

Finally, we have to tackle the U.S. demand for drugs because that is what is driving the violence in the neighborhoods which is causing kids to flee.

In conclusion, this year is the 75th anniversary of a very shameful event—the voyage of the St. Louis. The St. Louis was a ship that left Germany in 1939 with hundreds of Jews onboard. These Jews were fleeing violence and antisemitism to come to the new world. They were not allowed to disembark in Cuba, they were not allowed to disembark in the United States, and they were not allowed to disembark in Canada. Eventually, the ship had to be routed back to Europe, where, research shows, hundreds of those Jews who had to get back off in Europe died in the Holocaust.

The testimony this morning was that if we, without due process, send these children home, many will die as a result.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. KAINE. That lesson of the St. Louis should stick with us, and there are many things we can do to avert this crisis and to show our good hearts as Americans.

**EXECUTIVE SESSION**

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session.

**CLOTURE MOTION**

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

**CLOTURE MOTION**

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Julie E. Carnes, of Georgia, to be United States Circuit Judge for the Eleventh Circuit.

Harry Reid, Patrick J. Leahy, Sheldon Whitehouse, Patty Murray, Elizabeth Warren, Charles E. Schumer, Jack Reed, Christopher A. Coons, Dianne Feinstein, Angus S. King, Jr., Benjamin L. Cardin, Mazie Hirono, Richard Blumenthal, Amy Klobuchar, Christopher Murphy, Cory A. Booker, Martin Heinrich.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Julie E. Carnes, of Georgia, to be United States Circuit Judge for the Eleventh Circuit, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Alaska (Mr. BEGICH), the

Senator from Delaware (Mr. COONS), the Senator from Vermont (Mr. SANDERS), and the Senator from Hawaii (Mr. SCHATZ) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Oklahoma (Mr. COBURN), the Senator from Kansas (Mr. MORAN), the Senator from Kentucky (Mr. PAUL), and the Senator from Kansas (Mr. ROBERTS).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted "nay."

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

The yeas and nays resulted—yeas 68, nays 23, as follows:

(Rollcall Vote No. 232 Ex.)

**YEAS—68**

Ayotte	Harkin	Murphy
Baldwin	Hatch	Murray
Bennet	Heinrich	Nelson
Blumenthal	Heitkamp	Portman
Booker	Hirono	Pryor
Boxer	Inhofe	Reed
Brown	Isakson	Reid
Cantwell	Johanns	Rockefeller
Cardin	Johnson (SD)	Schumer
Carper	Kaine	Sessions
Casey	King	Shaheen
Chambliss	Klobuchar	Shelby
Coats	Landrieu	Stabenow
Cochran	Leahy	Tester
Collins	Levin	Udall (CO)
Donnelly	Manchin	Udall (NM)
Durbin	Markey	Walsh
Feinstein	McCain	Warner
Flake	McCaskill	Warren
Franken	Menendez	Whitehouse
Gillibrand	Merkley	Wicker
Graham	Mikulski	Wyden
Hagan	Murkowski	

**NAYS—23**

Barrasso	Enzi	McConnell
Blunt	Fischer	Risch
Boozman	Grassley	Rubio
Burr	Heller	Scott
Corker	Hoeven	Thune
Cornyn	Johnson (WI)	Toomey
Crapo	Kirk	Vitter
Cruz	Lee	

**NOT VOTING—9**

Alexander	Coons	Roberts
Begich	Moran	Sanders
Coburn	Paul	Schatz

The motion was agreed to.

The PRESIDING OFFICER. On this vote the yeas are 68, the nays are 23. The motion is agreed to.

**NOMINATION OF JULIE E. CARNES TO BE UNITED STATES CIRCUIT JUDGE FOR THE ELEVENTH CIRCUIT**

The clerk will report the nomination. The assistant legislative clerk read the nomination of Julie E. Carnes, of Georgia, to be United States Circuit Judge for the Eleventh Circuit.

**NOMINATION OF DAVID B. SHEAR TO BE AN ASSISTANT SECRETARY OF DEFENSE**

The assistant legislative clerk read the nomination of David B. Shear, of New York, to be an Assistant Secretary of Defense.

The PRESIDING OFFICER. If there is no further debate, the question is, Will the Senate advise and consent to the nomination of David B. Shear, of New York, to be an Assistant Secretary of Defense?

The nomination was confirmed.

**NOMINATION OF DAVID ARTHUR MADER TO BE CONTROLLER, OFFICE OF FEDERAL FINANCIAL MANAGEMENT, OFFICE OF MANAGEMENT AND BUDGET**

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to consider the following nomination, which the clerk will report.

The assistant legislative clerk read the nomination of David Arthur Mader, of Virginia, to be Controller, Office of Federal Financial Management, Office of Management and Budget.

The PRESIDING OFFICER. If there is no further debate, the question is, Will the Senate advise and consent to the nomination of David Arthur Mader, of Virginia, to be Controller, Office of Federal Financial Management, Office of Management and Budget?

The nomination was confirmed.

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

**LEGISLATIVE SESSION**

The PRESIDING OFFICER. The Senate will resume legislative session.

**BRING JOBS BACK HOME ACT—MOTION TO PROCEED—Continued**

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Madam President, I come to the floor today to reiterate my opposition to legislation that would impose new tax burdens on businesses in New Hampshire and I believe would have a serious impact on our economy.

Earlier this week Majority Leader REID started a fast-track process to bring a bill to the floor that includes the so-called Marketplace Fairness Act. This is legislation that would for the first time allow States to collect sales taxes from businesses in New Hampshire. As a result, this bill would impose significant new tax compliance burdens on entrepreneurs in New Hampshire—the same entrepreneurs who are trying to grow their businesses and create jobs on the Internet.

In New Hampshire we don't have a sales tax, so our businesses are not used to collecting one. That is why New Hampshire businesses are so concerned that if this bill passes, they will

be forced to collect sales taxes from not just 1 State but 46 other States and 9,600 taxing jurisdictions across the country. The redtape would be a nightmare for small companies with only a few employees.

I heard from one small business owner in Hudson, NH. His business is about to reach \$1 million in revenue, but his company has only six employees. Under the legislation, the so-called Marketplace Fairness Act, his company might be considered a large business. The company has plans to grow, but it would be forced to reconsider as it approaches this arbitrary threshold and then is covered under the so-called Marketplace Fairness Act.

E-commerce has been a real boon to small businesses in New Hampshire and across the country. It has helped companies find new markets for their products and new revenues. But for companies looking to grow through online sales, this legislation represents an artificial ceiling for creating jobs and expanding jobs through e-commerce.

I will raise a few concerns about what this legislation would mean for small business. First, each State has different sales and use taxes, so businesses would need new software to figure out how to collect and remit those taxes. Small businesses would also need to collect personal information from each buyer to make sure they are complying with all State and local sales taxes. These small businesses might then have to deal with audit and enforcement actions from other States, and the same businesses might have to answer to taxing authorities in places where they have no representation whatsoever. As States and localities consider new taxes, these small businesses would have no voice in that process because they have no representation in those jurisdictions.

These are just a few examples of the many unintended consequences this legislation would create. These burdens on small businesses will stifle e-commerce. That is why it was so disappointing to learn that the sponsors of the so-called Marketplace Fairness Act have attached it to another measure that is meant to encourage e-commerce, the Internet Tax Freedom Act. That legislation bans taxes on Internet access.

The Internet Tax Freedom Act has broad bipartisan support. I am proud to be an original cosponsor of this legislation. Since 1998 the Internet Tax Freedom Act has kept the Internet free of new taxation, which has helped the Internet flourish and become the driver of economic activity it is today.

Unfortunately, this ban on new Internet access taxes expires this November, and Congress must take action to keep the Internet tax-free. I strongly support keeping the Internet tax-free, and the vast majority of Congress supports it. In fact, just this week the House voted to make this ban on Internet taxation permanent. The Internet Tax Freedom Act could pass the Senate and

the House today with strong bipartisan support. Yet based on the action earlier this week, the Senate may be asked to consider a bill that includes new tax burdens on small businesses. That is right. It doesn't make sense, but on a bill that is meant to keep the Internet free from taxation, there is now an effort to impose new tax collection burdens on Internet retailers, and that not only doesn't make sense, I think it is just wrong.

Just yesterday I sent a letter with a bipartisan group of our colleagues urging leadership to bring a clean Internet Tax Freedom Act bill to the floor. I was joined by Senators CRUZ, AYOTTE, TESTER, MERKLEY, and PAUL. We believe the Internet should be tax-free and that we should pass this non-controversial legislation as soon as possible.

We also think it is wrong to use a critical, must-pass extension of this law to keep the Internet tax-free as a vehicle to pass a fundamental shift in how e-commerce operates. Combining these two very different issues into one bill does nothing to protect New Hampshire's small businesses from the flawed so-called Marketplace Fairness Act.

We should keep this Internet sales tax legislation from moving forward, the so-called Marketplace Fairness Act. We should do that because it is bad for New Hampshire and the other States that have no sales taxes that are in the same position as New Hampshire. It is bad for small businesses and it is bad for our economy.

Thank you very much, Madam President. I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mrs. SHAHEEN. Madam President, I wish to recognize my colleague from New Hampshire, Senator AYOTTE, who I think has come to the floor to also express her concerns about the commingling of the Internet Tax Freedom Act with the so-called Marketplace Fairness Act. She will be speaking from her perspective about the concerns it places on New Hampshire's small businesses. I am very pleased to see my colleague from New Hampshire here to also express her concern about what is happening.

The PRESIDING OFFICER. The Senator from New Hampshire.

Ms. AYOTTE. Madam President, I certainly wish to thank my colleague from New Hampshire, Senator SHAHEEN.

As she has stated, New Hampshire doesn't have a sales tax. There is absolutely nothing fair about the so-called Marketplace Fairness Act, especially for a State such as New Hampshire. It

should be more appropriately named the Internet sales tax collection act, because that is what it is—the Internet sales tax collection act. I certainly appreciate the work I have done with my colleague, both of us fighting the Marketplace Fairness Act, because there is nothing fair about it for New Hampshire and, frankly, nothing fair about it for online businesses across this country.

This act would ask our online businesses that have been thriving and growing—many people have started these businesses from their homes and we have seen those businesses flourish in our home State of New Hampshire—to become tax collectors for States that are greedy for revenue, and it would trample on the decision of a State such as New Hampshire not to have a sales tax. What it would mean for online businesses is they would have to become the tax collector not just for the 50 States, but they would actually have to become a tax collector for over 9,000 taxed jurisdictions in this country. Talk about a bureaucratic nightmare for an online business. Talk about an act that is going to put onerous burdens on an area of commerce that we have seen such great growth in. Talk about an act that is totally misnamed because there is nothing fair about it; it really is an Internet sales tax collection act.

In my home State of New Hampshire I have had so many online businesses write me about how this act—this MFA act—is going to hurt their business and is going to place onerous requirements on our businesses. Not only would they be forced to collect taxes for these other jurisdictions—over 9,000—but can we imagine what will happen once one of those jurisdictions—a municipality that is allowed to tax—changes their tax amount? Then, suddenly, they have to update their collection method. Guess what. If they get it wrong, they are subject to being sued in some other State, some other jurisdiction.

This is going to hurt the development of more online businesses because it creates a big bureaucracy. It is totally inappropriate. Why are we asking these thriving online businesses to become the tax collectors for States? The reason we have over 9,000 jurisdictions they have to collect for is because it is not just States; in some States even the municipal level has its own sales tax that can be collected. What a mess.

Then we see what is happening in Washington. The majority leader rule XIV'd a bill, and what he did is he attached the Marketplace Fairness Act, which I prefer to call the Internet sales tax collection act, to what was just passed in the House of Representatives: the Internet Tax Freedom Act. Talk about ironic. The Internet Tax Freedom Act is legislation I strongly support. This legislation is going to prevent taxes over the Internet, taxing the Internet that could hit all of us in some way, so that we can protect the freedom of the Internet and the growth

we have seen on the Internet. It is widely supported on both sides of the aisle, as my colleague from New Hampshire said.

So the irony is that here we have an act that is so widely supported—the Internet Tax Freedom Act—providing a tax-free Internet—and the majority leader decides to attach to it the so-called Marketplace Fairness Act, which is really the Internet sales tax collection act. That legislation creates new onerous burdens on online businesses to become the tax collectors for over 9,000 tax jurisdictions. We can see the irony of it. Here we have bipartisan support for freedom from taxes on the Internet that should be extended to allow the Internet to thrive and grow and continue to grow, and the majority leader, without a hearing—because when he rule XIV's it, there is no committee hearing. It doesn't go through the committee process where we can have hearings on the burdens this will place on online commerce and on online businesses not only in my home State of New Hampshire but in other businesses across the country. There was no hearing for this. It is an issue both sides of the aisle agree with: Let's keep the Internet tax-free. Then the majority leader attaches onto it with no hearing, under rule XIV, this onerous requirement which I like to call the Internet sales tax collection act. Of course, in Washington, they always name these acts to make us think it sounds good, so they call it the Marketplace Fairness Act. That is the irony. Only in Washington would we have rammed this through this process, without a committee hearing—legislation that protects Internet freedom, that has strong bipartisan support, attached with it new onerous burdens on Internet businesses to become the sales tax collectors for the Nation.

I join in what my colleague from New Hampshire just said. I think it is wrong that this bill is being pushed forward with the Internet Tax Freedom Act that has such strong support, that should be brought to this body as a stand-alone bill, not with these new burdensome requirements that are set forth in the so-called Marketplace Fairness Act, otherwise known as the Internet sales tax collection act. The people of this country deserve to have a free, tax-free Internet. The online businesses of this country that are thriving and growing shouldn't become the tax collectors for States and municipalities that are greedy for more revenue. It is their job to collect their taxes. It shouldn't be an online business's job to collect taxes for over 9,000 jurisdictions, because we can only imagine how many changes will happen and what kind of paperwork nightmare that will create for those businesses. I have heard it from our businesses firsthand.

I hope this body will oppose any effort to vote for a bill that connects Internet tax freedom with Internet sales tax collection, because the two

are antithetical. One works against the other. One ensures the freedom of the Internet to be tax-free and the other one creates new burdensome requirements on online businesses and actually works against, in my view, the thriving commerce we see over the Internet and has resulted in more choice for all of us as consumers in this country.

#### MALAYSIAN AIRLINES CRASH

Madam President, we all learned today, very shockingly, that there was a Malaysian Airlines flight shot down over Eastern Ukraine and that, reportedly, 295 people lost their lives in that incident. Reportedly, 23 Americans were listed on the manifest. I wish to offer my thoughts and prayers to the families of the victims of that plane that went down over Eastern Ukraine, and I want them to know they are in our thoughts and in our prayers.

I wish to raise the issue as following: There is an investigation going on. We don't know yet who is responsible or if anyone is responsible. The facts will come forward as to why this plane went down. But it has been widely reported that the plane was, in fact, shot down. Some of the reports have said it was done by a medium-range surface-to-air missile system.

We know that most recently there has been tremendous violence in Eastern Ukraine. If the investigation of this plane going down reveals that either Russia or Russian agents are responsible or indirectly responsible for shooting down this civilian airliner, there should be serious consequences.

What we know is that Vladimir Putin and the Russians have been responsible in fomenting the situation that has occurred in Eastern Ukraine where there has been violence, there has been recruiting, training, and funding of Russians and Russian agents, sending them to Eastern Ukraine to fight the Ukrainian Government, interfering with the sovereignty of Ukraine. This was following the illegal invasion and annexation of Crimea, the territory of Ukraine, by the Russian Government, and the Russians have taken over that portion of Ukraine.

We will wait to see what the investigation reveals for the downing of this plane. Our prayers are with the families who have lost loved ones. But I believe there should be serious consequences if we find out it was either Russian agents, Russian equipment, or Russia directly that was responsible for this airliner going down.

Yesterday the administration announced it would impose and was imposing greater sanctions on Russia for their activities of fomenting violence in Eastern Ukraine.

I want to thank the administration for finally coming forward and putting forth more serious sanctions against Vladimir Putin, against the Russian Government, for what they have done to interfere with the sovereignty of Ukraine.

It is an important step forward, and I hope Vladimir Putin understands there

are even greater sanctions that can be imposed if the sanctions that were announced yesterday by the administration that involve some sectoral sanctions against major industries in Russia and individuals—if they do not heed the warning that is coming from those sanctions, I hope Vladimir Putin and the Russian Government understand there are much tougher sanctions that can also be imposed if they do not heed the sanctions that were put in place yesterday and stop fueling the violence in Eastern Ukraine.

We need to understand the context of what we have seen happen in Eastern Ukraine. The separatists, the so-called separatists, in Eastern Ukraine are funded, equipped, and supported by the Kremlin. Vladimir Putin could end the violence in Eastern Ukraine tomorrow if he chose to. He essentially has operational control of what these violent separatists are doing to interfere with the sovereignty in Ukraine. He is responsible for the violence, and I would call on him to end that violence, to stop funding these separatists, to stop providing them with equipment that is being used against the Ukrainian people and the Ukrainian military, and to allow the people of Ukraine to determine their future. That is what they want.

I had the privilege of going to Ukraine for their Presidential election, and I was inspired by the people who went to the polls. I will never forget being there at the first polling station that day in the Presidential election and an older gentleman came to the polls and cast his ballot and said: For democracy.

The people of Ukraine want to determine their own future, just as we determine our future in this country. Vladimir Putin and Russia should allow the people of Ukraine to decide their future. They should stop interfering with the sovereignty of Ukraine.

This is not a Ukrainian uprising of disenfranchised Russian-speaking Ukrainians. What is happening in Eastern Ukraine is a Kremlin-instigated, armed, funded, trained, and fueled aggression against the people of Ukraine and their duly elected government.

This is cynical and blatant aggression by Putin against Ukraine, and Putin continues to undermine Ukrainian sovereignty and security by arming these separatist rebels, massing Russian troops at the border of Eastern Ukraine in a very threatening way, and also threatening to increase further coercive measures against Ukraine.

The people of Ukraine need our help. The Ukrainian people are willing to risk their lives and have been risking their lives to defend the sovereignty of their country against President Putin's aggression, but the Ukrainian Government desperately needs our assistance.

In particular, the prior administration of Ukraine that left—President Yanukovich was very aligned with Russia—gutted their military and much of the equipment they need to be able to defend themselves.

Let me say, they have gone there and bravely defended themselves, even without having some of the equipment they need that was really lost by their military because of the prior administration and neglect of the Ukrainian military.

Ukrainians need assistance—and not only the sanctions the administration has issued, which could get tougher but they need military assistance from our country.

We have to keep in mind the Ukrainians gave up their nuclear weapons under the Budapest Memorandum. In return—our country, the Russians, were signatories to the Budapest Memorandum—in return for security assurances, the least we can do for them is give them the means to defend themselves.

I know the Ukrainian Government has asked us for antitank weapons, anti-aircraft weapons, small arms, the sharing of intelligence so they can defend their own border. It is the least we can do for them, given that they gave up their nuclear weapons.

What country is going to give up their nuclear weapons again if we will not even give them some basic military assistance so they can defend themselves? They are not asking us to send our troops in. They are not asking for things like that. They are willing to defend themselves and they need our help to do so.

Finally, President Obama said in his June 4 speech in Poland: “Our free nations will stand united so that further Russian provocations will only mean more isolation and costs for Russia.” I call on the President to continue to take action and to stand by those words. Those words meant a lot to the Ukrainian people, and it is important that we follow through on those words because it is in the national security interests of the United States to stand with the people of Ukraine and their legitimately elected government as they seek to protect their sovereignty.

If we are not willing in these circumstances to stand by giving them some basic military support they have asked for, after having given up their nuclear weapons, then what lessons will other actors in the region and around the world take from that?

I think lesson No. 1 is: Why would you ever give up your nuclear weapons? In a world where we are hoping to reduce proliferation, this is not a good message for us to send.

No. 2: What will our allies in the region think if we will not stand against Russian aggression under these circumstances?

You have already seen concerns, of course, by the countries in the region that can be impacted by Russian aggression, whether it is Georgia, Moldova—concerns we have seen for further support from Poland, important allies in the region.

To put it in perspective of why we need to give this military support—in addition, we do not know what hap-

pened, but we will find out, with the downing of this commercial passenger plane and the tragic loss of 295 individuals. Over the last month, we have seen that on June 14 pro-Russian separatists shot down a Ukrainian military transport, killing all 49 people on board; on June 16, Gazprom—Russia’s giant state-controlled gas company—announced they are cutting off gas supplies to Ukraine.

Just this Monday, a Ukrainian cargo plane was shot down and Ukrainian officials believe it was shot down by missiles fired from Russia.

Last night, a Ukrainian fighter jet was shot down. Ukrainians also believe the Russians were involved in shooting down that fighter jet.

We will find out what happened to this passenger plane but it was in airspace where there have been instances of Russian agents directly involved in shooting down Ukrainian planes.

So it is important that we give the Ukrainian people the capacity to defend themselves under those circumstances. It is the least we can do, given that they are willing to stand up for their own sovereignty, that they are strong friends of the United States of America. If our allies in the region think we will not stand with the sovereignty of Ukraine under these situations, it is going to create a situation where our allies will not feel they can rely on the United States of America.

It also creates a situation where allies, friends, rivals, bullies, potential adversaries take the wrong message from it. For example, thinking about what is happening right now with the negotiations with Iran, if we are a country not willing to follow through to assist our friends—under circumstances where, for example, Ukraine gave up its nuclear weapons—with some basic military support, what kind of message will that send to the negotiations going on with Iran right now as to why they should give up their nuclear program?

So this is a very important moment for the United States of America. I again want to say that the steps the administration took to impose additional sanctions this week are a very important step. I support those. I hope Vladimir Putin and Russia heed what those sanctions mean. Those sanctions will have an impact on the Russian economy, but we can impose even stronger sanctions against Russia if they do not stop funding and causing the violence in Eastern Ukraine and interfering with the sovereignty of the Ukrainian people.

The people of Ukraine have our respect. They have stood for themselves. They had a free and fair election that I was able to observe. They elected their President, and now they want to determine their own future, and they want Russia to respect the sovereignty of their country—what any country in this world should be able to expect: that another country will respect their sovereignty.

Unfortunately, Vladimir Putin has been a bully in all of this and has not respected the sovereignty of Ukraine. He should understand the sanctions that were issued this week are a message to him to stop what he is doing in Eastern Ukraine, and we can issue even tougher sanctions—and should issue tougher sanctions—if he continues to act like a bully who thinks he can go into other countries, take their territory, and push people around in those countries, as we have seen in Ukraine.

This matters to the world because we cannot have people like Putin thinking they can invade another country without consequences.

Finally, I would hope we would provide more support to the Ukrainian military, given that they have been willing to stand for their own defense, to secure their own border, to stand for their own sovereignty, but it is very difficult for them to do so when they are facing Russian-supported separatists, Russian tanks, Russian anti-aircraft equipment, and more sophisticated technology than they have at the moment.

We can help them by ensuring that they have the equipment to protect themselves, to protect their border, and to let Russia know there will be consequences if they continue to interfere with the sovereignty of Ukraine or any other country.

I thank the Chair.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. WARREN). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

#### STEM JOBS

Mr. SESSIONS. Madam President, three of our greatest ‘masters of the universe’—as I like to refer to them—have joined in an op-ed in the New York Times just last week to share their wisdom from on high and to tell us in Congress how to do our business and to conduct immigration reform they think should be pleasing to them. I am sure other super billionaires would be glad to join with these three super billionaires and could agree on legislation that would be acceptable to them.

Sheldon Adelson, Las Vegas casino magnet and Republican supporter; Warren Buffett, the master investor; and Bill Gates, the master founder of Microsoft computer systems, all super billionaires, apparently aren’t happy. They don’t have much respect for Congress and, by indirection, the people who elect people to Congress, it appears from the tone of their article—you know, American people, that great unwashed group; nativists, narrow-minded patriots, possessors of middle-class values. They just don’t understand as we know, we great executives and entrepreneurs.

So they declare we need to import more foreign workers in computer science, technology, and engineering, because the country is “badly in need of their services.” They say we are badly in need of importing large numbers of STEM graduates. That is something we have all heard and many of us have perhaps assumed is an accurate thing.

These three individuals, all generous men, have contributed to a lot of causes, and I am teasing them a lit bit. They didn’t mind sticking it to Congress, so I just tease them and push back a little bit.

They particularly praised the Senate for its elimination of any limits on the number of work visas that could be awarded to immigrants who have a degree in science, technology, engineering, and mathematics and have a job offer.

This is the op-ed in the New York Times last Thursday: “Sheldon Adelson, Warren Buffett, and Bill Gates on Immigration Reform.”

What did we see in the newspaper today? News from Microsoft—was it that they are having to raise wages to try to get enough good, quality engineers to do the work? Are they expanding or are they hiring? No, that is not what the news was, unfortunately. Not at all.

This is the headline in USA Today: “Microsoft to cut up to 18,000 jobs over next year.”

Microsoft confirmed it will cut up to 18,000 jobs over the next year, part of the tech titan’s efforts to streamline its business under a new CEO . . .

That is a significant action. Indeed, Microsoft employs about 125,000 people, and they are laying off 18,000. The company laid off 5,000 in 2009. Yet their founder and former leader, Mr. Gates, says we have to have more and more people come into our country to take those kinds of jobs.

It is pretty interesting, really. We need to be thinking about what it all means and ask ourselves: What is the situation today for American graduates of STEM degrees and technology degrees? Do we have enough? And do we need to have people come to our country to take those jobs? Or, indeed, do we not have a shortage of workers, and do we have difficulty of people finding jobs?

These are some of the facts I think we should look at. President Obama, Senate Democrats, and House Democrats have endorsed a proposal, a bill that passed the Senate, that would double the H-1B foreign workers that come into America for one reason—not to be a citizen, not to stay indefinitely, but to take a job, double the number, to come to take a job for several years. The great majority of these guest workers are not farm workers. They take jobs throughout the economy.

So how should we think about this? The U.S. Census Bureau reports that three-fourths of American with STEM degrees—science, technology, engineer-

ing, mathematics—don’t have jobs in STEM fields. According to a recent newspaper from the Economic Policy Institute:

“Guestworkers may be filling as many as half of all new information technology jobs each year.”

It goes on. “IT workers earn the same today as they did, generally, 14 years ago.” Wages aren’t going up, and in many cases they are going down. That is an absolute refutation, I think—if you believe in the free market—of any contention that we have a shortage of engineering, science, and STEM graduates.

The paper further says: “Currently, only one of every two STEM college graduates is hired in a STEM job each year.” So only half of them find a job in the profession they trained for.

Another finding of the paper: “Policies that expand the supply of guest workers will discourage U.S. students from going into STEM fields, and into IT in particular.”

Get that. Is that not common sense? If anybody would dispute that, I would like to hear it. The policies that expand the supply of eligible workers in any field will tend to discourage people, particularly in science and engineering, if they feel like they are going to have a difficult time finding a job. That is common sense, and that is what the paper found.

Now, Mr. Hal Salzman—I am familiar with his work. He is a professor at Rutgers University and a labor specialist. He has done a good bit of work in this area. And what do his findings show? He determined: “For the 180,000 or so openings annually, U.S. colleges and universities supply 500,000 graduates.”

More than twice as many people graduate in STEM fields as jobs are available in America for them to take.

Bob Charette, at the Institute of Electrical and Electronics Engineers, writes: “Wages for U.S. workers in computer and math fields have largely stagnated since 2000.”

That is 14 years ago.

Even as the Great Recession slowly recedes, STEM workers at every stage of the career pipeline, from freshly minted grads to mid- and late-career Ph.D.s, still struggle to find employment.

In total, Charette reports that there are more than 11 million Americans with STEM degrees who don’t have STEM jobs.

Harvard Professor Michael Teitelbaum has recently written a book. He explained:

Far from offering expanding attractive career opportunities, it seems that many, but not all, science and engineering careers are headed in the opposite direction: unstable careers, slow-growing wages, and high risk of jobs moving offshore or being filled by temporary workers from abroad.

Michael Anft, with the Johns Hopkins Magazine, observed:

You’re a biologist, chemist, electrical engineer, manufacturing worker, mechanical engineer, or physicist, you’ve most likely seen your paycheck remain flat at best. If you’re a recent grad in those fields looking for a

job, good luck. A National Academies report suggests a glut of life scientists, lab workers, and physical scientists, owing in part to over-recruitment of science-Ph.D. candidates by universities. And postdocs, many of whom are waiting longer for academic spots, are opting out of science careers at higher rates, according to the National Science Foundation.

This is serious. There is a policy question, and he questions whether Members of Congress who don’t pass laws like he wants on immigration are honoring their duty to the 300 million Americans whom we collectively represent.

I feel a deep duty to the millions of Alabamians I represent and the whole country, and I do my best every day to ask what is in their interests. As far as I am concerned, so far as I can see, those three billionaires have three votes. An individual who works stocking the shelves at the grocery store, the barber, the doctor, the lawyer, the cleaners, the operator, and the person who picks up our garbage are every bit as valuable as they are. I know who I represent. I represent the citizens of the United States of America, and I am trying to do what is in their best interests. And just as it is not always true what is good for General Motors is good for America, likewise, what may be good for Mr. Adelson and Mr. Microsoft and Mr. Buffett is not always in accord with what is good for the American people. I know that. They are free to express their opinion, but I am going to push back.

How many people come into our country each year as guest workers? We have discussed that. The Senate bill which Senator REID maneuvered through the Senate not too many weeks ago would double the number of guest workers. How many is that? The Associated Press wrote:

Although no one tracks exactly how many H-1B guest workers come to take jobs these are visas for jobs in fields like computers and technology—how many of these are in the United States? The AP says “experts estimate there are at least 600,000 at any one time.”

That is a lot. These are individuals not on a citizenship path. They are in addition to the 1 million who come to America each year lawfully to become citizens of America. They simply come in at the behest of some business to take a job for a limited period of time. That is important. There are other visas these businesses can get too, but H-1B is one of the largest. A paper for the Economic Policy Institute explained the annual inflow of guest workers for the computer industry in particular is massive.

We estimate that during fiscal 2011, 372,516 high-skill guest workers were issued visas to enter the U.S. labor market, and, of these workers, between 134,000 and 228,000 were available for IT employment.

That is information technology.

The supply of IT guest workers appears to be growing dramatically despite stagnant or even declining wages.

But Microsoft and its allies want more.

Here is an excerpt from a report issued by the Partnership for a New American Economy. This is the front group for the pro-immigration crowd. It is co-headed by Steve Ballmer, a recent Microsoft CEO. He left Microsoft in February, but he is the co-head of this group and is lobbying for more H-1B guest workers to come to take jobs. They say: "In many STEM occupations, unemployment is virtually non-existent."

This is not so. They declare it to be so. They say:

There is no evidence that foreign-born STEM workers adversely affect the wages of American workers by providing a less expensive alternative source of labor.

What planet are they on? Wages are declining. Median income in America today—well, according to the Wall Street Journal, it was approximately \$55,000 for a family in 2007. It is now closer to \$50,000. It dropped roughly \$5,000. Somebody needs to talk about that.

Is unemployment in these industries "virtually non-existent"? That is what they are telling us. They are spending millions of dollars even running TV ads to promote bringing in more workers than the 600,000 we have today. They want to double that number. I am not talking about the 1 million who already come lawfully every year through immigration in America. We have one of the most generous immigration policies in the world. These guest workers are in addition to the 1 million we let in each year on a permanent basis.

Look at these recent headlines.

Today: "Microsoft To Cut Workforce By 18,000 This Year, 'Moving Now' To Cut First 13,000."

How about this headline: "[Google-owned] Motorola To Cut 10% Of Workforce After Laying Off 20% Last Year."

"Panasonic To Cut 10K More Workers In The Next 5 Months."

"[Online media and advertising company] CityGrid Lays Off 15% Of Its Employees."

"Hewlett-Packard: 27,000 Job Cuts to Save Up To \$3.5B By 2014."

I would say things aren't going as well as some would suggest, and the demand out there for workers ought to be met from our current supply.

Byron York, an excellent writer at the Washington Examiner, wrote about this late last year in the Washington Examiner. The headline is: "Companies lay off thousands, then demand immigration reform for new labor."

On Tuesday, the chief human resource officers of more than 100 large corporations sent a letter to House Speaker John Boehner and Minority Leader Nancy Pelosi urging quick passage of a comprehensive immigration reform bill.

Don't read it, don't worry about it, just pass it. It gives us more workers, and we need those workers, is essentially, what they have been saying. "The officials who signed the letter represent companies with a vast array of business interests: General Electric,

Marriott International, Hilton Worldwide, Hyatt Hotels Corporation, McDonald's, Wendy's, The Cheesecake Factory, Johnson & Johnson, Hewlett-Packard, General Mills, and many more." All of them "want to see increases in immigration levels for low-skill as well as high-skill workers in addition to a path to full citizenship for the millions of immigrants in the United States currently illegally." That is their agenda.

The article goes on to say: "a new immigration law, the corporate officers say, 'would be a long overdue step toward aligning our nation's immigration policies with its workforce needs at all skill levels . . .'"

I would say at a time of high unemployment we need to be careful. The article goes on to say, "at the . . . time the corporate officers seek higher numbers of immigrants, both low-skill and high-skill, many of their companies are laying off thousands of workers."

So he did a little research. All these companies in need of workers. What about Hewlett-Packard? They signed the letter demanding more workers. I will quote from the article.

For example, Hewlett-Packard, whose Executive Vice President for Human Resources Tracy Keogh signed the letter, laid off 29,000 employees in 2012. In August of this year, Cisco Systems, whose Senior Vice President and Chief Human Resources Officer Kathleen Weslock signed the letter, announced plans to lay off 4,000—in addition to 8,000 cut in the last two years. United Technologies, whose Senior Vice President for Human Resources and Organization Elizabeth B. Amato signed the letter, announced layoffs of 3,000 this year.

American Express, whose Chief Human Resources Officer L. Kevin Cox signed the letter, cut 5,400 jobs this year. Proctor & Gamble, whose Chief Human Resources Officer Mark F. Biegger signed the letter, announced plans to cut 5,700 jobs in 2012.

Those are a just few of the layoffs at companies, the article said, whose officers signed the letter.

A few more: T-Mobile announced 2,250 layoffs in 2012. Archer-Daniels-Midland laid off 1,200. Texas Instruments, nearly 2,000. Cigna 1,300. Verizon sought to cut 1,700 jobs . . . Marriott announced 'hundreds' of layoffs this year. International Paper has closed plants and laid off dozens.

—including an old, big plant with 1,000 workers or so in north Alabama—

And General Mills, in what the Minneapolis Star-Tribune called a 'rare mass layoff,' laid off 850 people last year.

"There are more still." I am quoting here from Mr. Byron York's article:

In all, it's fair to say a large number of corporate signers of the letter demanding more labor from abroad have actually laid off workers at home in recent years. Together their actions have a significant effect on the economy. According to a recent Reuters report, U.S. employers announced 50,462 layoffs in August, up 34 percent from the previous month and up 57 percent from August 2012.

This is last August. I am quoting from the article:

"It is difficult to understand how these companies can feel justified in demanding the importation of cheap labor with a

straight face at a time when tens of millions of Americans are unemployed," writes the Center for Immigration Studies, which strongly opposes the Senate Gang of Eight bill. . . . The companies claim the bill is an "opportunity to level the playing field for U.S. employers" but it is more of an effort to level the wages of American citizens."

Mr. York goes on to say this in his next article. The next month, he writes another article on the subject.

This week, the pharmaceutical giant Merck announced it would cut 8,500 jobs in an effort to remain competitive in a rapidly changing drug industry. Earlier this year Merck announced plans to cut 7,500 jobs, bringing the total of workers let go to 16,000. In all, Merck intends to lay off one out of every five of its employees.

Well, what is Merck, this great corporation, doing politically about the situation?

I will quote from the article. This is what they are doing politically:

At the same time, top Merck officials are urging Congress to loosen the nation's immigration laws to allow more foreign workers into the United States. In a Sept. 10 letter—this is last September—

—to House Speaker John Boehner and Majority Leader Nancy Pelosi, Merck Executive Vice President for Human Resources Mirian Graddick-Weir urged that the U.S. admit more high- and low-skilled immigrants to "address the reality that there is a global war for talent" and to "align our nation's immigration policies with its workforce needs at all skill levels to ensure U.S. global competitiveness."

Well, we have too many people unemployed. The number of people unemployed in our country is not accurately reflected by the simple unemployment data we get. When you look at the number of people in the actual workforce, you find we have the lowest workplace participation, the lowest number of workers as a percentage of the population at any time since the 1970s. It has been declining steadily. It is a fact. Everybody knows it. It is not disputed. If anybody wants to dispute that, come to the floor and tell me where I am wrong. And they won't because it is well accepted and Democrats and Republicans are talking openly about it, because it is a serious challenge for America. We don't have enough people working. We have got too many people living off the government and relying on federal aid and assistance. We need to create jobs for Americans first before we bring in foreign workers to take those jobs. We are going to help our people sustain their life. We make sure they have food and housing and aid if they are unable to work and don't have enough to live on, and we provide health care for them and education for their children. But we need to help them find work first before we bring somebody else to the country.

I would say to my free market business friends, I don't think you can win the argument that we have a shortage of labor, because wages are down. I know you believe in free markets. I

know you believe that things will balance out in a competitive world. If wages are down, that indicates we have a loose labor market, not a tight labor market. Wages go up when there are not enough employees, and businesses have to pay more to get good employees. Family income has gone down from 2007, as I said, from approximately \$55,000 median household income to \$50,000, adjusted for inflation. This is a very unusual decline. I am not sure we have seen anything like quite this before, at least since the Great Depression. This is a matter we need to talk about. "Watching firms fire American workers while appealing for more immigration is a disheartening spectacle", Mr. Byron York says. And I think that is true.

This is another Associated Press article: "Backlash Stirs in US Against Foreign Worker Visas."

But amid calls for expanding the so-called H-1B visa program, there is a growing pushback from Americans who argue that the program has been hijacked by staffing companies that import cheaper, lower-level workers to replace more expensive U.S. workers—or keep them from being hired in the first place.

"It's getting pretty frustrating when you can't compete on salary for a skilled job," said Rich Hajinlian, a veteran computer programmer from the Boston area. "You hear references all the time that these big companies . . . can't find skilled workers. I am a skilled worker."

How about this? They say there is a STEM crisis—which is Science, Technology, Engineering, and Mathematics. They say there are not enough STEM graduates to fill vacant jobs.

This article says: "The STEM Crisis Is a Myth." This is a paper by Robert Charette, contributing editor for the Industrial Institute of Electrical and Electronic Engineers magazine. He says:

Companies would rather not pay STEM professionals high salaries with lavish benefits, offer them training on the job, or guarantee them decades of stable employment. So having an oversupply of workers, whether domestically educated or imported, is to their benefit.

That is in part because it helps keep wages in check.

Viewed another way, about 15 million U.S. residents hold at least a bachelor's degree in a STEM discipline, but three-fourths of them—11.4 million—work outside of STEM.

If there is in fact a STEM worker shortage, wouldn't you expect more workers with STEM degrees to be filling those jobs?"

I think that is correct.

What about the people who immigrate to America? They can't get a job because somebody else was brought in to take that job from them. What are they going to do?

The economy can absorb a certain number, but in this low job-wage low-job creation economy we are in today, and have been in for a number of years, you simply cannot justify these huge increases in the number of workers we have brought into the country, especially when wages are falling.

Here is another article: "The Myth of the Science and Engineering Short-

age." It is an op-ed by Michael Teitelbaum, a senior research associate at Harvard Law School.

A compelling body of research is now available, from many leading academic researchers and from respected research organizations such as the National Bureau of Economic Research, the RAND Corporation, and the Urban Institute.

No one has been able to find any evidence indicating current widespread labor market shortages or hiring difficulties in science and engineering occupations . . .

He goes on to write, as I read before:

From offering expanding attractive career opportunities, it seems that many, but not all science and engineering careers are headed in the opposite direction: unstable careers, slow-growing wages, and high risk of jobs moving offshore or being filled by temporary workers from abroad.

I am afraid that is the undisputed reality. I wish it were not so. I wish we had a growing economy that would create a lot of jobs and a lot more high-tech workers and that wages were going up. But it is just not so.

Here is an article from July 11, in CNNMoney. The headline is: "Businesses Want Immigration Reform. Why? Because they can't find enough workers." That is what they say the answer is.

This article notes the complaints of various business lobbyists. For instance:

The tech industry faces a backlog of working visas for high skilled workers. The long wait for green cards at top universities means the U.S. is losing [talent]. . . . Microsoft founder Bill Gates and others CEOs like Yahoo's Marissa Mayer and Facebook's Mark Zuckerberg, have all pressed Washington leaders for an immigration [reform].

CNN also includes this statement from another group demanding Congress provide more workers:

Two-thirds of construction companies have reported labor shortages according to the Associated General Contractors of America, who is pushing for immigration reform.

So two-thirds of construction companies reported labor shortages. Well, what do we know about that?

Here is a May 5 article from Economic Policy Institute by Ross Eisenbrey. They cite an in-depth study about the labor market.

The headline says: "There are Seven Unemployed Construction Workers for Every Job Opening."

There is a chart showing the drop in wages. This isn't some promoter, some lobbyist or some media consultant putting out a self-serving statement claiming we have a shortage of workers. This is an academic study. Again, what does it say? "No Sign of Labor Shortages in Construction: There are Seven Unemployed Construction Workers for Every Job Opening."

That is where we are. What we need, as a Nation, is to construct an immigration policy that serves the interests of the American people.

Professor Borjas at Harvard is perhaps the most astute and renowned expert on labor and immigration of anybody in the entire world and has writ-

ten a number of books on this. He did an comprehensive study using census data and Department of Labor data and concluded that from 1980 to 2000, as a result of America's high immigration levels, the wages of lower-skilled US workers declined by 7.4 percent.

The impact of this large flow of immigration from 1980 to 2000 reduced wages. We already bring in a million people a year, plus hundreds thousands more guest workers. I am not against immigration. What I am opposed to, however, is an immigration policy that fails to serve the needs of the people living here today. The myth is we have this great shortage of labor. It is just not so. If he allowed the labor market to tighten, wages would increase, more Americans would take some of these jobs and be able to raise a family, buy an automobile, and maybe even buy a house and educate their children.

Today I am going to issue a challenge to Majority Leader REID, and every single one of our 55 Senate Democrats, who voted unanimously for this Gang of 8 bill.

With Microsoft laying off 18,000 workers, come down to the Senate floor and tell me there is a shortage of qualified Americans to fill STEM jobs. Come down and tell us. Do you stand with Mr. Bill Gates or do you stand with our American constituents?

It is long past time we had an immigration policy that truly served the needs of the American people. That is the group to whom we owe our loyalty and duty and first responsibility. That is who elected us, and that is in our constitutional system, which ultimately judges us on our performance.

The United States let in 40 million new immigrants legal and illegal—since 1970. There are many wonderful people in that group. But Washington actually hurts both our immigrant workers and US-born workers alike when we continue to bring in record numbers of new workers to compete for jobs. The share of the population today that is foreign-born has quadrupled. It has gone up four-fold in forty years. After four decades of large-scale immigration, is it not time, colleagues, that we slow down a bit, allowed wages to rise, assimilation to occur, and the middle class to be restored?

I thank the chair and yield the floor.

The PRESIDING OFFICER (Mr. MARKEY). The Senator from Vermont.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

CELEBRATING GOVERNOR PHIL HOFF'S 90TH BIRTHDAY

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

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

Mr. LEAHY. Mr. President, we come to the floor oftentimes to discuss issues of portent to the Nation, but the

distinguished Senator from Vermont and I wish to speak about one of the most significant people Vermont has ever known.

I wish to yield to my distinguished colleague from Vermont and we will go back and forth.

Mr. SANDERS. I thank Senator LEAHY for yielding.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Mr. President, every now and then there are figures who come along who play a profound and transformative role in the period in which they are living. Phil Hoff is one of those people. We are here to celebrate his 90th birthday and the work he has done in Vermont and around the country and the life he and his wife Joan have lived, both of whom have done so much for the people of the State of Vermont.

Phil Hoff was the 73rd Governor of the State of Vermont. He was in many ways the founder of progressive politics in our State. It is now recognized—and we say this proudly, although not everybody necessarily is as proud of it as we are—but Vermont is now one of the more progressive States in the United States of America. We have been a leader for the rights of working people, for the environment, for women's rights, for gay rights, for kids, and we are proud of that, but none of that would have happened—we would not be where we are today—if it had not been for the work of Phil Hoff, who has Governor of our State and was elected in 1962.

I am going to yield to my colleague Senator LEAHY now. I have a lot more I wish to say, but let me begin the discussion by saying that we in Vermont are extraordinarily fortunate that one of the great Governors of his time is a real visionary, a man who led the beginning of making profound changes in the State of Vermont.

I yield back to the senior Senator from Vermont, Mr. LEAHY.

The PRESIDING OFFICER. The senior Senator from Vermont.

Mr. LEAHY. Mr. President, my distinguished colleague from Vermont is absolutely right. Vermont changed remarkably when Governor Phil Hoff was elected. Prior to that time, the governorship of Vermont was basically a part-time office—seen now and then when the legislature was there but not so much otherwise—and things went along almost on autopilot. Governor Hoff changed that and brought Vermont into the 20th century. I think because the two are somewhat intertwined.

I was a volunteer for the Presidential campaign of then-Senator John F. Kennedy in 1960. I volunteered on his campaign, but I wasn't old enough to vote for him. But I remember the first election I was able to vote in was the Vermont Governor's race in 1962, and I cast my first vote for Philip Henderson Hoff. My family was thrilled when he won that election. He became the first

Democratic Governor elected in Vermont in over a century.

My parents and Marcelle's parents were so fond of Phil Hoff and his wife Joan. They thought the world of them. I was happy the other day in seeing both Phil and Joan at his birthday celebration. They talked about my parents and Marcelle's parents, but I told them I wouldn't be where I am today without Governor Hoff.

I was a young lawyer in his office. There had been a real problem in the State's attorney's office in Chittenden County, VT, which is about one-quarter of our State's population. The State's attorney announced he was leaving and Governor Hoff called me to his home on Friday afternoon and said: I want you to be State's attorney on Monday morning.

I gulped, and I said: Yes, sir.

He said: Clean up the backlog of cases that have accumulated in the office.

I said: Yes, sir.

He said: Do that for 1 year and then come on back to our firm.

And I said: Yes, sir.

The one thing I didn't do is I didn't come back to the firm; I enjoyed being there so much, I stayed there. I stayed there, though, with admiration for Phil Hoff because he had changed the State of Vermont. He made it exciting to be in government in Vermont. He made it exciting to be part of the fabric of Vermont. I have always appreciated that. I have always appreciated my time with him but especially the mentoring he offered me. If it had not been for him, I can tell my colleagues, I would not be standing here today as the President pro tempore of the U.S. Senate.

I yield back to my friend from Vermont.

Mr. SANDERS. Mr. President, way back in 1968 as a young man, I got a job at the Department of Taxation in a small building on State Street across the street from the statehouse, working for the administration, then-Governor Hoff, and that was a very important experience for me and helped me shape some of my views which I carry today.

Phil Hoff's career of public service began during World War II when he put his studies on hold and joined the Navy, eventually joining the submarine service. He served on the USS *Sea Dog* in the Pacific theater, going on a number of combat tours in the dangerous waters near the main islands of Japan.

While in naval training in New London, CT, a friend of his set up a blind date with a Connecticut college student. Her name was Joan Brower, and she and Phil would be married after the war—a marriage that was to last for six rich decades.

I know Senator LEAHY and his wife, as well as myself and my wife Jane, know the Hoff's very well. We know Joan and know of her years of dedication to the people of the State of

Vermont, especially in the area of education. So she in her own right has been a very important figure in our State.

After Phil Hoff's graduation from Cornell Law School, he and Joan moved to Burlington, VT, in 1951. Deeply committed to social justice, he became involved in Democratic Party politics and did that despite the fact that he grew up in a Republican family.

Senator LEAHY will remember that way back then, there was a group of what they called the Young Turks— younger Democrats who came into a very conservative Republican legislature. Most of them were under 40. Many of them were veterans of World War II. They moved forward to try to bring about some long needed change in the State.

Their experience in the legislature motivated Phil Hoff to run for Governor in 1962. As Senator LEAHY indicated, if my memory is correct, he was the first Democrat elected Governor since the Civil War; is that right?

Mr. LEAHY. Mr. President, my colleague is absolutely correct. It was a cataclysmic change in the political landscape of Vermont.

Mr. SANDERS. For more than 100 years—I think many people don't know this—the Republican Party dominated Vermont politics, controlling both Houses of the legislature and the Governor's office.

This is a funny story. Even in the landslide Presidential election of 1936, when FDR—Franklin Delano Roosevelt—won a huge landslide victory, Vermont joined Maine as the only State in the country to vote against Roosevelt and vote for Alfred Landon, and thus came the well-known expression: "As goes Maine, so goes Vermont." What Phil Hoff helped do is lead Vermont out of a one-party State, badly in need of reforms, and brought that State in many significant ways into the second half of the 20th century.

I yield back to the senior Senator from Vermont.

Mr. LEAHY. Mr. President, I thank my colleague from Vermont. He and I share so much affection for Phil and Joan Hoff, and I can tell hundreds of stories. He made a difference by enthusiastically bringing people together in our State, with the realization that we needed to catch up with the rest of the country in so many ways—such as bringing high-tech industry into Vermont and working so hard to make sure everybody had a good education no matter what part of the State they lived in.

Then there are the personal anecdotes. I was excited as a young State's attorney one day getting a call from the Governor's office that one of the old-line politicians in Burlington had died—a wonderful man of French Canadian descent. They were going to have a mass for him at the Cathedral, and the Governor wanted me to ride with him to the mass.



I got into the car, and I said, Governor, you know I have only been State's attorney for a very short while and I can't tell you what an honor it is to be with you. He said, An honor? Honor has nothing to do with it. He said, I am an Episcopalian, you are a Catholic. They put me in the front row. I never know when I am supposed to stand or where I am supposed to sit, so you are going to make sure I do it right. I had been an altar boy for years, and I was in sheer panic when I walked in the church that I might have the Governor do something wrong, but we made it through.

More importantly, Vermont had issues, and they became very serious, affecting the reputation of our State. Phil Hoff and great people together across the political spectrum would sit in his office and he would say, how do we make things better for Vermont—never for him, it was for Vermont.

I think of the changes in our State, and I remember my parents and Marcelle's parents talking about the amount of changes—changes for the better—and every time they would go back to one name: Phil Hoff.

I was so glad to hear Senator SANDERS speak of Joan Brower Hoff and their wonderful daughters. She truly was Vermont's First Lady. She was almost as recognizable—in fact, in many places, more recognizable than her husband—highly respected. People—men and women—wanted to be able to model their careers and their nature after her. I am glad the two are still together. They are still healthy, they are still the best of Vermont, and I feel honored to be able to speak of them here.

I yield the floor.

Mr. SANDERS. Mr. President, Senator LEAHY talked about the influence Governor Hoff had on the State. Let me give some examples of what he did.

Senator LEAHY will remember in the early 1960s we had the situation in Vermont where the Vermont State House of Representatives, people were represented by every town. I lived for a while in the town of Stannard, VT, which has maybe 100, 150 people, and they had the same vote in the legislature as Burlington, VT, the largest city in the State, which has 40,000 people. Under Phil Hoff, what we moved to in the State—and with the Supreme Court ruling dealing with proper apportionment—was person, one vote, so the house began to reflect the population locations of the State and not just every town.

In addition to that, when Phil Hoff was Governor of the State, he successfully insisted on repealing Vermont's poll tax. Now we think that is ancient history. What the poll tax said is that in order to vote, you have to pay a certain amount of money, which, obviously, is discriminatory to lower income people. That was repealed under Hoff's era as Governor.

He understood and his wife understood the importance of education.

What Governor Hoff did was he quadrupled State aid to public schools and organized the three State teachers colleges into a new, revitalized State college system that better met the needs of Vermont's students. That system endures to this day. We have a very strong system of State colleges in Vermont, and that began under the Hoff era.

Under Governor Hoff's leadership, Vermont's judicial system was modernized. Always a path breaker and an advocate for justice, Phil Hoff led the way to Vermont becoming one of the first States in the country to abolish the death penalty.

No aspect of State government was beneath his notice, and he took Vermont forward in many ways, including terminating the outdated "overseer of the poor" system. That was something he changed as well. He established the Vermont district court State court system, the Judicial Nominating Board, the Vermont State Housing Authority, and the Vermont Student Assistance Corporation—a program which today plays a very vital role in making sure young people in Vermont can get a college education.

What was also—and Senator LEAHY knows this better than I—rather extraordinary about Phil Hoff is he understood that positive change could not take place in Vermont unless change was taking place throughout the country. In that area, being the Governor of one of the smallest States in the country, this man showed extraordinary courage, and he said: Do you know what. That war in Vietnam is not good for Vermont, it is not good for America.

He was one of the first public officials, as I recall, I say to Senator LEAHY, to speak out. That took a whole lot of courage, to speak out against the war in Vietnam. He took it a step further. Here you had Lyndon Johnson at that time—who I think will go down in history, except for that war in Vietnam, as one of our great Presidents—and Phil Hoff said: Do you know what. Maybe we need a change in the White House, and maybe we should be looking at somebody like Bobby Kennedy rather than Lyndon Johnson.

But, I say to Senator LEAHY, I know he was involved in some of that as a young man.

Mr. LEAHY. I was. And I recall, when Phil Hoff came out against the war in Vietnam—and he was in the minority on that—no member of the Vermont congressional delegation had voted against the war in Vietnam. They voted for all the increases in it. He was in some ways a lonely voice, but he did come out against it. It angered Lyndon Johnson, who was then President. But then he supported Robert Kennedy, as did I.

I remember the two of us meeting Senator Edward Kennedy—one of the Presiding Officer's predecessors—on the runway at the airport in Burlington, VT. He and Governor Hoff and

myself and others were going to speak to a group on behalf of Robert Kennedy, Bobby Kennedy. I remember the look of sorrow on Governor Hoff's face as he stood as one of the honorary pallbearers at Robert Kennedy's funeral. But even after that, he continued to push to make Vermont a better State.

I think—and I realize we have others waiting for the floor—but I just want to say again that Vermont is a wonderful State. It is a beautiful State. It is a progressive State. As Senator SANDERS and I have both said, it would not be what it is today were it not for Phil Hoff. We have all tried to follow in those footsteps, but he lit the way. That sometimes is an overused expression, but in this case I think every historian would agree with us.

Mr. SANDERS. Let me concur with Senator LEAHY. We take this opportunity to wish Governor Hoff a very happy 90th birthday. Jane and I see him quite often, and we just bumped into Phil and Joan recently. We look forward to continuing that relationship.

The bottom line is, as Senator LEAHY said, we are very proud that Vermont is a leader in so many areas in terms of social justice, in terms of environmental sanity, in terms of protecting the needs of ordinary people. That transformation and those efforts did not come about by accident, and certainly one of the great leaders in moving us in that direction was the man we honor today; that is, Philip H. Hoff. We wish him the very, very best in the years to come.

Mr. LEAHY. We wish a happy birthday to a true giant of our State.

I yield the floor.

Mr. SANDERS. With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

#### PROTECTING OUR CHILDREN

Mr. TOOMEY. Mr. President, I rise today to speak on a bill I have introduced. It is S. 1596. It is the Protecting Students from Sexual and Violent Predators Act.

I wish to thank my cosponsors on this legislation. It is a bipartisan bill. Senator JOE MANCHIN and I have introduced this together, and I am grateful to Senators MCCONNELL and INHOFE for their cosponsorship.

This bill was inspired by a terrible story. It is the story of Jeremy Bell, and it begins at a school in Delaware County, PA. One of the schoolteachers molested several boys and raped one of them. Prosecutors decided they did not have enough evidence to bring a case, but the school was aware of what happened, so they dismissed the teacher for this outrageous behavior. But then, amazingly, the school also decided that they would help this teacher get another job at another school so they could be rid of him. And they did exactly that, in fact, passing along a letter of recommendation, helping this predator get a job at a school in West Virginia.

The story ends in 1997 when that teacher—by then a school principal—raped and murdered 12-year-old Jeremy Bell in West Virginia. Justice finally caught up with that teacher, and he is now in jail serving a life sentence for the murder, but for Jeremy Bell that justice came too late.

The very sad truth is that Jeremy Bell is not alone. Every day seems to bring a new report of a child robbed of his or her innocence by someone they should have been able to trust, someone their parents told them they should obey. The numbers are absolutely terrifying, and, worse still, the numbers are growing.

On April 10 of this year, I came to this floor and spoke about the need to pass this legislation to protect our kids from predators in the classroom. I explained then that since January 1 of this year, at that point, 130 teachers had been arrested across America for sexual misconduct with children. Well, here we are just over 3 months later and that number has more than doubled. Since January 1 of this year, 275 teachers have been arrested in America for sexual misconduct with children—275. These are teachers. That is more than one per day so far this year.

Let's be honest. These are the ones whom we have caught. These are the ones who have actually been arrested. These are the ones against whom there is enough evidence that they have actually been arrested. How many more are out there who have not been caught or for whom the evidence is not yet sufficiently clear?

The damage these predators are doing is enormous. It is far beyond what any numbers or my words can express. So I want to let some of the victims speak for themselves.

I will tell you a brief story from Shannon. Shannon is from Nevada. She was raped by a teacher. The teacher was later convicted of sexual assault and sentenced to life in prison. Nine years later, this is what Shannon wrote:

When I was a senior in high school, Mr. Peterson approached me and said I would need to go to night school if I wanted enough credits to graduate on time. And, of course, he taught one of those courses—a computer class. I was 17, and he raped me 4 times over the course of a year. He said he would fail me if I ever told. He also hit me and made threats against me and my family. So I didn't. I held it in for a year and a half.

In the end, 66 people offered to testify against Peterson. His first victim dated back to the year I was born. Some of those who spoke up were parents. Their daughters had complained at the time, but nothing was done. That made me very angry. It still does. I learned that a handful of teachers, and two principals, knew about him. And his teaching license had been revoked in Michigan years before, and no one knew why.

I'm different [now] because of what happened. I have to watch people all the time, analyze them. I can't be carefree. Now I have a seven-year-old son and two daughters, ages three and one. I will home-school my girls.

So when you see the number 275, remember Shannon, and remember that

so far this year there are 275 others like her.

Gary of South Carolina is one of at least 29 boys abused by a teacher named Mr. Fisher over that teacher's 37-year career. Now the teacher is serving 20 years in prison. Two school principals were sued for allegedly covering up the abuse. Here is what Gary wrote about his experience:

I was nine when it started. The abuse was frequent and long-term—till I went to college. I knew there were others, too, but until it all came out, I never knew how many.

You feel so guilty, so ashamed. It's frightening now to look back and see how calculating Fisher was. I did everything I could to get kicked out of school. I was in the guidance counselor's office all the time. Finally, in tenth grade, I got myself kicked out for cheating. By the time I want to college, I was drinking all the time. I was terrified to quit because then I'd have to feel. But I couldn't drink and do school, so I entered rehab. I was 18. It took me a year and a half, and I've been sober since.

My life is good now, for the first time. You can survive it, but you have to deal with it. I always felt that what the school did was far worse than what Fisher did. Fisher was sick, an evil monster. But [the school] just calculated the damage to its public relations. We kids were disposable, which is a whole other category of evil.

So when you see the number 275, remember Gary, and remember that there are 275 others like him that we know of already this year alone.

So what can we do? Well, my bill is a first step at addressing this problem. It is called the Protecting Students from Sexual and Violent Predators Act. It is pretty simple, really. It requires a mandatory background check for existing and prospective employees, and it requires that those checks be periodically repeated. There are five States that do no background checks.

The second thing my bill would do is it would apply to all employees of a school—employees or contractors who have unsupervised access to children, not just teachers. So it would include bus drivers and coaches. There are 12 States that currently do no checks at all on contractors.

The legislation would also require more thorough background checks. It would require that school districts check four major databases, both State and Federal. In my own State of Pennsylvania, for instance, if an employee has been a resident of my State for 2 years or more, then only the State database is checked. We just do not find out what this person might have done in another State at a different time.

The legislation also would prohibit what has—tragically, it has developed its own name; the name is “passing the trash.” This is the phenomenon of when a school knowingly recommends one of these predators to another school. As outrageous as that sounds, it actually happens. Some of these school and school districts so want to be rid of this problem, this embarrassment, that they actually facilitate the person moving on to some other place,

where, of course, this predator just strikes again against some other children. That would be banned under this legislation.

In addition, there would be a prohibition against hiring these kinds of predators. Schools would not be able to hire a person who has ever been convicted of any violent or sexual crime against a child—if they were convicted of a violent or sexual crime against a child. There are a number of other felonies that would also preclude someone from being hired by a school if they are going to have access to children. Those would include homicide, child abuse or neglect, crimes against children, including pornography, rape, or sexual assault, kidnapping.

In addition, a person who has been convicted within the past 5 years of a felony physical assault or battery or a felony drug-related offense—for 5 years from the time at which those crimes were committed, the person would be precluded from being hired in a position, in a capacity where they would have supervisory responsibility over children.

The enforcement for all of this is the only way the Federal Government can or should enforce policies such as this on school districts and schools; that is, if a State refuses to adopt these provisions, then they would lose the funding they get from the Elementary and Secondary Education Act. That is one of many—but an important one—of the Federal Government funding streams for K-12 education. No State wants to lose that source of funding, so I think States would respond by adopting this very commonsense series of measures to protect their children.

I should say this is a bill with very broad support—so broad, in fact, that in the House the companion legislation passed unanimously. There was not a single dissenting vote. They voted last year, and it passed unanimously.

We have bipartisan support here in the Senate, as I mentioned. I am joined by Senators MANCHIN, MCCONNELL, and INHOFE.

It is supported by child advocacy groups. The National Children's Alliance, the Children's Defense Fund, and the National Center for Missing and Exploited Children all strongly support this legislation. I appreciate their support.

It is also supported by prosecutors—the Association of Prosecuting Attorneys, the Pennsylvania District Attorneys Association. As a matter of fact, there were five district attorneys from southeastern Pennsylvania alone, from different political parties, who wrote an op-ed—a very persuasive op-ed—arguing why this bill is necessary based on what they see every day in their jobs as prosecutors. I wish to thank those district attorneys. Risa Ferman from Montgomery County, Seth Williams from Philadelphia County, Tom Hogan from Chester County, David Heckler from Bucks County, and Jack Whelan from Delaware County all weighed in in favor of this legislation.

Finally, there are teacher groups that support this as well. The American Federation of Teachers supports this legislation. The Pennsylvania School Boards Association does as well.

I do not think I would be going far out on a limb to suggest that probably a huge majority of Americans support this legislation because one thing I know for sure as a parent of three young kids—my kids are 14, 12, and 4. There is one thing that is most important to most parents I know; that is, that our children be safe and secure. When you put your kid on a schoolbus, you expect that child will be in a safe environment all day long—on the ride to school, while they are in school, and on the way back home. Frankly, we owe it to parents as well as to their children to do all we can to ensure that they do, in fact, have a safe environment—as safe as we can make it—for their kids.

Two hundred seventy-five is the number. That is the number that should give us all pause. It marks 275 tragedies that we know of already this year—275 childhoods that are shattered, 275 families torn by grief, betrayal, self-blame. It marks a failure on our part. This kind of child abuse can be prevented. We have the tools to prevent it and to prevent so many children from harm.

Again, last year the House acted unanimously to protect children from these sexual predators. This is something we could have done a long time ago. We certainly should not be letting a new school year begin—really in a matter of weeks—without doing something about this shameful number and without making sure this number does not continue to grow.

I hope we will be able to bring this bill to the Senate floor. I hope we will have very broad bipartisan support for it here in the Senate, as we already have in the House.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

#### ISRAELI CONFLICT

Mr. GRAHAM. Mr. President, I wish to comment on the fact that I believe the body has come to agreement on my resolution, along with Senator MENENDEZ, standing behind Israel in its conflict with Hamas.

As I speak, apparently there is a ground action going on by the Israelis in Gaza. From my point of view, do what you have to do to defend yourself.

I can't believe they have actually waited this long. I can't imagine what the American response would have been. If one rocket had come from our neighboring nations toward our country, we would not be so restrained.

A two-state solution seems to be a very reasonable approach. The problem

is, as the Presiding Officer knows, Hamas doesn't recognize Israel as an entity. It is pretty hard to negotiate with somebody who doesn't recognize you exist and tells their schoolchildren you don't exist. The hatred that comes from Hamas in their schools toward Israel is not conducive to peace.

The resolution passed unanimously by the Senate the very night Israel decided to use ground force I think is appropriate and very symbolic. The Senate does not see a moral equivalency.

As Prime Minister Netanyahu said: Israel uses missiles, in collaboration with the United States, to produce the technology called Iron Dome to defend civilians. Hamas uses civilians to cover their missile program, making human shields of their own people.

That says all we need to know.

So I am pleased that in a bipartisan fashion, unanimous in nature, the U.S. Senate is on record supporting the State of Israel in this conflict, understanding their justification for defending themselves and that there is no moral equivalency here.

To my Israeli friends and allies, we wish you well. I expect that you will continue to defend yourselves against a terrorist organization.

To the Palestinians who have formed a unity government, you need to break away from Hamas. There will never be peace until you marginalize the terrorist organization called Hamas, until you reject what they stand for and the way they have behaved.

Finally, to those who wish for Israel to give up land and withdraw from territories, please remember, that is exactly what Israel did in Gaza. They withdrew all their forces, and what have they gotten in return? Tens of thousands of rockets.

So to those who are pushing a peace plan in the Middle East between the Palestinians and the Israelis, I hope you remember security for Israel has to be the centerpiece of any peace deal. How can you obtain peace when one of the members of the Palestinian Government—Hamas—has fired thousands of rockets, caring less where they fall? They couldn't care less if it falls on a kindergarten or a military base. They just care to kill Israelis. Israelis have killed civilians, but they go the extra mile in time of war and conflict to minimize casualties. They tell them: We are going to bomb you. They pass out leaflets. They tell people to leave. That says a lot about the Israelis.

So the Senate is in Israel's camp in a bipartisan fashion.

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

The PRESIDING OFFICER. Would the Senator withhold his request?

Mr. GRAHAM. I withdraw my request.

The PRESIDING OFFICER. The Senator from Florida.

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

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Florida is recognized.

Mr. RUBIO. Mr. President, I wish to continue on this topic.

In the last few hours, we have now had word of the potential for ground operations occurring in Gaza.

This is addressed to those who are watching Florida or will watch this message in Florida about what has happened.

I know the world has become a messy place over the last few hours. We have an incident that occurred over the skies of Ukraine with the Malaysian aircraft, and we don't know all the details of what had occurred there. We should reserve judgment until we do. Suffice it to say, that may further complicate our view of the world in this Chamber over the next few weeks, but let me address for a moment what is happening in the Middle East.

When I was elected to the Senate, a few days later, the first trip I took was to Israel. It was a country I had long admired, with strong links to the United States and to Florida in particular. In fact, the current Israeli Ambassador to the United States is from Florida. His brother was the mayor of Miami Beach. So there are strong links between Florida and Israel. I was amazed on that trip by how far that country has come—a nation that doesn't have oil or the kind of massive resources from an energy perspective that other countries in the region do, yet a country that is flourishing because of their investment in technology and innovation.

There is a book called "Start-Up Nation," which chronicles the amazing miracle of Israel and what they have achieved. The one thing that strikes you about Israel as you fly over is how narrow it is. At its narrowest point, it is only 9 miles wide.

This is a country that was forged, by the way, in the aftermath of the Holocaust, with the notion that never again will the Jewish people not have a place to go in the world to call their own. That still remains the guiding principle behind the country and behind its defense forces, and we should view it within that context as we view what is occurring now in that region and part of the world.

Literally, Israel is surrounded by enemies. Certainly they have had the stability in the last two decades of peace agreements with Jordan and Egypt. But look everywhere around Israel and you see them surrounded by people who are intent on their destruction. We know that is the case in Gaza. We know that is the case in Samaria and Judea or what is commonly called the West Bank by some. We know that is the case with Assad and Syria, and many of the elements fighting within Syria. We know that is the case with Hezbollah and Lebanon. We know that is the case with Iran and its weapons programs and its long-term ambitions. This is a country surrounded by elements that want to destroy it.

It is in that context, by the way, that this government in Israel was involved

in an intensive process of negotiation brokered and led by the United States with the Palestinian President Abbas regarding a potential peace deal, some way of forging a solution, an answer to the conundrum of what to do with Palestinian populations that would allow them to live peacefully, coexist side by side with a Jewish State. They entered into this conversation despite the fact that it was never clear that Abbas was able or had the power or the influence to make the sort of tough decisions that were going to be required for peace.

In fact, they entered into the negotiation knowing they would not even speak for all Palestinians, given the fact that Hamas controlled the Gaza Strip. They entered into this negotiation nonetheless. They entered into this negotiation despite the chaos surrounding them in Lebanon and Syria. Despite the fact that Iran continues to pursue nuclear weapons to destroy Israel, potentially, they entered into these negotiations. Because I say this to you unequivocally: I know of no nation on Earth that wants peace more than Israel. So they entered into these negotiations.

And what happened? What happens is what always happens with these negotiations. What happened is Abbas eventually withdrew. He once again took himself out of the talks and he tried once again to seek membership—Palestinian membership—into all these sorts of national organisms of the state, as a country of its own, knowing that was a deal breaker and knowing if that occurred, there could be no peace negotiation. That is the route he chose, nonetheless.

But then he did what I believe has triggered this latest round of violence against Israel, and that is deciding to form a power-sharing government with a terrorist group by the name of Hamas that to this day continues to deny Israel's right to even exist.

I want you to think about that for a moment. How could you possibly ever enter into a peace agreement with an organization with its very purpose being your destruction? And yet that is what Israel was being asked to do.

Tragically, within several weeks of that new government being formed, three teenagers, including an American citizen, were kidnapped and they were murdered. Then on July 7 Hamas once again started raining down rockets on Israel. Today more than 1,300 of them have been fired. The good news is that Israel has invested heavily in an air defense system which I was able to see during my second visit to Israel in the early part of 2013. But 1,300 rockets is an extraordinary number, and that is what Israel has faced.

As American policymakers, you ask what is our interest there? And I think it begins with the unique relationship that exists between the United States and Israel. It is the only vibrant democracy in that part of the world. Its alliance with the United States is un-

questionable, not just in international forums but all over this planet. Israel is consistently on America's side time and again, in every one of our challenges. The cooperation between our countries is extraordinary, not to mention that Israel as a nation stands for everything that we as a nation believe in: freedom, the ability to speak out. They have a vibrant democratic process. Anyone who is familiar with Israeli politics knows how vibrant their democracy is and how much they engage in open and public debate in bringing their government together to govern the country. So we have this extraordinary alliance with Israel of incredible importance, and that is why we care. That is the political reason.

There is a moral reason behind it, and that is the right of the Jewish people to have a country they can live in peacefully; that truly never again will we face a time when Jews have nowhere to go. This is the commitment we have made to Israel and that we must keep.

I must say that I am and have been deeply troubled at the attitude this administration has adopted toward Israel. Let me be clear. I don't come here today to create this into a partisan issue. I don't want it to be a partisan issue. In fact, one of the great successes of American foreign policy with Israel has been the strong bipartisan support that Israel enjoys in the House and the Senate from almost every American President since Israel's founding at the conclusion of World War II.

But I am concerned about the position this administration is taking. I was concerned about the amount of pressure the Secretary of State was placing on the Israelis to enter into a negotiation with the Palestinian Authority which didn't have the authority or power to reach a peace agreement they could possibly enforce much less deliver on. I was concerned that pressure was being put on them at a time when Israel faced so many other challenges, No. 1 being the ambitions that Iran has to acquire nuclear weapons and long-range rockets that could strike Israel and eventually the mainland of the United States.

I think it is safe to say the relationship of the Israeli Government has never been worse toward an American President for more than 2 decades. And that has an impact on this region, and unfortunately it has had an impact here.

I have also been concerned about some of this moral equivalence that is going on in the press and some of the email I have been getting and some of the public statements I am hearing some make in some corridors—not in the Senate but some other places. The idea that both sides are to blame is an interesting concept, but it isn't true.

It is tragic, unfortunately, that civilians are dying in Gaza, but the reasons why civilians are dying is 100 percent Hamas's fault. This is an organization

that puts rockets and military installations right next to nurseries and hospitals and civilian population centers. Why would they do that? Do you know why they do that? They do that because they know when they launch a rocket Israel will respond by hitting that rocket launcher, and when that rocket launcher is destroyed, so are the areas around it. Then they can get the cameras to go in there and say: "Look what Israel did. They wiped out a nursery or apartment building."

They do that on purpose. They know exactly what they are doing. They are doing it so they can get the kind of coverage that unfortunately even some American press outlets are buying into now.

Here is the bottom line—and Senator GRAHAM was alluding to this a moment ago. Israel does extraordinary things with regard to this. They drop leaflets into population centers warning: We are going to have to conduct a military operation in your region. Please evacuate. Please go elsewhere where you will be safe.

Hamas doesn't do that. In fact, Hamas deliberately targets population centers to terrorize the people of Israel, and we should condemn it for what it is. There is no moral equivalency.

So now the situation has continued to spiral out of control and it has reached a point where the news today now is that Israel has begun to conduct ground operations and these ground operations they are conducting as early as this morning have to do with a tunnel network in Gaza which was used by Hamas to try to infiltrate terrorists through those tunnels into Israel to conduct terrorist activity and kill Israelis.

Put yourself in the position of this country, small and geographically isolated, surrounded by terrorist groups and some unfriendly countries, threatened by the prospect of an Iranian nuclear weapon and being hit by 1,300 rockets in just the last week. They have no choice but to defend themselves using all the power at their disposal. They have no choice. Not only should no one here be criticizing that, but we should be supporting it and aligning ourselves 100 percent on their side, because what they are fighting for here is not some dispute over borders. This is not some geopolitical dispute about who owns what territory. Israel is fighting for its very survival.

On the other side of this conflict is a terrorist organization bent on their destruction. On the other side of this conflict is a terrorist organization in Hamas and, truth be told, the Palestinian Authority, whose schools teach children not just to hate Israel but to hate Jews.

How could you possibly say you are for peace when your schools are actively teaching your children to hate another people? That is what is on the other side of this conflict.

And so Israel has no choice. They are fighting for their very survival, and I

think that now more than ever what they need from this country is a President and a U.S. Government that aligns itself squarely on their side—no doubletalk, no fancy diplomatic language that you could read between the lines on—a very clear statement: In this conflict we are on Israel's side and we will support them with anything they need to ensure their stability and their survival—very clear language that makes it unequivocal.

Hamas is a terrorist organization, not a legitimate representative of the aspirations of the Palestinian people, but a terrorist organization designed for the very purpose of destroying the Jewish state. We need to make these things abundantly clear, because otherwise we are going to see more of this in the years to come.

If there is any daylight between the United States and Israel, it emboldens Israel's enemies. I would say as bad as this situation is—and it is terrible—the biggest danger facing Israel today is not just 1,300 rockets that have come over from Hamas, it is the threat of a nuclear Iran. It is interesting that while we are having this conversation here today about the attack Israel is under, this administration is trying to get an extension of these talks with the Iranian regime.

I hope you clearly understand. I said this before and I want to come here and reiterate: If Iran is allowed to retain the ability of enriching uranium or reprocessing plutonium, they will build a nuclear weapon with that capacity. Let me put it in plain English. If you let them keep the machines they use to reprocess and enrich, they may not reprocess and enrich to weapons grade right away, but the fact they have the ability to do it I guarantee you eventually means they will.

Do you know how I know that? One reason is all you have to do is hear the speeches they give. The second reason why we know that is the other issue no one is talking about: Iran isn't just spinning centrifuges, they are not just enriching uranium and reprocessing plutonium. Iran is building rockets—long-range rockets, intercontinental missiles. And there is only one purpose for those missiles. The only purpose they have is to put a warhead on them with a nuclear payload. That is the only reason why you build missiles such as that. These types of missiles are not built to deliver a conventional weapon; they are built for purposes of a nuclear capability.

Additionally, these rockets they want to build aren't just rockets that can reach Jerusalem or Tel Aviv. These are rockets that can reach Washington, DC, and my hometown of Miami, and New York City, and the mainland of the United States. So if they build these missiles with that range and they develop the ability to enrich and reprocess, they are one step away, a half step away from becoming a nuclear power, able to hold our country hostage and to carry out their ambitions

of destroying Israel. That is the single greatest threat. As great as this threat is with Hamas, and needs to be dealt with decisively, that is the single greatest security threat facing Israel.

It is ironic to me that even as we are focused on this issue and what is happening, this administration is off in Geneva trying to cut a deal with Iran that allows them to retain an acknowledged right to enrich and reprocess, and that is going to prove to be disastrous.

It is my opinion those negotiations will lead to nothing, because Iran has entered into these negotiations believing they entered from a position of strength. They believe this President so badly wants a deal that they don't have to give on anything. By the way, I don't know how you do a meaningful deal with Iran on nuclear weapons that doesn't involve a conversation about these long-range rockets. Yet that is exactly what they are doing with little to no consultation with the Senate or any other policymakers.

I came to the floor to reiterate my personal support for Israel but to also reiterate how strongly I believe virtually every Member of this body supports the State of Israel, supports Israel's right to defend itself, supports the United States alliance with Israel, supports everything we must and can do to help Israel defend herself. I think that is an important message to send out.

Finally, I would say this: I would ask those who have watched this speech or who will hear these words later to take the time over the next few days to pray for Israel. They need our support there as well, that God will provide her the safety and security of her people, now and in the years to come.

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

The PRESIDING OFFICER (Mr. WARNER). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. 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 AGREEMENTS—EXECUTIVE CALENDAR

Mr. REID. Mr. President, I now ask unanimous consent that following the vote on confirmation of Executive Calendar No. 849, Carnes, on Monday, July 21, the Senate remain in executive session to consider Calendar No. 789, Lawson, and Calendar No. 537, Reddick; that there be 2 minutes for debate equally divided between the two leaders or their designees prior to each vote; that upon the use or yielding back of time the Senate proceed to vote, without intervening action or debate, on the nominations in the order listed; that any rollcall votes, following the first in the series, be 10 minutes in length; the motions to recon-

sider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order to the nominations; that any statements related to the nominations be printed in the RECORD; that President Obama be immediately notified of the Senate's action and the Senate then resume legislative session.

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

Mr. REID. Mr. President, for the information of all Senators, we expect nominations considered in this agreement to be confirmed by voice vote.

Mr. President, I ask unanimous consent that notwithstanding Rule XXII, on Tuesday, July 22, at 10:45 a.m., the Senate proceed to executive session and vote on the motions to invoke cloture on Executive Calendar Nos. 851, Birotte, 852, Rosenberg, and 854, deGravelles, in the order listed; further, that if cloture is invoked on any of these nominations, that on Tuesday, July 22, 2014, at 2:15 p.m., all postcloture time be expired and the Senate proceed to vote on confirmation of the nominations in the order upon which cloture was invoked; that all rollcall votes after the first in each sequence be 10 minutes in length; further, that there be 2 minutes for debate prior to each vote; that if any nomination is confirmed, the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action and the Senate then resume legislative session.

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

#### MORNING BUSINESS

Mr. REID. I now ask unanimous consent that the Senate proceed to 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.

#### CONGRATULATING CHARLIE SEEMANN

Mr. REID. Mr. President, today I wish to honor Charlie Seemann. Mr. Seemann is a talented folklorist who is dedicated to sharing western arts and culture with communities throughout Nevada. At the end of the month, he will be retiring from his position as executive director of the Western Folklife Center in Elko, NV.

After serving as the deputy director of the Country Music Foundation in Nashville, TN, for 12 years, and later working as the program director at the Fund for Folk Culture in Santa Fe, NM, Nevada was fortunate to have Mr. Seemann dedicate his efforts to sharing the cultural heritage of the American West with communities throughout our great State.

In 1998, Mr. Seemann brought his masters of folklife studies, decades of experience, and his accomplished musical knowledge to the Western Folklife