

it wasn't just about talent, it was about perseverance, determination, and focus.

I am very proud of the Cavs. I am very proud of the way they won. I am proud of Cleveland.

As you know, the Republican convention is coming up in Cleveland. Someone asked me today: Do you think they will take down the Cavs posters?

I said: I hope not. This is all part of a big celebration.

It was great for Cleveland in terms of the hotels and restaurants being full, certainly great for the economy to have the finals, but more importantly, it is great for the spirit of Cleveland and consistent with the comeback city, consistent with this notion that, yes, we have had tough times before, we have had our share of challenges in Cleveland, and we still do, but we are Believeland, Cleveland. We believe. We believe that through hard work and perseverance, we can make progress and we can be successful, just as the Cavs were during this final series.

I also thank Dan Gilbert, the owner of the team. He is the guy who worked hard to get the team back together, to get the band back together. I am sure bringing together Kyrie Irving, Kevin Love, Tristan Thompson, and certainly the king, LeBron James—you know it is not easy to bring all those players together and make it all work and gel, but Gilbert believed. Gilbert believes in Cleveland. He is a Detroit guy, but he believes in Cleveland. He has made a big investment in Cleveland in other ways in the community and in the economic development there, and certainly what the Cavs just did assisted in that.

Ultimately, this is a celebration, not just because they won the finals, but because of the way they did it. It was a tough season. They switched coaches in midstream. They had some injuries back and forth. They did it the hard way—through perseverance, determination, and hard work.

I am proud of Cleveland. Senator BROWN and I are proud to have this resolution before the Senate today. We are pleased it passed with unanimous consent. That doesn't happen with everything in the U.S. Congress, as some of you may have noticed, but it certainly happens here because in this case the Cavaliers earned it. You earn it in Northeast Ohio, and that is what they did. I am proud of them.

Thank you for allowing us to present this resolution. And Go Cavs. We are all in.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016—Continued

Mr. MORAN. Mr. President, I ask unanimous consent that I be allowed to address the Senate as in morning business.

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

FAA REAUTHORIZATION BILL

Mr. MORAN. Mr. President, I am here to speak on the FAA reauthorization and several things and stories that have arisen in the last few days which are very discouraging to me and troublesome to a cause I care a lot about.

I am an advocate for general aviation, and I was pleased the Senate was able to pass the FAA Reauthorization Act of 2016 by a vote of 95 to 3—95 to 3, this Senate approved legislation reauthorizing the FAA for the next 18 months. It is an unusual occurrence around here when anything passes 95 to 3.

I also would indicate our committee voted—I am a member of the Commerce Committee—unanimously to report that bill to the Senate in a favorable recommendation, again demonstrating overwhelmingly bipartisan support in regard to this aviation legislation.

Kansas is an aviation State. Wichita and South Central Kansas are known as the significant provider of airplanes—general aviation airplanes and parts. We have lots of subcontractors in that process. We are also a rural State. In fact, Wichita is known as the air capital of the world. In addition to the manufacturing sector, which is so important to our State's economy, so important to our ability to compete globally, we are a rural State, and airplanes and airports matter to us greatly.

So while we care a lot about the manufacturing of general aviation airplanes, we also care a lot about airports and their ability to take care of flights coming in and out of small communities across our State and certainly across the country. That general aviation airport is a connection to the rest of the world, and it allows for medical expertise to be flown into a community in lifesaving efforts, but just on a more day-to-day basis, it allows for us to have access to customers, to suppliers, to clients because we have manufacturing and other businesses in rural communities across Kansas whose connection with their customer base and suppliers is through that airport. In the absence of general aviation manufacturing, our State suffers greatly, but in the absence of general aviation airports, our State would suffer greatly as well.

What I am worried about is the House has not acted in any positive way on the passage of this bill, and the deadline of July 15 is rapidly approaching. If the House does not take up the Senate-passed version, what that would mean is the expectation—in fact, the

stated circumstance is the House would pass a short-term extension of the current FAA legislation and leave the Senate bill hanging.

Many of the folks in this Senate who have served longer than I have would recognize the history of this issue, where one extension after another was required because consensus was never developed, and the leadership was not provided to resolve the differences over the years on FAA reauthorization. The point I wish to make by being on the Senate floor and expressing my views to my colleagues is, do not allow us to get into this position again where we would have a series of extensions of the FAA legislation.

We need the House to act on the Senate bill that is pending in their committee, that is pending on the House side, and differences need to be resolved. At the moment, the House has not passed an FAA reauthorization bill. Time is short. On July 15, the current law expires. My plea to my colleagues in the House, where I formerly served, is to take up the Senate bill, address the issues you want as Members of the House, representing your constituency, and send the bill back to us so we can conference this issue and have a more long-term reauthorization bill.

Certainty matters. Certainty matters to the manufacturers in Kansas. Certainty matters to the airports and the pilots who utilize those airports. Do not allow us, once more, to be in this circumstance of an extension one time after another and the uncertainty that provides.

It is my view that it would be a shame if the important reforms included in the bill the Senate approved in such an overwhelming fashion were held up by the House, in large part because of a significant controversial proposal to privatize the national air traffic control system. It sharply divides Congress. Everything I have read publicly and everything I have heard from my friends and colleagues, former colleagues in the House, is that there are not the necessary votes present to pass that provision in the House. From my own experience in the Senate, those votes don't exist in the Senate Commerce Committee and they do not exist on the Senate floor.

So let's not tie up this bill over a proposal that does not have the votes to pass, and let's not lose the opportunity to take advantage of the reforms that were included in the Senate FAA reauthorization bill. We should not consider what would be called a clean extension of the FAA, when the authorization under our bill is the same length. The House is talking about sending us an 18-month extension. The Senate bill, as passed, is an 18-month extension. What would be missing are reforms we have worked so hard to include after significant amounts of testimony, after a number of hearings and conversations within

the Commerce Committee to make certain we were doing good work. Don't let that opportunity pass us by.

So my point in having this, in this case, monologue—hopefully a dialogue with my colleagues on the Senate floor—is, first of all, to make sure we stand firm. I am a Senator who would be opposed to a short-term, even 18-month extension, if it does not include the broad array of things the Senate has included in our bill.

My message to my House colleagues and friends is this: Don't bog this process down in a way that makes it impossible for us to pass the reauthorization legislation to begin with. These are important issues that we ought not let be sidetracked by a proposal that remains dubious, and with great concern is considered by Members of Congress. As I said earlier, every indication that I know and see is that this proposal would not receive support in the Senate or even in the House.

So my request once again to the House of Representatives is this: Please take up the Senate bill and work your will in that bill but send us something more than just a short-term extension that doesn't include the important and necessary reforms and improvements that the Senate-passed bill does.

Mr. President, I appreciate the opportunity to have a conversation about this topic.

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

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

Mr. LEE. Mr. President, whenever government acts, it does so inevitably, unavoidably necessarily at the expense of individual freedom, at the expense of individual liberty and autonomy. This doesn't mean every act by government is bad—quite the contrary.

We need government. We need it to protect us from those who would undermine our liberty, those who would interfere with it, those who would harm us personally, whether physically or in some other way. But just as it doesn't mean that every act by government is bad, we should also not be too quick to leap to any conclusion that any and every act of government is good.

We have to balance liberty, privacy, autonomy with our corresponding needs for security and physical protection. These things need not be deemed irreconcilable with one another. They can exist in the same universe. In fact, when they are properly balanced, our privacy and our liberty become far from incompatible with our physical security, far from at odds with our need for protection. They can become

part of the same whole. In other words, in this respect, our privacy is not at odds with our security. Our privacy is in fact part of our security.

To be truly secure means there are limits as to what the government can do to you. It means there are limits as to what information the government can obtain. There are limits as to how the government may go about getting information about you. There are limits as to what the government can do to you in depriving you of any of your fundamental rights.

We are here this week, as we had been last week, in the wake of a tragedy, a horrible tragedy in Orlando, one in which 49 people were killed. Forty-nine people lost their lives at the hands of Omar Mateen, an individual who had pledged allegiance to ISIS. This is the worst terrorist attack we have seen on U.S. soil since that tragic day on September 11, 2001.

I do want to make clear that pretending this attack was simply a crime of gun violence would be an exercise in willful denial and in political theater. Ignoring it altogether is also not something we can or should do, but it is important to make clear, even when—and I would argue especially when—a tragedy like this prompts Congress or any legislative body to act.

It is in those moments we have to be very careful of how we act. We have to remember there is this tension. We have to remember, especially in those moments when we are feeling the anxiety of an attack, feeling the anxiety of some tragedy, that we have to be very careful to make sure the rights of our fellow Americans are not undermined as we try, in our zeal, perhaps with the best intentions, to make sure we do what we can to protect ourselves.

We have been addressing a couple of provisions this week. One we voted on earlier today is a proposal brought forward from the senior Senator from Arizona, an individual for whom I have great respect. Nonetheless, his proposal is one that troubles me. His proposal is one that would have given law enforcement officers, law enforcement agencies the power to access Americans' Internet browsing history and email metadata. These are things that can be analyzed to reveal the most intimate details of a person's life, the most intimate details of how a person thinks, a person's thought processes, and to do so, moreover, without a warrant, without probable cause, without any kind of judicial review by a Federal court or any other court, for that matter, is a problem.

This interferes with some of our most fundamental rights, and I believe it is incompatible at least with the spirit, if not also the letter, of the Fourth Amendment to the U.S. Constitution, which provides that in order for the government to gain access to your papers, your person, your residence, it has to do so in a particular way. For example, if it wants to get a warrant to search through your papers, it has to

go to court, and it has to establish what is called probable cause. It has to show evidence demonstrating probable cause that a crime has been committed and a reason to look at a particular thing in a particular place. It can't simply say: Trust us. We have a good reason. A government agency or a group of government agents can't simply say: Trust us. We are doing the right thing here. We have your security interests at heart. No, they have to go to a judge—somebody who is in a different branch of government. They have to show evidence they need it; that they need it based on evidence demonstrating probable cause of a crime, showing some kind of a connection between what they want to search and the crime.

This was understood by the founding generation. The founding generation may not have been familiar with the Internet. In fact, it didn't exist. It wouldn't be invented for a couple of centuries after that, but they were very familiar with these same concepts. They were very familiar with the need for privacy, the need to restrain government, and the need to make sure people don't live in constant fear that the government is going to start rifling through their personal effects without some reason, without probable cause. Nor were they unaware of the fact that tragedies would happen.

The Founding Fathers fully understood that tragedies arise. They understood that violence erupts from time to time and that people engage in lawless behavior from time to time that threatens not only the lives of individual citizens but also threatens to undermine the very foundations of our society. Yet, notwithstanding this well-developed grasp they had of the existence of tragedy and the risk that people could do harm, notwithstanding the fact that they themselves had been revolutionaries just a few years earlier, and notwithstanding that many of these people who had a hand in the drafting of our Constitution and drafting and ratification of the Bill of Rights had themselves been revolutionaries and had themselves witnessed and in some cases even been a part of the violence that propelled the American Revolution, they understood it was imperative that we constrain the power of government relative to the liberty interest protected within the Bill of Rights, relative for our purposes here to the zone of interest of the Fourth Amendment. They understood that, and they understood it well.

They also understood that if someone had papers in their home, those papers would be protected by the Fourth Amendment regardless of whether the papers had been written by the person residing in that home. They likewise understood the possibility that in some instances the papers might not even be kept at home; they might be kept somewhere else. But they understood that there were zones in which people had a legitimate and reasonable expectation of privacy, and it is in those

areas where things need to be protected, regardless of who wrote the papers in question or where they might be located. If they were in an area where there was a reasonable expectation of privacy, the government has to follow certain procedures.

Here is why I worry about the measure offered by the Senator from Arizona. It is because this would get at the very privacy interest that is supposed to be protected by the Fourth Amendment. If passed, this would give law enforcement agencies the authority to access your Internet browsing history and email metadata, meaning data about whom you emailed, who emailed you, and when the transmissions occurred, without probable cause, without a warrant, without any review by a Federal court and without any review by any court.

This is a problem, and it is a problem because, as I think most Americans can appreciate—certainly most Americans outside Washington, DC, can appreciate—the papers referenced in the Fourth Amendment would absolutely have to include electronic papers, such as records regarding your browsing history. Your browsing history is just like papers you might collect in your home for your own reading, and regardless of whether you had authored the papers in question, they wouldn't lose their protection simply because someone else had authored them. The fact that you had them in your home and the fact that you had obviously been reviewing them by virtue of their location in your home says a lot, perhaps, about what your interests are. We understand that your interests are not necessarily the government's business simply because someone in the government arbitrarily decides that is going to be the case.

There is another measure that we will be reviewing and that we expect to vote on later this week, and it is an amendment that has been proposed by another one of my esteemed colleagues, the senior Senator from Maine. This amendment would prevent anyone appearing on a particular list, such as the no-fly list or selectee list—these lists are maintained for the purpose of trying to track those who should perhaps not be allowed to board an airplane or, in the case of the selectee list, individuals who have been determined to be candidates for additional screening at airports before boarding a plane—from purchasing firearms, denying Americans their Second Amendment rights based on a mere suspicion that the FBI might have information which shows that the person in question is engaged in terrorist activity.

There are a couple of things that worry me about this, notwithstanding the good intentions underlying it. This one implicates not only the Second Amendment, which protects Americans and their right to bear arms, but it also implicates the Fifth Amendment, which guarantees that we won't be de-

prived of life, liberty, or property without due process of law. If this provision, as it is now written and as I have read it in its current formation, were to become law, it would, as I understand it, allow the government to take away your Second Amendment rights—anyone's Second Amendment rights—based on a mere suspicion and not based on probable cause, although I don't believe that in and of itself would be enough either.

It would allow that right to be taken away, and it would do so without any opportunity for the citizen affected by this action to challenge this decision prior to the deprivation. It would, to be sure, set up a procedure whereby someone could go into court and challenge the action taken by the government, but, as I read the proposal, the government would end up winning. It would end up winning based on this same reasonable suspicion standard.

Let me explain what that means. Reasonable suspicion refers to the relatively low threshold of legal justification required before a police officer may initiate a stop—what we call a noncustodial stop or what lawyers sometimes refer to as a Terry stop—to engage in a conversation with a citizen. Before a police officer pulls you over—for example, if you are driving in your car, the police officer has to have a reasonable, articulable suspicion that a law has been violated, and that reasonable, articulable suspicion can't be just based on an unparticularized suspicion or a hunch but must be based on some type of objective observation indicative of a possible violation of the law. But it is a relatively low threshold, and for that reason—when reasonable suspicion exists and therefore justifies a brief noncustodial stop—that stop may continue only for as long as it takes for the officer to either confirm or refute the initial basis for the suspicion, and usually that means not very long unless, of course, during the stop they learn more information which may lead to probable cause.

That leads us to probable cause. What does that do? Well, probable cause is there. Probable cause is the standard used. It is a higher standard and requires more evidence, more of a showing, and more of a likelihood that some kind of a violation of the law has occurred.

I mentioned probable cause a moment ago as being the standard used to determine whether the government can get a warrant. It is also a standard used in deciding whether the police have authority to undertake an arrest, but it is not a permanent thing. Those persons who are convicted and in custody have the right to a trial. At the end of that trial, they have a right to have a jury make a determination about guilt. The jury is supposed to make that determination on the basis of a standard that says that based on the evidence, they can conclude beyond a reasonable doubt that a crime has been committed.

It seems odd that we would allow a court to take away a fundamental constitutional right without any review prior to that constitutional deprivation and thereafter purport to allow a challenge to that action by the government but say that the government will prevail if the government can show reasonable suspicion on the part of the person whose due process rights have been deprived.

Again, we have to get back to the fact that we have very good intentions that are animating the legislative proposals we have been reviewing. We have an understandable reaction to these tragic deaths that have occurred in Orlando, FL. Yet even in those circumstances—and I would add especially in those circumstances—we have to be especially vigilant and not less vigilant about protecting the rights of each individual American citizen. Those rights are fundamental. They are not to be tinkered with.

The dignity of the human soul is at the core of our constitutional Republic. It is the very reason it is so important that we have to balance the government's action and the interest that we pursue in the name of security with liberty and privacy. The two don't have to be at odds with each other; they can be in conflict. And in the end I believe that our security is not at odds with our privacy. Properly understood, our privacy is part of our security. In fact, we cannot be truly secure unless we are secure from unlawful, unwarranted, and unjust actions by the government, and this is why we can't be too quick to jump. This is why we can't be too eager to expand government authority without analyzing the basic constitutional and fundamental liberties that are at stake.

I have been inspired by the example of an Englishman named John Wilkes, who was a member of Parliament. John Wilkes found himself living through a very real deprivation of liberty and a very real intrusion into his privacy. He found himself at the receiving end of a general warrant issued by the administration of King George III. His offense was criticizing the administration of King George III in a publication called the North Briton. The North Briton 45 criticized the King and the King's ministers, and for that, John Wilkes had his house aggressively searched. It was effectively ransacked by officers who were searching for something, and they were doing so pursuant to a general warrant, a warrant that basically said: Those involved in the publication of North Briton 45 have engaged in illegal activity. Go find the people responsible for this and search any and all places and things that might contain relevant information regarding this offense. There was no particular area that was required under that warrant.

Well, this was incompatible with the rights of Englishmen at the time, and so John Wilkes fought the King's officials in court. He eventually won not only his freedom, but he also secured a

civil judgment against the King and was awarded substantial money damages.

As a result of this fight, John Wilkes became a hero throughout England and in America at the time. The number 45 associated with North Briton 45, the offending publication, became synonymous with the name of John Wilkes, and both the name of John Wilkes and the number 45 became synonymous with the cause of liberty on both sides of the Atlantic because of the fact that truth resonates with people, particularly with those people who believe in freedom. People on both sides of the Atlantic understood that John Wilkes's cause was a just cause and that he should be congratulated for this. It was the example of John Wilkes that was still well known at the time of the American Revolution. It was still fresh in the minds of the American people at the time the Constitution was drafted in 1787 and took effect a couple of years later and by the time the Fourth Amendment was ratified and amended after that.

These early Americans and these patriots on the other side of the Atlantic understood this very same principle: that our liberty and our privacy on the one hand are not inevitably incompatible or irreconcilably at odds with our security and our protection. The two can be balanced, and that balance has been struck. That balance was struck more than two centuries ago. It was struck and put in place in our Constitution.

Our Constitution does contain these protections, at least three of which are relevant to our discussions here with the Second Amendment and the Fourth Amendment and the Fifth Amendment. We cannot sidestep them just because something bad is happening. In fact, it is especially when something bad has happened that we realize we are not the first generation of Americans to experience bad things, to experience violence. We are not the first generation of Americans who have understood that when we give government too much power in those circumstances, other bad things will happen.

We can protect ourselves and at the same time protect our liberty. We can do both. The Constitution requires both.

So I say to those who think this is a fool's errand, we can, in fact, do these things. We can, we must, and together I hope and I pray that we will.

The PRESIDING OFFICER. The Senator from Georgia.

VETERANS FIRST ACT

Mr. ISAKSON. Mr. President, as the chairman of the Veterans' Affairs Committee of the Senate, I am pleased to be joined on the floor today by Senator TILLIS, Senator ROUNDS, Senator CASSIDY, and Senator BLUMENTHAL, who will follow later, to take about 45 minutes to discuss with the citizens of our country, Members of the U.S. Senate, and, most importantly, those people who have served in our military around

the world for years and years, the Veterans First Act, accountability in the Veteran's Administration, and ensuring the proper services to our veterans who served our country so well.

As chairman of the committee, first I want to say how indebted I am to Senator BLUMENTHAL of Connecticut, my ranking member, who has done outstanding work in developing this legislation. Senator TILLIS, Senator ROUNDS, and Senator CASSIDY have done great work. We are proud to be a part of what is a great piece of legislation that will address many of the questions that have been raised about the treatment of our veterans over the years.

There is a chart here, and I wish to read these headlines that every American has read over the last year and a half.

"VA abandons law aimed at firing employees." That was June 17 of this year in the Stars and Stripes, where Loretta Lynch, the Attorney General of the United States, and Secretary McDonald of the VA announced they were not going to enforce the Veterans Choice Act and the laws that gave them the authority to bring about accountability and discipline at the VA. Why did that come about? I will tell you why it came about.

This headline is from November 11, 2015: "Veterans Affairs pays \$142 million in bonuses amidst scandals." That rocked the country, it rocked our committee, and it rocked the U.S. Senate.

June 3, 2016: "Half a million veterans still waiting a month or more for VA care."

February 1, 2016: "Judge overturns demotion of VA official accused in job scam."

In the past 2 years, we have had people fired by the VA in Arizona and in Pennsylvania who appealed their firing and were reestablished by the courts or the Merit Systems Protection Board at full pay back in the jobs they had. There is no accountability.

Secretary McDonald, as good a job as he tries to do, has no teeth behind whatever it is that he says. The 314,000 employees who are part of the veterans health system have an ability, if they are fired, to appeal. That appeal can be drug out over periods of time as long as 9 months, and they can serve with pay until the appeal is finally heard. There is no swift judgment in the VA. There is no accountability in the VA. There is no culture of accountability in the VA.

I have been joined by members of the committee, and 3½ weeks ago every member of the committee, Republican and Democrat alike, voted unanimously for the Veterans First bill. There was not a single dissenting vote. Why? Because it first of all hits the heart and strikes the point we all know needs to be struck. That is No. 1. No. 2, it is bipartisan and has as many Republican proposals as it does Democratic proposals, but most importantly it has American proposals. When you are on

the battlefield, when you have that M-14 rifle, when you are charging the hill, you are not a Republican, you are not a Democrat, you are an American. Our veterans, who have served us, fought for us, risked their lives for us, and in some cases died for us, deserve the respect, the treatment, and benefits they were promised when they signed up for duty.

So we have introduced the veterans accountability bill; it is called the Veterans First bill. I wish to speak very quickly and briefly about why it brings accountability to the VA.

First of all, there are 434 senior managers of the Veterans' Administration, the executive leadership, the senior executive leadership—434 of them. Every one of those people now can be fired unless they go before the Merit Systems Protection Board, which can reinstate them. We take away the Merit Systems Protection Board protections for senior management and give Secretary McDonald the power to hire them and the power to fire them, and if they appeal their firing, they appeal to Secretary McDonald, not to some innocuous court or some third party. So the boss is really finally the boss, and on his shoulders becomes the responsibility for performing at the VA.

Secondly, in terms of the rank-and-file members of the VA, we say: Yes, if you are fired, you have a right to appeal. If you are fired, you get 10 days to respond, and when you make an appeal, you get 11 days for an answer. Once you get that answer, if you appeal it, you go home without pay until the appeal is over. In other words, justice is swift, accountability is swift, and the employee responds accordingly.

Thirdly, we all know that whistleblowers are an integral part of an accountability system. Having the protection and the ability for an employee within an agency to go out and say: Look, I have seen something wrong in my agency. I want to tell you about it, but I want the protection as a whistleblower to be protected by the management—we put an office of whistleblower protection in the Veterans' Administration so those employees will know we want to hear their criticism and we want to know when they see something going wrong, and we want to give them the protection to do so. If they abuse it, they will be punished, but if they use it for the right reasons, we will have a better VA and a more responsible and a more accountable VA.

Talking about accountability, what is the least accountable thing that has happened for years in the VA? The overprescription of opioids and the Tomah case in Wisconsin. This bill reforms opioid treatment in the Veterans' Administration. It moves away from handing out opioids like candy. Instead, it addresses the real problems of mental health and PTSD and TBI.

We go through all of those issues that have confronted the Veterans' Administration that serves our veterans.

We do everything we can to improve it, but first and foremost, we have accountability.

The VA doesn't lack for money. They have averaged 9.2 percent more money every year in appropriations over the last 4 years. That is bigger than any agency of government. They are not short of employees. It is the second largest agency of the Federal Government, with 414,000 employees. They have a singular mission, and that is to take care of the veterans who have taken care of us. We need to see to it that they do it and if they don't, that they are held accountable.

The VA is full of employees who do a great job. In fact, I will tell you from having run a company myself, it is always the 99 percent who do a good job; it is the 1 percent who do a bad job, and they give us a bad name. But if you have a system to hold that 1 percent accountable when they fall and don't do well, you have a system that works together and you create teamwork.

We are all about creating a change in the culture of the Veterans' Administration, so we improve the Veterans' Administration for its service to our veterans. The Veterans First Act, which is now pending and will soon come to the floor, hopefully under a UC, is an act that does exactly that.

So when you go home to your constituents who say, What is it about these bonuses going to people who aren't doing their job? What is it about veterans waiting longer than 30 days for an appointment? What is it about a Veterans' Administration job scam getting overturned by a judge to get their job back? What is it about an agency that can't seem to enforce discipline and have accountability in the agency? You tell them that is no more because this Senate, this Congress, this country is going to see to it that our veterans get the service they deserve and that our Veterans' Administration has the accountability it needs and must have.

With that said, I would like to take a second, if I can, and yield to the Senator from South Dakota, Mr. ROUNDS.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. ROUNDS. Mr. President, it is truly an honor to work with the Senator from Georgia, the chairman of the Veterans' Affairs Committee. I can tell you that on behalf of the 72,000 veterans from South Dakota, it is work that needs to be done. We appreciate the service of the chairman and the service of the ranking member in making this a bipartisan effort.

Unfortunately, many of our Nation's heroes aren't receiving the quality of health care they have been promised due to decades of mismanagement and ongoing problems with the VA. It is not acceptable, as the chairman has pointed out. In fact, of all the calls we receive in my State asking for help with Federal agencies, over half of all of those calls are coming from veterans seeking help with VA issues. These vet-

erans in South Dakota and across the entire country continue to experience problems with health care delivery at the VA, including backlogs, long wait times, and frequent billing errors.

As we seek to address these issues within the entire VA system, accountability is as important as it has ever been. The Veterans First Act takes meaningful steps to hold the VA accountable and in turn improve the care for our veterans, which is the most important priority of all.

This legislation, the Veterans First Act, puts the needs of our veterans first by addressing the lack of accountability at the VA. Unfortunately, the administration last week announced that it would not defend a provision of the Veterans Choice Act, which was passed with strong majorities in both Chambers of Congress in 2014 and was signed by the President. In response, the VA announced last week it would no longer use its expedited removal authority to hold VA senior executives accountable, given this Justice Department decision. Regardless of the legal arguments surrounding this issue, the fact is that as a result of the VA's decision, we are now back to pre-Phoenix scandal accountability at the VA.

We owe it to our veterans to make certain they receive the best care possible and not have the agency responsible for that care refuse to remove nonperforming or even criminally acting officials from important positions, as Congress granted the VA the right to do in the Veterans Choice Act 2 years ago.

This is also important given that until recently, the VA didn't have a permanent inspector general, or IG, in the last 2 years. Inspectors general are impartial and independent units within most Federal agencies whose duty it is to provide accountability and oversight to combat waste, fraud, and abuse within the government. During that same timeframe, the VA has been plagued with some of the worst scandals and mismanagement in the agency's history, and our veterans have paid the price. Some have even died.

While I am glad that Inspector General Missal is now in office and can begin to address some of the VA's fraud and waste allegations, it is still too little too late.

That is why the bipartisan Veterans First Act is so important. Our bill will take strong, definitive, immediate steps to hold VA employees accountable for their actions.

Let me give some examples of what this bill includes. It will shorten the grievance process, making it easier to dismiss VA officials who breached the trust of the veterans they are supposed to serve. It will remove the Merit Systems Protection Board from the appeal process for senior executives, and it expedites, when necessary, the removal of any employees at the—executives and rank-and-file employees alike.

You don't have to take my word for it, and you don't have to take the word

of any Senator in this body; you can simply listen to the words of Secretary McDonald himself. On Monday he stated—this is a quote from Secretary McDonald of the VA:

The answer to the whole thing in my opinion is the Veterans First Act. The provisions that Senator ISAKSON and Senator BLUMENTHAL have put in the Veterans First Act we all support. VA supports them. The Republican party in the Senate supports them. The Democratic party in the Senate supports them. We really think that this is the ultimate answer. I'm hoping the Veterans First Act will get passed soon.

This bill also includes a number of provisions that I have offered to improve accountability and care at the VA, such as the Veterans Choice Equal Cost for Care Act, which amends the Choice Act by eliminating the secondary payer clause to make certain veterans do not pay more for private care under the Choice Act than they would have if they were seen at the U.S. Department of Veterans Affairs facility.

The key to that is right now we have veterans going in and getting care at a private facility and assuming that the VA is going to pick up the cost for them, and then they find out that under the current plan where the VA is a secondary payer only, they have to pick up their own deductibles, which they are not being reimbursed for, because the VA is secondary, not primary. That is wrong. That was not the intent of the Choice Act in the first place. The Veterans First Act takes care of that issue and will take care of a huge amount of the challenges we have right now with the Choice Act.

Also, the Veterans Health Administration Spending and Transparency Oversight Act is legislation that requires the Veterans Health Administration, or VHA, to produce an annual report to Congress detailing the cost of the health care that it provides to our veterans. Having accurate cost accounting by the VHA will help Congress identify legislation options aimed at better health care for our Nation's veterans.

I am proud to be an original cosponsor of the Veterans First Act, and I thank the members of the Veterans' Affairs Committee, especially Chairman ISAKSON, Ranking Member BLUMENTHAL, and all the Members here today for working together to produce meaningful bipartisan reforms at the VA.

Our Nation's veterans, who are now defending and have selflessly defended and protected our freedoms, deserve that same commitment from the country they so proudly fought for and defended.

With that, Mr. President, I would like to yield back to the chairman.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. ISAKSON. I thank the distinguished Senator from South Dakota. I appreciate his commitment to the committee and to the many men and women of the armed services from the

Dakotas and from all the United States of America.

I am pleased to recognize Senator THOM TILLIS from North Carolina—the home of Camp Lejeune and the home of many military installations, such as Fort Bragg—and I am proud to have him as one of the cosponsors of the Veterans First bill.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. TILLIS. Thank you, Mr. President.

I am proud to represent North Carolina. North Carolina has nearly 1 million veterans in the State. When you add to that the members of the armed services inactive and in the Reserve and the National Guard, we are over 1.2 million people. They, too, will become veterans someday. We need to fix this so that the problems our veterans are experiencing today are not experienced by the men and women who are fighting for our freedom wherever we ask them to go.

Mr. President, I know you know a lot about the lack of accountability in the VA within your great State of Colorado. We have problems. We have to increase the accountability in the VA. In 2014, in the wake of the Phoenix wait list scandal, Congress came together and demanded accountability. That is why they passed the Veterans Choice Act. When the President signed the bill into law, he stated:

If you engage in unethical practice, if you cover up a serious problem, you should be fired. Period. It shouldn't be that difficult.

Now we are hearing just recently that apparently in consultation with the President, Attorney General Lynch and the Justice Department have decided not to defend the Veterans Choice Act against the constitutional challenge from Sharon Helman, the former director of the Phoenix VA who sat on top of this scandal and was fired for her role denying veterans' access. This same disgraced VA executive also pled guilty to hiding more than \$50,000 in gifts from lobbyists. She embodies the very worst of the worst of the small percentage of the VA who need to be held to a higher standard of accountability.

Then we add insult to injury. The VA decided not to use its expedited removal authority to hold VA executives accountable. Because of these actions, we are now back to square one, as if the President did not even sign that bill.

Now, I should have started at the beginning, though, to thank Senator ISAKSON for his yeoman's work in support of veterans. He is a fantastic chairman of the Veterans' Affairs Committee. He brings people together. That is why the Veterans First Act was unanimously supported in the committee. It is bipartisan on steroids. Everybody thinks that this bill needs to go into law and that the VA needs to be held accountable. We need to pass the Veterans First Act.

There are a number of things in this act that even go beyond account-

ability, and I note in the colloquy that other elements of this act will be brought up. I will bring up a few of them. One of them has to do with the opioid safety act. What we are trying to do is improve the safety and supervision of treatment plans for veterans who legitimately need some sort of pain medication, possibly an opioid prescription regimen.

As to the Whistleblower Protection Act, we need more people with their eyes and ears in the VA who are comfortable saying: Something isn't right here, and I need to be able to report up and know my job is not at risk because I am doing the right thing.

That is in the Veterans First Act.

The other thing we need to do is to get back to what we tried to accomplish in the 2014 bill—fire people who are not doing their job, fire people who are being unethical, fire people who are not putting veterans at the very top of the list. That is why the VA exists.

The VA doesn't exist for their own sake. The VA exists for providing the care that the veterans deserve. They should get it on a timely basis. When there are no reasonable excuses for some of these wait times and we find that it is the people who are causing the problem, those people should be held accountable. The senior members should be held accountable, and they should be able to be terminated without any sort of review subject to the discretion of the Secretary of the VA.

Ladies and gentlemen, it is time for us to act on the Veterans First Act. It is time for us to get back to fulfilling the promise that this President made just a couple of years ago. It is time to put veterans first.

I want to thank all of my colleagues here. I want to thank my colleagues on the other side of the aisle who I know share this view. We need to get this bill out of the Senate, to the House, and to the President's desk with the promise this time that the President will stand with us and with the veterans to do what we need to do, and that is to put veterans first.

I urge all the Members' support, and I appreciate again Senator ISAKSON's work to get it to this point, but now we need to get it done.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. ISAKSON. I thank Senator TILLIS for his dedicated work and representation for the people of North Carolina and the veterans of America.

I am pleased now to yield to the Senator from Alaska, Mr. SULLIVAN.

Ms. MIKULSKI. Will the Senator withhold for just 1 minute?

Will the chairman of the committee yield for a question? This is not to hold you up, but I do have a question for the chairman of the committee.

Mr. ISAKSON. I yield.

Mr. SULLIVAN. I yield to the Senator from Maryland.

Ms. MIKULSKI. Mr. Chairman of the Veterans' Affairs Committee, is it the desire of the other party to be doing,

like, a colloquy—an extensive colloquy—dealing with the Veterans First Act?

I am trying to get the lay of the land here on the floor, because the Commerce-Justice act—this is really a parliamentary question to you.

The pending business is the Commerce-Justice-Science appropriations bill. We are now debating the Veterans First Act. I am not objecting to that, but could you tell me what the lay of the land is here?

Mr. ISAKSON. Happily. The lay of the land is that we asked for 45 minutes for a colloquy to discuss the Veterans First bill, which we are in the process of doing now. Senator BLUMENTHAL, the ranking member, will join us in a minute, and we should be completed by 5:15, and that was the time we asked for.

Ms. MIKULSKI. First of all, thank you, to the Senator. I, in no way, want to impede this conversation. I didn't realize that you had asked for 45 minutes, and I really found these comments by the supporters of the bill really quite instructive, and I appreciate the discussion and the debate.

Why don't you proceed. I would just like to bring to the distinguished chairman's attention, though, that we are trying to get the VA-MILCON bill conference done—real money and the real checkbook—to support the great work this authorizing committee is doing.

I don't know if you know that the House is proposing a \$500 million cut below the Senate level. So you and I should talk about that.

I thank the Senator from Alaska, and please proceed with your colloquy.

Mr. ISAKSON. I thank the distinguished Senator from Maryland, and I am always interested in discussing the best interests of veterans in Maryland and in Georgia any time the Senator would like.

I yield to Senator SULLIVAN.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. SULLIVAN. Mr. President, I want to rise to also support my colleagues on the Veterans Affairs' Committee. It is an honor to serve with the chairman of the committee, the distinguished senior Senator from Georgia, and the ranking member from Connecticut, Senator BLUMENTHAL.

One of the great honors about being on that committee is not just serving our veterans but that it is a committee that gets a lot of work done. It is a very bipartisan committee, and that is why so many of us are coming to the Senate floor to talk about this important issue—accountability for the VA.

I was home in Alaska this past weekend, and as I often do, I ran into veterans. Every State in the Union likes to talk about their veterans and brag a little bit. Well, in my State we have more veterans per capita than any State in the Union. We are very proud of that.

I was talking to a Vietnam veteran on Friday in Anchorage, a combat veteran corpsman. He saved a lot of marines during his time. He had such deep frustration about this issue of accountability with the VA. As a matter of fact, he used to work at the VA. The one issue he raised with me was this: How can we do more with regard to accountability? He reads about it in the paper.

The key here to that conversation and to so many conversations I had with veterans back home is that we must restore the bond of trust between the VA and the veterans that the VA serves because we all know that bond of trust has eroded. Trust is eroded when no one is accountable.

Trust is eroded when no one is accountable. My colleagues have already talked about it, but once again, it is very disappointing to see the VA walking away from accountability as opposed to embracing it.

Senator TILLIS did a great job of describing the bill that was signed by the President in 2014, the Choice Act, which had some strong accountability measures. Yet, just recently, the Attorney General of the United States sided with the argument of a former Phoenix VA director who was at the helm when as many as 40 veterans died waiting for health care. The Attorney General of the United States sided with her argument and is not even testing the accountability provisions in this new law that was passed by this body and signed by the President. She just quit and didn't even let the courts declare that this law is unconstitutional. She just quit and sided with that argument. I think that is an outrage. What it does is undermine the issue of trust. It is also a dangerous precedent by allowing the head of the VA and the Attorney General of the United States to substitute the judgment of the Congress of the United States in a law, saying we are not even going to defend this issue anymore. It is a precedent that I don't think anyone in this body would agree with—essentially gutting the accountability provisions in a recently enacted law signed by President Obama and not even trying to defend them. This is exactly the kind of action that further erodes the trust between the VA and our veterans.

Yesterday, in a hearing chaired by the senior Senator from Georgia, we demanded a bipartisan approach and that the Attorney General or her representative get before the VA committee very soon and explain what she is up to, because I don't think anyone in this body is agreeing with the actions they are taking.

While we are waiting for answers from the Attorney General, we are not going to give up on the critically important issue of VA accountability, which is why moving forward on the Veterans First Act, which does focus on accountability, is so important, and why we are on the floor making the case for this.

This bill which I cosponsor currently has 44 cosponsors and has support from multiple veterans service organizations. You have heard about some of the important accountability measures that are in this bill.

I want again to thank the great leadership of Chairman ISAKSON and Ranking Member BLUMENTHAL on this. What we need to do is move forward on this bill and restore this issue of trust. The best way we can restore trust is to let our veterans know that the leadership of the VA is accountable.

Remember, the leadership of the VA works for our veterans, and when they see people getting away with malfeasance and incorrect behavior, that trust is further eroded.

I yield the floor back to Chairman ISAKSON.

THE PRESIDING OFFICER. The Senator from Georgia.

Mr. ISAKSON. Mr. President, I see the ranking member, Senator BLUMENTHAL, has joined us on the floor. I might, with your permission, pose a question: If the Senator would not mind Senator BOOZMAN making his remarks, and then Senator BLUMENTHAL and I will close the debate; would that be OK?

Mr. BLUMENTHAL. That would be fine.

Mr. ISAKSON. I yield to Senator BOOZMAN.

THE PRESIDING OFFICER. The Senator from Arkansas.

Mr. BOOZMAN. I thank the Presiding Officer.

Mr. President, I will be brief. I wanted to come down to the floor. Right now we are in the midst of discussing a very important bill, the Commerce-Justice-Science appropriations act, funding law enforcement. We all know that we are in troubled times, and we are trying to get things sorted out in that regard. So why take 45 minutes to come down and speak on the Senate floor about such an important subject as what is going on in the VA?

Last week the Secretary of the VA decided that he would no longer support the expedited removal authority that we allowed him when we passed the Choice Act. There was a case and the Attorney General decided that she felt like it might be unconstitutional. So the Secretary of the VA took it upon himself to no longer use that authority. The way that I found out, and I think the way the rest of the members of the committee found out, was to read this in the press. The Secretary didn't have the courtesy to contact us and tell us what was going on. He arbitrarily decided it was unconstitutional.

I voted for it. Most of the Members in this body voted it. Most of the Members of the House of Representatives voted for it. If I thought it was unconstitutional, I certainly would not have voted for it—again, acknowledging the duties of being a U.S. Senator.

We passed it overwhelmingly and, as my colleague from Alaska has commented, the Secretary has set dangerous precedent by simply ignoring it.

He went on to say on Monday that the accountability procedures we have had in place are working fine. If that is true, then why has the VA chronically had an issue with lackluster and negligent employees? He was very supportive of this authority until this case came up. In light of the VA's decision last week, it is even more imperative that this body move to pass the Veterans First Act, which will significantly improve accountability at the VA. This was a bipartisan, comprehensive initiative.

The American Legion said: "This legislation will shorten the grievance process, make it easier to dismiss VA officials that breach the trust of the veterans that they are supposed to serve."

For those of us on the committee, my only concern is that the Secretary at some point will decide this is unconstitutional and do his own thing.

Again, this is such an important issue. It is something that the committee is working so hard on, but it is wrong. We have a situation now where we have employees who we know have abused their power.

On the other hand, the vast majority of the people of the VA—the vast, vast majority—are hard-working and do a tremendous job. I am so proud of the VAs that I have in Arkansas, our facility in Little Rock, our facility in Fayetteville. There are no finer hospitals in the country.

On the other hand, when people act up and they don't do what they are supposed to, we need to hold them accountable. We certainly need a Secretary of the VA who is more concerned about veterans than he is about labor issues.

With that, I yield the floor.

Mr. ISAKSON. Mr. President, I thank the Senator from Arkansas.

I yield to the distinguished Senator of Connecticut, Mr. BLUMENTHAL, the ranking member of the Veterans' Affairs Committee. He has been an invaluable partner with me in the development of this legislation, the management of the committee, and he deserves tremendous credit.

THE PRESIDING OFFICER (Mr. LEE). The Senator from Connecticut.

Mr. BLUMENTHAL. First, Mr. President, I thank the chairman of the Veterans' Affairs Committee, Senator ISAKSON of Georgia. To say that he has been a leader is certainly an understatement. He has devoted countless hours to forging a coalition in the best tradition of the U.S. Senate, a bipartisan coalition that enabled us to unanimously bring together Republicans and Democrats on the Veterans' Affairs Committee in approving the Veterans First Act for consideration by this body.

My reason for being here today is to say to our colleagues that we must move forward. We must seize this opportunity—no matter which side of the aisle we sit on—to move this bill forward, keep faith with our veterans,

leave no veteran behind, and make sure we honor their service by fulfilling our obligations to our job. Our job now is to make sure we pass the Veterans First Act.

I have listened with interest to some of my colleagues' comments on a decision by the Attorney General of the United States, and then the Secretary of the Veterans Administration, to decline to defend a part of the Choice statute. Quite frankly, I share their questions and a number of their concerns. I want to know from the Attorney General of the United States why the decision was made to decline enforcement of this statute on constitutional grounds, saying that it violated the appointments clause of the Constitution.

After 40 years of practicing law, I can say I have done very little litigation involving the appointments clause of the U.S. Constitution. It is seemingly an arcane and abstruse section of law. I say that with great humility in light of the experience of the Presiding Officer. He and I may have a discussion away from the floor about the merits of this decision.

The point is that we must look forward. We need to demand those answers—and I expect the Attorney General of the United States will be forthcoming—but let's look forward to the central task right now and avoid being distracted by what happened in the past and move forward on the Veterans First bill. This measure imposes accountability lacking for too long, lagged in too many instances. We saw it dramatically and tragically in Phoenix and many other areas around the country where still there has been inadequate or completely absent discipline and accountability imposed.

This measure makes it easier for the VA to both hire and remove senior executives, giving the Secretary much needed flexibility in hiring and firing, improving the training of managers, and implementing an outside review.

Yesterday we heard from an outstanding nominee, a veteran of years of leadership in the Marine Corps. That kind of quality person ought to be in the VA more commonly.

This legislation also protects whistleblowers. In my view, that is critically important. They are the brave employees who see something wrong and say something, at risk to themselves. That risk should be eliminated. In this new proposal, the Veterans First Act, we create an office of accountability and whistleblower protection and require that the VA take the necessity of listening and protecting whistleblowers into account in its training and evaluation of supervisors.

This measure goes well beyond accountability, although accountability is central to this bill. It also helps veterans of all eras who may have been exposed to toxic substances in their service. There are so many more unknowns on the battlefield now that can do harm to our soldiers—chemicals, radi-

ation, and other toxic substances—so we can better understand and address the long-term effects of that toxic exposure. That is why the Vietnam Veterans of America fully supports this measure.

Thanks to the work of Senator BALDWIN, the Veterans First Act also addresses the opioid overprescription crisis among veterans. All too often and for far too long, the VA doctors have relied on powerful opioid painkillers when other kinds of medical care are more appropriate. This legislation will reduce the overuse and, thereby, the addiction of our veterans to these powerful painkiller.

As I know from having spoken to Sarah Greene, a constituent of mine who lives in Branford, CT, whose husband perished in the post-9/11 wars while in combat, and her State Representative Lonnie Reed, this bill expands the GI benefits to surviving spouses and their dependents who lost a servicemember after 9/11.

It also reinstates those benefits to veterans who attended a school that permanently closed, such as Corinthian Colleges. These predatory schools should not be permitted to deprive our veterans of those benefits that they need and deserve.

This measure also provides support for caregivers, the moms, dads, brothers, sisters, and children who give of themselves and give up livelihoods and careers to care for their veteran family members. They should receive the kind of support they need and deserve. Their service is no less worthy and worthwhile than that of their family veteran members.

The measure also includes important provisions to address the scourge of homelessness among veterans. I was pleased to work with Lisa Tepper Bates of the Connecticut Coalition to End Homelessness; and Margaret Middleton, leader of the veterans programs in Connecticut, principally the Connecticut Veterans Legal Center, to create more permanent housing opportunities and provide legal services to homeless veterans.

Finally, most important, this bill enhances programs to prepare veterans for careers through licensure, certification programs, and other programs to make sure that veterans have jobs. They need and deserve jobs.

As a Member of the Senate, my priority has been jobs and economic progress for our veterans—for all the people of Connecticut. That is why I am pleased that this measure will help veterans find employment as they transition home with employers such as Frontier Communications—very proudly doing business in Connecticut—which is looking to make veterans 15 percent of its new hires.

This measure includes many other provisions that are worthy of passage. The point is that we must pass it. I challenge my colleagues to do this bill before July 4, to move forward before we recess for the summer, to address

the challenge of providing veterans what they have earned.

We are not talking about handouts; we are talking about something veterans have earned—that we keep faith with them.

This measure is bipartisan. Nothing stands in its way. There is no reason that merits its being stopped or blocked. I challenge my colleagues to move forward with this measure.

I again thank my colleague from Georgia, who is not only a fellow member of the Veterans' Affairs Committee but also a friend of mine and truly a friend of all veterans, the senior Senator from Georgia, JOHNNY ISAKSON.

I yield the floor to Senator ISAKSON.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. ISAKSON. Mr. President, I thank Senator BLUMENTHAL for his kind remarks and his steadfast, hard work on developing this legislation over the last 18 months. I thank all the members of the Committee, everyone who is a cosponsor of this bill. I thank the 44 Members of the Senate who have already cosponsored it and ask the remaining 56 to consider being a part of it.

We owe our veterans no less than the absolute commitment that matches the commitment they made to us. It is time they had accountability for the benefits they have earned, the health care they deserve, and a VA that means what it says when it tells them it is going to take care of the veterans of the United States.

I thank the Chair for giving us the time to bring out these issues today.

I urge all our Members to contact either Senator BLUMENTHAL or the committee staff or me if they have questions as we move forward before July 4 to make the Veterans First Act a reality, and once and for all put our veterans first, as always they should be and always they will be.

With that, I yield back the remainder of my time.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

Ms. MIKULSKI. Mr. President, we just heard a very instructive discussion on legislation proposed by the veterans authorizing committee.

I wish to compliment both the chair and the ranking member on the debate. It was content rich, it was civil, and there were moments where we learned things about what was going on at the VA that were new to many of us.

What was so impressive was the fact that they worked together on a bipartisan basis. They saw that their first duty was a patriotic duty, which was to serve veterans. You just heard the distinguished chair and ranking member

speak to that. I thought it was terrific. They took about 45 minutes off because the bill pending is the Commerce-Justice-Science bill. Because I knew compromises were being worked on, this was time we were more than willing to share with them. So I want to compliment them.

That also happened in the Committee on Appropriations. Senator KIRK, who chairs the Appropriations Subcommittee on MILCON-VA, and the ranking member, Senator JON TESTER, have worked hard too. Right now we are trying to get a conference report done so there are the financial resources to help implement the policy objectives my colleagues so eloquently and instructively presented to us just now. I would hope we have a conference that is worthy of the authorization that is being presented. I can assure you—again, in the spirit my colleagues represented here—our patriotic responsibility comes before personality or party, which is the way to go. That is what our team did in the Appropriations Committee under the very able chairmanship of Senator THAD COCHRAN and I hope the tone I have set as the vice chair. So stay tuned for this conference because we want to match the appropriations with the authorizing.

I think this is the way we ought to be operating. Take our patriotic duty first, over party, over personality, over ego or party logo. I just want to say that as I sat here hoping to get compromises achieved on gun control, under the leadership of the distinguished Senator from Maine, I think this is what the American people want: civility, intellectual rigor, commitment to responsibility, and fiscal responsibility.

I would like to salute my colleagues. It was an excellent debate. I wish more could be like this. I thank my colleagues very much.

Mr. President, as we are waiting on the Commerce-Justice-Science bill, this is what I hope is going on behind the scenes. I know we have had a spirited debate—at times quite tense and at times even terse on the issue of gun control—but for us it is not about gun control. It is about violence control. It is not about gun control because then people want to immediately grab their gun and say: What are you trying to do to us? Nobody is trying to do anything to any law-abiding citizen, but we are trying to control violence.

Violence is a national epidemic. It has been a national epidemic for some time, and there are many reasons for it. This is not the day to talk about root causes, but it is time to talk about the mood and tone of the institution. Right now, the House is engaged in a sit-in. Can you believe that, a sit-in? Why would the House be sitting in? Well, it is not the House. It is the House Democrats. Why are they doing that? They are doing it simply because they cannot get a vote on the no-fly, no-buy. What does that mean? If you

are on the no-fly list, you shouldn't be able to buy a gun.

There are many different solutions to this problem. I am the first to recognize that. In our own institution, we had an amendment offered by the distinguished Senator from California, Mrs. FEINSTEIN, that was rejected. There was an amendment offered on the other side of the aisle, and that was rejected. Now the Senator from Maine and Senators on both sides of the aisle are meeting to see if they can fashion a compromise.

We believe "compromise" is not a word to be dismissed or denigrated. Compromise does not mean capitulation on principle. I can assure you, from those of us who want to control violence, we in no way want to impinge upon Second Amendment rights, but we do want to do what we can to curb violence in our country.

In the spirit offered by the Senator from Maine, which she has done before, I hope we can achieve this. I think we ought to give her a chance, and I think that is happening now. I sure hope we give her idea a vote. I am not sure how I will vote on it until I know the substance, but I sure have an open mind on it.

What I would like to do, using the words of my colleague from Maryland, Congressman ELIJAH CUMMINGS—and we have just lived through quite a turmoil in Baltimore—is seek not only common ground but we seek higher ground. How can we kind of get above the muck and mire of partisan politics or personality, strutting or whatever, and focus on the issue of the day?

I know people on both sides of the aisle want to curb violence. We have a set of solutions. They were rejected. Could we now, in the tone we just heard here, try to find this? What I do hope is that we don't block attempts to find solutions to parliamentary procedures.

Too many people think about the Congress and the Senate, that when all is said and done, more gets said than gets done. This is what they are frustrated about. They are frustrated about many things—their future, their hope for their children, the safety and security of our country. This is what Senators should be thinking and talking about, and as we think and talk about it, though, we should do more thinking and less talking. In our thinking and doing less talking, maybe we can find this common ground and higher ground.

I look forward to continuing to move the Commerce-Justice-Science bill. I so much appreciate the chairman of the subcommittee, Senator SHELBY. We have put together a very good bipartisan bill. We would hope, as we move our bill forward—and we have done our best to fund the Justice Department, science, and technology, to talk about jobs today and the kind of research that will give us the jobs of tomorrow—that we also now seriously take a deep breath and a deep dive into policy

alternatives and come up with a compromise to curb violence in our country.

Once again, I thank the Senator from Maine for taking the diplomatic role she has undertaken. I wish her well. I support all my colleagues involved in it. They will find no obstructionism in BARBARA MIKULSKI.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas is recognized.

ACCOUNTABILITY AT THE DEPARTMENT OF
VETERANS AFFAIRS

Mr. MORAN. Mr. President, a number of my colleagues—both Republican and Democratic—from the Senate Veterans' Affairs Committee were on the floor just a few moments ago, and I wish to join them in expressing genuine concern about continued developments at the Department of Veterans Affairs.

Many of us remember the tremendous circumstances our veterans found themselves in at hospitals across the country, with long waiting lines, with lists that were inappropriate and didn't really exist—I suppose in an effort to camouflage the delay veterans were experiencing across the country. At the same time, to demonstrate that veterans were being cared for, the VA wanted to show that things were fine, and yet we saw that was not the case.

Unfortunately, those headlines continue about the Department of Veterans Affairs. For years, we have heard reports of long wait lines, privacy issues, and failure to remove employees whose actions endanger the health and safety of our veterans. Many of us have worked to try to give the leadership of the Department of Veterans Affairs greater authority to discipline and to discharge wrongdoers who are at the Department of Veterans Affairs. Generally, my focus has been on the upper echelon leadership of the Department of Veterans Affairs, generally considered to be the top 400 executives at the VA. I am always nervous about the issue of employees and staff who are actually providing care for our veterans in the hospital. I don't want them to be a scapegoat for problems at the hospital when I think the most serious challenge the VA faces is its leadership.

Those stories are continuing, and we keep waiting for accountability to occur. It has been something the current Secretary of the Department of Veterans Affairs has said he cares greatly about, but even when it comes to the circumstances we found, particularly at the VA hospital in Phoenix, we still have yet to see disciplinary action take place. It is too long. It is 2 years. It seems to me 2 years is too long to see any real concrete effort to discharge those who wrongfully use their position and fail to provide the necessary care and treatment for veterans.

In a "60 Minutes" interview back in November of 2014, which I happened to watch, the Secretary of the Department referred to a report generated in

2014 that listed more than 1,000 VA employees who should be removed from the VA for violations: “people who violated our values . . . its integrity, its advocacy, its respect, its excellence.” He also described, with multiple news outlets, that he would be taking “aggressive, expeditious, disciplinary action” to address the wrongdoers who violated VA values.

It was made abundantly clear that Congress needed to give him the necessary tools to discipline VA employees because he was “hamstrung” by the current process with the Merit Systems Protection Board and the appeals process. Congress did that. While we may not remember the provisions of the Choice Act—because it was known for the efforts to provide veterans across the country who live long distances from a VA facility or who can’t get the services they need within 30 days from the VA, it gave them hometown local options. That is what this Choice Act was known for, but the Choice Act also included important accountability provisions. The Secretary has those provisions now with the passage of the Choice Act that occurred in August of 2014. Those authorities seemingly are the ones the Secretary has been reluctant to use. We have complained about the reluctance at the VA to use those authorities and to discipline members of the leadership, employees at the Department of Veterans Affairs, but now we just learned, as my colleagues earlier indicated, that the leadership of the VA refuses to use the authorities at all. So it is not just a reluctance. It is now an admission that we are not going to use them.

As disappointed as I am, as a Member of Congress—as my colleagues are who spoke earlier in this VA decision, our frustration has to be nothing—nothing—compared to what our Nation’s veterans experience in their dissatisfaction with a VA that declines to hold accountable those who work in leadership positions. We ought to be honoring their service. What Department would we expect to care for, to treat, to love and show compassion for more than our Department of Veterans Affairs? Whom would we expect to receive that kind of noble treatment? It would be those who serve us in our military. Americans—both veterans and nonveterans—are waiting for the VA to step up and do what is right by removing those who have no place within the VA system.

I also would say, as I talk to employees of the Department of Veterans Affairs—those who actually work in the hospitals, provide the benefits, man the computers—they are dissatisfied too. They want to see change at the VA. So many employees are looking for leadership at the VA that holds accountable those in leadership who have failed to bring about the necessary change, and to have that necessary change takes discipline of those who are wrongdoers.

I want to make certain people understand this is not an attack on those

who work at the VA. They, too, want a VA system they can be proud to work for. I acknowledge and pay my respect and regard to the many, many, many employees of the Department who work every day to make certain that good things happen and that care is provided for those who served our Nation.

It seems to me, it is unfortunate the VA blames everybody but themselves for the problems at the VA. In fact, earlier this year, a couple months ago, April of 2016, the Secretary indicated that the fault—the inability to fix these problems—lies with Congress for not giving the VA enough money. He said budgetary failure led to the crisis. We have worked hard to make certain—in fact, I have indicated that if you can show a demonstrated need for more money at the Department of Veterans Affairs to take care of those who served our country, I am one who will vote for that. No one asked those who served our country about what it was going to cost to go to war. We ought not be unwilling to pay the price for those who did go to war on our behalf.

I would say the VA’s problems are not budgetary. President Obama himself stated that the VA is the most funded agency across the Federal Government, with an increase of more than 80 percent in resources since 2009. I remember reading this quote. The President said that the most resourced agency in his administration, in his time in office, was the Department of Veterans Affairs.

The blame for the VA’s inadequacies have nothing to do with the demand or insufficient funds but the management and lack of leadership. In fact, according to the VA’s own data, veterans are waiting 50 percent longer to receive health care services than they were in 2014 when we realized the crisis existed. At the height of the crisis, we had a waiting list. That waiting list is now 50 percent longer than it was at that time. It has become clear that the VA seemingly is more concerned with protecting those who work there within their ranks and the leadership than protecting the veteran who has sacrificed so much for our Nation. The VA was created to serve veterans, not to serve the VA.

Today my colleagues from the Committee on Veterans’ Affairs were here raising their desire to give the Secretary even more authority and expressing their frustration, which I share, with the lack of urgency to hold bad actors accountable. In that process of the conversation that took place earlier, they were advocating for legislation that is pending before the Senate called the Veterans First Act that was passed by our Committee on Veterans’ Affairs weeks ago, and they believe that legislation will give the Secretary even additional authorities. That is true.

The Senator from Connecticut, Mr. BLUMENTHAL, the ranking member of the committee, and I worked to include

in the Veterans First Act a number of accountability provisions to try to fix the VA at the root of its problem at the top.

So while I agree with the desire to see the Veterans First Act passed into law and while I agree that it will give the Secretary and others at the Department of Veterans Affairs more authority to hold accountable bad actors at the VA, I think what we really need to make certain happens is that the Secretary and the leadership of the Department of Veterans Affairs use the authority they already had provided them by Congress in August of 2014 to hold people accountable.

If actions this week tell us anything, we must push the VA to use the authorities they already have, and we would have cause, reason to be skeptical that even giving them greater authorities would result in a better outcome.

Our Nation’s veterans deserve better, and they deserve a VA in which those who do wrong pay a consequence for that bad behavior.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill 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 (Mr. TILLIS). Without objection, it is so ordered.

MORNING BUSINESS

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

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

TRIBUTE TO DORA MARGARET SAMUDIO

Mr. CORNYN. Mr. President, today I would like to pay tribute to a great American public servant and Texan, Ms. Dora Margaret Samudio. Ms. Samudio is retiring after 50 years of dedicated Federal service.

Dora was born on October 1, 1945. After she graduated from Sam Houston High School in 1963, Dora began her distinguished Federal career with the Texas State Department of Public Welfare. Shortly thereafter, she became a clerk typist at the U.S. Army Medical Field Service School in Fort Sam Houston, TX.

In September 1969, in the midst of the Vietnam war, Dora left her native Texas to pursue a career in Washington, DC. For the next year, she worked for the U.S. Army Medical Research and Development Command in the Surgeon General’s office until she moved to the War Plans Division at the Pentagon in 1970. At the Pentagon,