the American Legion, the National Alliance to End Homelessness, the National Low Income Housing Coalition, and the National Coalition for Homeless Veterans—if the policy had been enacted, the VA would have had to stop serving about 15 percent of the homeless veteran population. In some urban areas, up to 30 percent of homeless veterans would be turned away.

Thankfully, after hearing concern from around the country, including from my home State of Washington, the VA was able to put off that terrible policy change. But, unfortunately, the VA is now expected to announce their final decision any day that the reprieve is over, and they are going to have to go ahead with this change and force homeless providers to turn away veterans who have nowhere else to go—veterans whose providers have been serving them for decades. That is wrong. This policy change would be heartless. It is a bureaucratic move that would put thousands of veterans on the streets practically overnight, and it has to be stopped.

The VA is going to enact this policy when the final decision is made. So Congress needs to act now to stop this from happening. Earlier this year, I introduced the Homeless Veterans Services Protection Act. That is a bill that would ensure our most vulnerable veterans would be assured continued access to critical homeless service programs, regardless of their discharge status or length of service. In other words, it fixes the problem the VA says it has and makes sure they do not have to cut off homeless veterans from care.

My bill will make it clear that our country takes care of those who served and that we do not allow bureaucracy to dictate who gets a roof over their head and who does not. But it is crit-

ical that we act now. The VA has said it would issue this legal position in November, which could put thousands of veterans on the street. We are running out of time. But the solution to this crisis is now before us, and we can do it by passing the Homeless Veterans Services Protection Act.

I don't believe there is any Member of this body who would deny our obligation to ensure that veterans are taken care of and have a roof over their head. While our country has made great strides in recent years providing homeless services to the men and women who so bravely served our country, I believe that even one veteran sleeping on our streets in the United States is one too many. We know we have a lot of work ahead of us.

Veterans are at a greater risk of becoming homeless than nonveterans. On any given night, as many as 50,000 veterans are homeless here in this country. With an influx of veterans now returning from the wars in Iraq and Afghanistan, the numbers of veterans seeking care will continue to go up.

In short, this problem is not going away. Our veterans have made great sacrifices serving our country. We cannot turn our backs on them when they come home. That commitment includes providing benefits, medical care, support, and assistance to prevent homelessness. It is a commitment that shouldn't stop simply because we have run into a policy roadblock.

I am very pleased to call this up now with the Heller amendment which is the text of S. 1105. It is a bill that I strongly support. The provision will increase the availability of care for homeless veterans with children by reimbursing facilities funded by the VA Grant and Per Diem Program.

I want to thank Senator HELLER for his leadership on this issue. I want to thank Senator ISAKSON and Senator BLUMENTHAL for their leadership, as the heads of the Veterans Affairs' Committee, and for their support in being here today.

I am hoping Democrats and Republicans join us today to right this wrong and prevent this problem from happening. It shouldn't be a partisan issue. It is not a political issue. This is a veterans issue. It is one that should bring us all together.

With that, I ask unanimous consent that the Committee on Veterans' Affairs be discharged from further consideration of S. 1731 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1731) to amend title 38, United States Code, to waive the minimum period of continuous active duty in the Armed Forces for receipt of certain benefits for homeless veterans, to authorize the Secretary of Veterans Affairs to furnish such benefits to homeless veterans with discharges or releases from service in the Armed Forces with other than dishonorable conditions, and for other purposes.