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Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. LEAHY).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Spirit, our souls thirst for You. Enable us to hear Your songs in the night and be vivified by Your spirit. Lord, forgive us when we forget how Your gracious hand has preserved our Nation, multiplying, enriching, and sustaining it. Use our lawmakers to keep America strong, reminding them that eternal vigilance is the price for freedom. Thank You for drawing us into the multitude of Your mercy, permitting us to experience abundant living, as we make a commitment to not deviate from the path of integrity.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

WORKFORCE INVESTMENT ACT OF 2013—MOTION TO PROCEED

Mr. REID. Mr. President, I move to proceed to Calendar No. 243, S. 1356.

The PRESIDENT pro tempore. The clerk will report the motion.

The assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 243, S. 1356, a bill to amend the Workforce Investment Act of 1998 to strengthen the United States workforce development system through innovation in, and alignment and improvement of, employment, training, and education programs in the United States, and to promote individual and national economic growth, and for other purposes.

SCHEDULE

Mr. REID. Mr. President, following my remarks and those of Senator MCCONNELL, the Senate will proceed to executive session to consider the nomination of Patricia Millett to be U.S. circuit judge for the DC Circuit and immediately vote on confirmation of that nomination.

Senators should expect additional votes this morning with respect to reconsideration of the cloture vote on the nomination of MEL WATT to be Director of the Federal Housing Finance Agency.

MILLETT AND WATT NOMINATIONS

Mr. President, this morning the Senate will consider the nomination of Patricia Millett to serve on the DC Circuit Court of Appeals, considered by many to be the second highest court in the land. We postponed this vote last night out of consideration for a number of Senators whose flights were delayed by bad weather. I thank my colleagues for their patience. And I am pleased that today Ms. Millett will finally get the fair, up-or-down vote she deserves.

Ms. Millett is exceedingly qualified for this position. She graduated at the top of her class from the University of Illinois at Urbana and attended Harvard Law School. Ms. Millett has argued more than 32 cases before the Supreme Court, including one while her husband was deployed overseas with the U.S. Navy. She also served as Assistant Solicitor General under both President Bill Clinton and President George Bush.

She enjoys bipartisan support from a variety of law enforcement officials, legal professionals, and military organizations. And it is my honor to help confirm a woman whom colleagues have called fair-minded, principled, and exceptionally gifted.

I will also move to reconsider the nomination of Congressman MEL WATT to serve as Administrator of the Federal Housing Finance Agency.

Congressman WATT graduated from the University of North Carolina at Chapel Hill and Yale Law School. He has represented North Carolina's 12th Congressional District since 1993 and served as chairman of the Congressional Black Caucus. And as a senior member of the House Financial Services Committee, Mr. WATT understands the mistakes that led to the housing crisis.

Yet last month Senate Republicans blocked Congressman WATT's nomination—the first time a sitting Member of Congress has been filibustered since 1843, since before the Civil War. They denied Congressman WATT even the courtesy of an up-or-down vote.

Congressman WATT proposed legislation to crack down on the worst abuses in mortgage lending and helped pass the Dodd-Frank bill to prevent predatory lending. By any measure, Congressman WATT is qualified to help struggling homeowners recover from the worst economic downturn in generations.

And at a moment when America still faces difficult economic times—and as the housing market is finally beginning to recover—it is crucial the Senate confirm the most talented and dedicated individuals to serve in the executive branch of government.

It is critical that the Senate confirm Congressman WATT to lead the Federal Housing Finance Agency.

This week the Senate will also consider a number of other highly qualified judicial and executive branch nominees.

The 13 district court nominees on the calendar have been waiting an average of 56 days for a confirmation vote—almost twice as long as the average at this point in President Bush's second term.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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One of these district court nominees, Elizabeth Wolford, has been waiting 130 days.

There are also 75 executive branch nominees currently ready to be confirmed by the Senate who have waited an average of 140 days for confirmation.

I want to remind my colleagues that, as always, there is an easy way and a hard way to process these nominations. And the more time the Senate wastes burning the hours and days between votes, the more likely the Senate will hold late-night and weekend votes this work period.

RECOGNITION OF THE MINORITY LEADER

The PRESIDENT pro tempore. The Republican leader is recognized.

REMEMBERING NELSON MANDELA

Mr. MCCONNELL. Mr. President, tens of thousands gathered today in Soweto to pay their last respects to a man who symbolized so much for so many, and it is not hard to see why. Politicians come and go, Presidents rise and fall, but Nelson Mandela was more than a politician, more than just a foreign leader. He was a symbol—a symbol of freedom and hope, not only for his own people but for all people. We also remember Nelson Mandela as a symbol of reconciliation, especially when he had every reason not to be. How many of us could spend so many years in confinement—away from people we love, with little to do but mull the circumstances of our incarceration—and emerge so forgiving toward our captors?

To me it was telling to see that one of the many people paying respects to Nelson Mandela this week was an Afrikaner named Christo Brand. The two men struck up an improbable but lasting friendship during Mandela's time on Robben Island. I say ''improbable'' because Brand was his jailer.

The story goes that years after his release from prison, President Mandela was attending a ceremony and greeting Members of Parliament when he spotted Brand out across the room. Mandela lifted his arms and announced to everyone that this man had been his warden but he was also his friend. Then he asked Brand to join him in a group photo. ''You must stand next to me,'' he insisted. ''We belong together.'' I think that says it all.

Nelson Mandela could have followed the example of other leaders in the region; he could have led South Africa down the path of Zimbabwe, but he did not. He urged his country to embrace inclusion and freedom and democracy instead. He asked his countrymen to stand with him because he knew that, as he once said to Christo Brand, his people ''belong together.'' So this morning the Senate joins the world in mourning the loss of Nelson Mandela. May his commitment to freedom and reconciliation continue to inspire.

ADVANCING AN AGENDA

Now, Mr. President, on to the business at hand.

I want to start out by saying that I think it was important for all of us to get back home and hear from our constituents over the past couple weeks. I talked with a lot of Kentuckians, and I can tell you there is a lot of anxiety and a lot of frustration out there. Folks are frustrated and upset by what is happening with their health care under ObamaCare, and they are outraged at the tactics and the outright deception—deception—that led to its passage.

It is now clear that the President knew perfectly well that a lot of folks would not be able to keep the plans they had and liked, despite the endless assurances to the contrary they heard from the President himself. Many are also starting to realize that the talking points they heard about their premiums and keeping their doctors were not worth the paper they were written on either.

The response they have gotten from the White House in the face of all this is just as bad. In the face of all the hardship and disruption this law is causing for literally millions of Americans, the White House is defiant. In the face of all of this, the President is trying to convince people that somehow we are the problem. According to the President, the problem is not the law. The problem is the people who are unhappy with it. The people who are unhappy with it, the President says, are the problem. This is exactly what folks are frustrated with—the idea that Washington knows best.

So we are going to keep fighting this fight. If anybody needed any proof that Big Government liberalism does not work, they have gotten a clinic over the past 2 months. It is clearer now than ever that we need to replace this law with commonsense, patient-centered reforms that will actually drive down costs and increase innovation.

The idea that making our health care system more like the Department of Motor Vehicles will somehow improve the final product has now been thoroughly discredited, and a thousand Presidential speeches are not going to change that.

But here is the larger story: ObamaCare is not an isolated case. It may be the most obvious example of this administration's determination to advance its agenda by any means possible, but it is one example of many.

The latest example was the administration's complicity in the power grab we saw last month in the Senate. News reports suggest that the President, who denounced this tactic when Republicans thought about it back in 2005, was actively lobbying for it ahead of the majority leader's fateful decision to pull the trigger.

So the President and the majority leader were for the protection of minority rights in the Senate until they were no longer in the minority. At that point, minority rights, the rules of the Senate, and the principle of a meaningful check on the Executive became an inconvenience—an inconvenience—that stood in the way of their desire for more power.

As I indicated last month, this was a pure power grab, plain and simple. If the majority party cannot be expected to follow the rules, then there are not any rules.

So this was a grave mistake, and it was a grave betrayal of trust, since some of the main players had previously vowed they would never do it, and then they did—just as the President had vowed that if you like your health care you could keep it. For the President and his enablers in Congress, the ends now clearly justify the means, and that is a very dangerous place for us to be.

So Republicans will continue to speak out against these offenses against our institutions and against the American people, who have a right to expect elected leaders to keep their commitments and respect the rules and our laws. The American people have a right to that.

The American people have given us divided government. The administration needs to accept that fact. They need to work with the government that the people have given them, not the one they wish they had. They need to stop viewing the rules that govern the rest of us as mere suggestions to follow as they wish, while the American people are left to suffer the consequences.

As I have indicated, we see the results of this mindset most powerfully with ObamaCare—a law that this administration was determined to force through—determined to force through—by hook or by crook, regardless of what half-truths it had to repeat to get there, regardless of which Senators it had to coax and cajole.

But the pattern did not end with the law's passage. The administration has repeatedly—repeatedly—invoked executive power to change whatever parts of the law prove inconvenient. Its friends begged for relief from the law, so they carved out special loopholes. Statutory deadlines became an irritation, so they waived them. ''Incorrect promises'' made to sell the law became an embarrassment, so they changed entire sections on the fly.

To many Washington Democrats, this is all fine—not because they necessarily want to circumvent the law, perhaps, but because they feel justified in doing so if that is what it takes to enact their agenda.

We have seen Democrats use this same approach with immigration policy, with welfare reform, with recess appointments. We have seen them use it to justify government-sanctioned harassment of entire groups of people over at the IRS.

Two weeks ago, we saw Washington Democrats take this ends-justifies-the-means approach to a whole new level entirely, by eliminating—eliminating—the right of the minority party to be heard in the Senate—something they themselves had warned against for

years when they were in the minority, something the Vice President called ''a naked power grab'' when he was in the Senate.

Washington Democrats changed our democracy irrevocably—irrevocably. They did something they basically promised they would never do. And to what end? To what end? To pack the courts with judges they expect will rubberstamp the President's partisan agenda, to eliminate one of the last remaining obstacles standing between the President and the enactment of his agenda through executive fiat. In short, because they wanted power that the voters have denied them at the ballot box, they tried to get it another way.

So before we all vote this morning, I just want to make sure everybody understands what this vote is all about. Two weeks ago the President and his Democratic allies defied two centuries of tradition, their own prior statements, and—in the case of some Democratic leaders—their own public commitments about following the rules of the Senate.

They did this for one reason: to advance an agenda the American people do not want. It is an agenda that runs straight through the DC Circuit. So now they are putting their people in place, to quote one member of their leadership, ''one way or another.''

This vote is not about any one nominee. It is not about Patricia Millett. It is about an attitude on the left that says the ends justify the means—whatever it takes. They will do whatever it takes to get what they want. That is why we are here today, and that is why I will be opposing this nomination.

Washington Democrats, unfortunately, are focusing their energy on saying and doing anything—anything it takes—to circumvent the representatives of the people. But, ultimately—ultimately—they will be accountable to the American people, and the American people will have their say again very soon—sooner than many of our colleagues might hope.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. BOOKER). Under the previous order, the leadership time is reserved.

EXECUTIVE SESSION

NOMINATION OF PATRICIA ANN MILLETT TO BE UNITED STATES CIRCUIT JUDGE FOR THE DISTRICT OF COLUMBIA CIRCUIT

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to resume consideration of the following nomination, which the clerk will report.

The legislative clerk read the nomination of Patricia Ann Millett, of Virginia, to be United States Circuit Judge for the District of Columbia Circuit.

Mr. LEAHY. Mr. President, today, the Senate will finally have the opportunity to vote on the confirmation of Patricia Millett to the U.S. Court of Appeals for the DC Circuit. Over the course of her 25-year legal career, Ms. Millett has risen through the ranks of government and private practice to earn a place among the best appellate practitioners in the country. She has argued 32 cases before the Supreme Court. She worked in the Justice Department under both Republican and Democratic administrations. She is unquestionably qualified and deserves to be confirmed without further delay so she can get to work for the American people.

Patricia Millett's career mirrors that of the last DC Circuit judge to occupy the very seat to which she is nominated—that of John Roberts, Jr. I voted for his confirmation to both the DC Circuit and later to the Supreme Court. I knew at the time of those votes that I would not agree with every decision he would make on the bench, but I voted for him because of his temperament and his excellent reputation as a lawyer. John Roberts was confirmed unanimously to the DC Circuit on the day the Judiciary Committee completed consideration of his nomination and reported it to the Senate—at a time when the caseload of the DC Circuit by any measure was lower than it is today. If only Senate Republicans had been willing to apply the same standard for Ms. Millett. Instead, they decided to filibuster her nomination even though they had promised to only filibuster nominations under ''extraordinary circumstances''. If those Senators had been true to their word, I do not believe we would have reached the tipping point on the use of the filibuster.

By refusing to allow a vote for any existing vacancy on the DC Circuit, Republicans took their determined obstruction to an unprecedented level. As the senior most Senator serving today, I approach changes to the tradition and history of the Senate with great reluctance. I have always believed in the Senate's unique protection of the minority party. I have held to my belief that the best traditions of the Senate would win out; that the 100 of us who stand in the shoes of more than 310 million Americans would do the right thing.

Now that the Senate has changed its precedents to overcome the escalating obstruction of some, I hope reasonable Republicans will join us in restoring the Senate's ability to fulfill its constitutional duties. I hope this will include a vote to confirm Patricia Millett to the DC Circuit.

Ms. Millett is a nominee with unquestionable integrity and character. She has engaged in significant community service and committed herself to pro bono work. She helps the neediest among us, volunteering through her church to prepare meals for the homeless and serving regularly as an overnight monitor at a local shelter.

Through her legal work, Ms. Millett has earned broad bipartisan support. This includes the support of Peter Keisler, Carter Phillips, Kenneth Starr, Theodore Olson, and Paul Clement, and a bipartisan group of 110 appellate practitioners, as well as 37 Deputy Solicitors General and Assistants to the Solicitor General from both Republican and Democratic administrations. She is supported by the national president of the National Fraternal Order of Police, Chuck Canterbury, and many others.

Patricia Millett's service to our Nation is not limited to her legal career or her humanitarianism. She is part of our Nation's storied military family, a family that we have called on repeatedly in the past decade. Her husband is a retired Navy reservist, and as a military spouse, Ms. Millett is part of our Nation's military fabric. She understands personally what we ask of our servicemembers and their families. At the height of Patricia Millett's legal career, her husband received orders to deploy in support of Operation Iraqi Freedom. For nearly a year, she balanced Supreme Court arguments and the demands of being a single parent all while reassuring her children that their father would return home safe.

But not only is Ms. Millett committed to her own military family, she has helped to secure employment protections for members of our National Guard and Reserve through her pro bono legal work. In a case decided by the Supreme Court in 2011, Ms. Millett represented an Army Reservist who was fired, in part, because some of his co-workers did not like his military absences. The successful arguments that Ms. Millett helped craft have made it easier for all members of our Reserve and National Guard to protect their rights under the Uniformed Services Employment and Reemployment Rights Act.

Patricia Millett embodies what we ask our military families to do on behalf of their country. Military spouses juggle all the challenges that every American family faces—but often with the added pressure of deployments and extended separations. I want to thank all the military spouses who are in the Senate gallery today and those watching on C–SPAN who have worked tirelessly to support the nomination of ''one of their own''. We should recognize, honor and support our military families not just through words, but through meaningful action. A vote to confirm Patricia Millett is that meaningful action.

Today the Senate finally has the opportunity to vote for the confirmation of Patricia Millett. I urge my fellow Senators to join me in supporting this outstanding nominee.

Mr. HATCH. Mr. President, over the past few months, here on the Senate floor, in the Judiciary Committee, and in op-eds in national publications, I have explained why the pending nominees to the U.S. Court of Appeals for the DC Circuit should not be confirmed. Neither those facts nor the conclusion they compel have changed and

so I will vote against confirming the nominee before us.

The majority changed more than 200 years of Senate practice, taking away one of the few tools the minority has to participate in either the confirmation or legislative process. On nothing more than a party line vote, the majority deployed a premeditated parliamentary maneuver to prohibit the very filibusters that majority Senators once used.

Getting these three individuals on this particular court at this particular time is apparently so important that the majority is willing to change the very nature of this institution to do it. I believe the reason is the majority's belief that, as DC Circuit judges, these nominees will reliably support actions by the executive branch agencies that are driving much of President Obama's political agenda.

Democrats enthusiastically embraced the filibuster when they used it to block Republican nominees to positions in both the executive and judicial branches. They used the filibuster to defeat nominees to be Assistant Secretary of Defense, Undersecretary of Agriculture, and U.N. Ambassador. They used the filibuster to defeat nominees to the Fifth Circuit, the Sixth Circuit, and the Ninth Circuit. They filibustered Miguel Estrada's nomination a record seven times to keep him off the DC Circuit. Three-quarters of all votes for judicial nominee filibusters in American history have been cast by Democrats. The majority leader alone voted to filibuster Republican judicial nominees no less than 26 times.

That was then, this is now. Simply turning on a political dime and opposing today what Democrats used so aggressively just a few years ago would be bad enough. But this radical institutional change is being justified by patently false claims. The majority leader claims as proof of ''unprecedented obstruction'' that there have been 168 nominee filibusters in American history, half of them during the Obama administration.

It turns out, Mr. President, that the majority leader is not even counting filibusters at all. He is counting cloture motions, which are nothing but requests to end debate on a matter pending before the Senate. A filibuster occurs only when that request to end debate is denied, when an attempt to end debate fails. Only 52 cloture votes on executive or judicial nominations have ever failed in American history, and only 19 nominees on whom cloture was filed were not confirmed. Looking at the Obama administration, only 14 cloture votes on nominations have failed and only six nominees have so far not been confirmed.

During the Obama administration, a much lower percentage of cloture motions on nominations have resulted in cloture votes, a much higher percentage of those cloture votes have passed, and a much higher percentage of nominees on whom cloture was filed have been confirmed. By what I have called filibuster fraud, the majority ends up claiming that confirmed nominees were obstructed and that ending debate is a filibuster. The truth is the opposite of what the majority claimed as the justification for ending nominee filibusters.

I regret that the President and the majority here in the Senate deliberately set up this political confrontation. I have explained in detail before how the DC Circuit's current level of eight active and six senior judges is sufficient to handle its caseload, which has been declining for years, while other circuits need more judges. I likely could support the nominee before us today had she been nominated to a seat that needed to be filled on a court that needed more judges.

Using false claims to justify radically changing the confirmation process in order to stack a court with judges who will rubberstamp the President's political agenda is wrong in so many ways. I hope there is time to undo the damage.

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the nomination of Patricia Ann Millett, of Virginia, to be United States Circuit Judge for the District of Columbia Circuit?

Mr. MCCONNELL. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. COONS) is necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Mississippi (Mr. COCHRAN), the Senator from Texas (Mr. CRUZ), the Senator from Wisconsin (Mr. JOHNSON), the Senator from Illinois (Mr. KIRK), and the Senator from Louisiana (Mr. VITTER).

Further, if present and voting, the Senator from Wisconsin (Mr. JOHNSON) would have voted ''nay.''

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

The result was announced—yeas 56, nays 38, as follows:

[Rollcall Vote No. 247 Ex.]

YEAS—56

Baldwin	Feinstein	Manchin
Baucus	Franken	Markey
Begich	Gillibrand	McCaskill
Bennet	Hagan	Menendez
Blumenthal	Harkin	Merkley
Booker	Heinrich	Mikulski
Boxer	Heitkamp	Murkowski
Brown	Hirono	Murphy
Cantwell	Johnson (SD)	Murray
Cardin	Kaine	Nelson
Carper	King	Pryor
Casey	Klobuchar	Reed
Collins	Landrieu	Reid
Donnelly	Leahy	Rockefeller
Durbin	Levin	Sanders
Schatz	Tester	Warren
Schumer	Udall (CO)	Whitehouse
Shaheen	Udall (NM)	Wyden
Stabenow	Warner	

NAYS—38

Alexander	Fischer	Moran
Ayotte	Flake	Paul
Barrasso	Graham	Portman
Blunt	Grassley	Risch
Boozman	Hatch	Roberts
Burr	Heller	Rubio
Chambliss	Hoeven	Scott
Coats	Inhofe	Sessions
Coburn	Isakson	Shelby
Corker	Johanns	Thune
Cornyn	Lee	Toomey
Crapo	McCain	Wicker
Enzi	McConnell	

NOT VOTING—6

Cochran	Cruz	Kirk
Coons	Johnson (WI)	Vitter

The nomination was confirmed.

The PRESIDING OFFICER. The majority leader.

NOMINATION OF MELVIN L. WATT TO BE DIRECTOR OF THE FEDERAL HOUSING FINANCE AGENCY—MOTION TO PROCEED

Mr. REID. I move to proceed to reconsider the vote by which cloture was not invoked on the Watt nomination.

The PRESIDING OFFICER. The question is on agreeing to the motion.

Mr. HATCH. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. COONS) is necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ), the Senator from Wisconsin (Mr. JOHNSON), and the Senator from Illinois (Mr. KIRK).

Further, if present and voting, the Senator from Wisconsin (Mr. JOHNSON) would have voted ''nay.''

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

The result was announced—yeas 54, nays 42, as follows:

[Rollcall Vote No. 248 Ex.]

YEAS—54

Baldwin	Harkin	Murray
Baucus	Heinrich	Nelson
Begich	Heitkamp	Pryor
Bennet	Hirono	Reed
Blumenthal	Johnson (SD)	Reid
Booker	Kaine	Rockefeller
Boxer	King	Sanders
Brown	Klobuchar	Schatz
Cantwell	Landrieu	Schumer
Cardin	Leahy	Shaheen
Carper	Levin	Stabenow
Casey	Manchin	Tester
Donnelly	Markey	Udall (CO)
Durbin	McCaskill	Udall (NM)
Feinstein	Menendez	Warner
Franken	Merkley	Warren
Gillibrand	Mikulski	Whitehouse
Hagan	Murphy	Wyden

NAYS—42

Alexander	Barrasso	Boozman
Ayotte	Blunt	Burr

Chambliss	Grassley	Paul
Coats	Hatch	Portman
Coburn	Heller	Risch
Cochran	Hoeven	Roberts
Collins	Inhofe	Rubio
Corker	Isakson	Scott
Cornyn	Johanns	Sessions
Crapo	Lee	Shelby
Enzi	McCain	Thune
Fischer	McConnell	Toomey
Flake	Moran	Vitter
Graham	Murkowski	Wicker

NOT VOTING—4

Coons	Johnson (WI)
Cruz	Kirk

The motion was agreed to.

The PRESIDING OFFICER. The majority leader.

Mr. REID. I move to reconsider the vote by which cloture was not invoked on the Watt nomination.

The PRESIDING OFFICER. The question is on agreeing to the motion.

Mr. PORTMAN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second. The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Delaware (Mr. COONS) is necessarily absent.

Mr. CORNYN. The following Senators are necesarrily absent: the Senator from Texas (Mr. CRUZ), the Senator from Wisconsin (Mr. JOHNSON), and the Senator from Illinois (Mr. KIRK).

Further, if present and voting, the Senator from Wisconsin (Mr. JOHNSON) would have voted ''nay.''

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

The result was announced—yeas 54, nays 42, as follows:

[Rollcall Vote No. 249 Ex.]

YEAS—54

Baldwin	Harkin	Murray
Baucus	Heinrich	Nelson
Begich	Heitkamp	Pryor
Bennet	Hirono	Reed
Blumenthal	Johnson (SD)	Reid
Booker	Kaine	Rockefeller
Boxer	King	Sanders
Brown	Klobuchar	Schatz
Cantwell	Landrieu	Schumer
Cardin	Leahy	Shaheen
Carper	Levin	Stabenow
Casey	Manchin	Tester
Donnelly	Markey	Udall (CO)
Durbin	McCaskill	Udall (NM)
Feinstein	Menendez	Warner
Franken	Merkley	Warren
Gillibrand	Mikulski	Whitehouse
Hagan	Murphy	Wyden

NAYS—42

Alexander	Enzi	Moran
Ayotte	Fischer	Murkowski
Barrasso	Flake	Paul
Blunt	Graham	Portman
Boozman	Grassley	Risch
Burr	Hatch	Roberts
Chambliss	Heller	Rubio
Coats	Hoeven	Scott
Coburn	Inhofe	Sessions
Cochran	Isakson	Shelby
Collins	Johanns	Thune
Corker	Lee	Toomey
Cornyn	McCain	Vitter
Crapo	McConnell	Wicker

NOT VOTING—4

Coons	Johnson (WI)
Cruz	Kirk

The motion was agreed to.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Mr. President, what is the question now before the Senate?

The PRESIDING OFFICER. The question will be on the cloture vote upon reconsideration.

The Senate will be in order.

The Republican leader.

Mr. MCCONNELL. Mr. President, I make a point of order that nominations are fully debatable under the rules of the Senate unless three-fifths of Senators chosen and sworn have voted to bring debate to a close.

The PRESIDING OFFICER. Under the precedent set by the Senate on November 21, 2013, cloture on nominations other than those to the Supreme Court of the United States is invoked by a majority vote.

Mr. MCCONNELL. Mr. President, I appeal the ruling of the Chair and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is, Shall the decision of the Chair stand as the judgment of the Senate?

The yeas and nays have been ordered.

The clerk will call the roll.

The assistant legislative clerk called the roll.

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

Mr. DURBIN. I announce that the Senator from Delaware (Mr. COONS) is necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ), the Senator from Illinois (Mr. KIRK), and the Senator from Wisconsin (Mr. JOHNSON).

Further, if present and voting, the Senator from Wisconsin (Mr. JOHNSON) would have voted ''nay.''

The result was announced—yeas 51, nays 45, as follows:

[Rollcall Vote No. 250 Ex.]

YEAS—51

Baldwin	Hagan	Murray
Baucus	Harkin	Nelson
Begich	Heinrich	Reed
Bennet	Heitkamp	Reid
Blumenthal	Hirono	Rockefeller
Booker	Johnson (SD)	Sanders
Boxer	Kaine	Schatz
Brown	King	Schumer
Cantwell	Klobuchar	Shaheen
Cardin	Landrieu	Stabenow
Carper	Leahy	Tester
Casey	Markey	Udall (CO)
Donnelly	McCaskill	Udall (NM)
Durbin	Menendez	Warner
Feinstein	Merkley	Warren
Franken	Mikulski	Whitehouse
Gillibrand	Murphy	Wyden

NAYS—45

Alexander	Corker	Inhofe
Ayotte	Cornyn	Isakson
Barrasso	Crapo	Johanns
Blunt	Enzi	Lee
Boozman	Fischer	Levin
Burr	Flake	Manchin
Chambliss	Graham	McCain
Coats	Grassley	McConnell
Coburn	Hatch	Moran
Cochran	Heller	Murkowski
Collins	Hoeven	Paul
Portman	Rubio	Thune
Pryor	Scott	Toomey
Risch	Sessions	Vitter
Roberts	Shelby	Wicker

NOT VOTING—4

Coons	Johnson (WI)
Cruz	Kirk

The PRESIDING OFFICER. The Senate sustains the decision of the Chair.

CLOTURE MOTION

Under the previous order, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The bill clerk read as follows:

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 Melvin L. Watt, of North Carolina, to be Director of the Federal Housing Finance Agency.

Harry Reid, Tim Johnson, Mark Begich, Patrick J. Leahy, Christopher A. Coons, Martin Heinrich, Patty Murray, Bernard Sanders, Jeanne Shaheen, Benjamin L. Cardin, Al Franken, Sherrod Brown, Tom Harkin, Jack Reed, Thomas R. Carper, Sheldon Whitehouse, Bill Nelson, Charles E. Schumer.

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 Melvin L. Watt, of North Carolina, to be Director of the Federal Housing Finance Agency for a term of 5 years, shall be brought to a close, upon reconsideration?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ), the Senator from Wisconsin (Mr. JOHNSON), and the Senator from Illinois (Mr. KIRK).

Further, if present and voting, the Senator from Wisconsin (Mr. JOHNSON) would have voted ''nay.''

The yeas and nays resulted—yeas 57, nays 40, as follows:

[Rollcall Vote No. 251 Ex.]

YEAS—57

Baldwin	Hagan	Murray
Baucus	Harkin	Nelson
Begich	Heinrich	Portman
Bennet	Heitkamp	Pryor
Blumenthal	Hirono	Reed
Booker	Johnson (SD)	Reid
Boxer	Kaine	Rockefeller
Brown	King	Sanders
Burr	Klobuchar	Schatz
Cantwell	Landrieu	Schumer
Cardin	Leahy	Shaheen
Carper	Levin	Stabenow
Casey	Manchin	Tester
Coons	Markey	Udall (CO)
Donnelly	McCaskill	Udall (NM)
Durbin	Menendez	Warner
Feinstein	Merkley	Warren
Franken	Mikulski	Whitehouse
Gillibrand	Murphy	Wyden

NAYS—40

Alexander	Chambliss	Corker
Ayotte	Coats	Cornyn
Barrasso	Coburn	Crapo
Blunt	Cochran	Enzi
Boozman	Collins	Fischer

Flake	Lee	Scott
Graham	McCain	Sessions
Grassley	McConnell	Shelby
Hatch	Moran	Thune
Heller	Murkowski	Toomey
Hoeven	Paul	Vitter
Inhofe	Risch	Wicker
Isakson	Roberts	
Johanns	Rubio	

NOT VOTING—3

Cruz	Johnson (WI)	Kirk

The PRESIDING OFFICER (Ms. HEITKAMP). Upon reconsideration, the motion is agreed to.

NOMINATION OF MELVIN L. WATT TO BE DIRECTOR OF THE FEDERAL HOUSING FINANCE AGENCY

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of MELVIN L. WATT, of North Carolina, to be Director of the Federal Housing Finance Agency for a term of 5 years.

The PRESIDING OFFICER. Pursuant to the provisions of S. Res. 15 of the 113th Congress, there will now be up to 8 hours of postcloture consideration of the nomination, equally divided and controlled in the usual form.

The Senator from Connecticut.

ORDER OF PROCEDURE

Mr. MURPHY. Madam President, I ask unanimous consent that the Senate recess from 12:30 p.m. to 2:15 p.m., and that the time during the recess count postcloture on the Watt nomination with the time equally divided in the usual form.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Idaho.

Mr. CRAPO. Madam President, I rise today to discuss the nomination of Representative WATT to lead the Federal Housing Finance Agency, or FHFA. Unfortunately, I cannot support this nomination, and I must urge my colleagues not to support it either.

I did not come to this decision lightly, and I regret we are placed in a situation where we cannot support a well-liked Member of Congress. However, by making a political appointment, the President has ignored the importance that the head of the FHFA be independent and viewed as nonpolitical. This is not a cabinet position, where the nominee is supposed to be an advocate for the President. Instead, this is an independent agency with a highly complex task impacting our entire economy, and it is for this reason many Senators noted the need to avoid politics and to emphasize the technical expertise needed to fill this position.

Regrettably, this did not occur, and we stand here today with the majority party apparently willing to confirm a political figure to this highly technical position. Worse yet, they appear to be ready to do it in a highly political manner that ignores decades of Senate rules and precedents.

Representative WATT has led a long and distinguished career in the House of Representatives and in legal practice. He is well liked by his colleagues, regardless of whether they see eye to eye with him on the issues, and he has a tremendously compelling personal story. My opposition to this nomination has nothing to do with Representative WATT from a personal perspective. To the contrary, there are many positions in government to which Representative WATT could have been easily confirmed.

In demonstration of that point, it is worth noting that most of the President's nominees that have come through the Banking Committee have been confirmed with strong bipartisan votes, often with unanimous consent. In fact, four nominees who appeared at a nomination hearing with Representative WATT were all approved by voice vote.

However, this position is distinctly unique within our government. Thus, our evaluation of any nominee requires additional scrutiny. The Director of the FHFA is conservator of Fannie Mae and Freddie Mac, which have operated under Federal control since they were taken over in 2008 because they didn't have enough capital to support expected losses.

Since that conservatorship began, we have seen the bill to the American taxpayers rise to nearly $200 billion. The Housing and Economic Recovery Act, or HERA, established the FHFA and the rules of the conservatorship. It specifically grants the FHFA the power to operate Fannie and Freddie ''with all the powers of the shareholders, the directors, and the officers,'' so long as they remain in conservatorship.

FHFA's conservatorship of Fannie and Freddie triggered those broad powers and the Director of the FHFA now stands alone as the regulator, the top executive, and the shareholder of Fannie Mae and Freddie Mac and their combined $5 trillion of portfolio. Because of this immense power vested in the Director of the FHFA, it is a position that requires an in-depth knowledge of and experience with numerous aspects of the housing markets and mortgage industries.

The statute explicitly requires that, at a minimum, any nominee:

> . . . have a demonstrated understanding of financial management or oversight, and have a demonstrated understanding of capital markets, including the mortgage securities markets and housing finance.

Additionally, to be successful, it is logical that any nominee should also have knowledge of and experience with investment portfolios, the operations of both public and private insurance and guarantees, and the management skills necessary to oversee the nearly 12,000 employees employed by both entities.

Since this position has virtually unchecked power to control two multitrillion dollar companies, and because the companies control so much of our mortgage-backed securities market, the decisions of the FHFA Director will have tremendous impact on our housing market and, collaterally, on the global market.

If we are to give anyone this much power, we must know for certain that he has the experience to know how to make the right choices and, frankly, the political independence to make those choices, even if they are unpopular.

One reason this is so important is the impact on the taxpayer. Even a few basis points of losses could mean billions in the context of multitrillion dollar companies. That would be on top of the nearly $200 billion the taxpayers have already shouldered.

With those unique risks in mind, the FHFA has taken great strides during the conservatorship to shore up the business practices of Fannie Mae and Freddie Mac. Underwriting standards have been tightened, portfolio holdings have been reduced, guarantee fees have been increased, and risk is being gradually transferred from the taxpayer to the private sector.

With these changes, the revenues of Fannie and Freddie have increased, their risks have decreased, and, for now, they have regained a certain amount of profitability. This current profitability creates its own set of challenges and questions. But one thing is certain: Any return to policies of the past, whether with social goals in mind or merely by mistake due to lack of technical experience, could expose the taxpayer to immense risk.

In addition to the risks associated with their current operations, the Director will also have a substantial impact on the prospects of the success of these reforms. While Congress and the White House will determine how to reform and strengthen our housing finance system, we need to be able to rely on the director of the FHFA for advice and guidance as we proceed. For this to work effectively, the FHFA Director will need to be seen as a technical expert who is not viewed as a political advocate for the President.

The Director of the FHFA must have the market experience to understand how any proposed changes would or would not work, how they would impact access to mortgages while protecting taxpayers from losses, and how they would affect our housing market and economy as a whole.

One example: There is a lot of interest in developing markets in a manner to ensure there is adequate private capital taking the first loss to protect the taxpayer, if there is to be some sort of government guarantee in the future. Some proposals call for the development of various private-sector risk-sharing mechanisms, including senior subordinated deal structures, credit-linked structures, and regulated bond guarantors.

Many are looking at what the FHFA has already begun working toward as a test for the viability of capital markets' risk-sharing transactions. These risk transfer deals—known within

Freddie as the STACR deal, and within Fannie as the NMI and C-Deals—are important examples of how private capital can partake in this market at a higher level. They are also critical examples of why the FHFA Director must have a deep and sound understanding of the demands of capital market investors.

In constructing and monitoring these deals, we need to know that decisions in how to balance the necessity of encouraging private markets with the protection of the taxpayers are being made based upon effective market analysis, absent the political preferences of one individual.

Another important aspect of the transition will be development of the common securitization platform. FHFA has noted that the GSEs' infrastructures are ineffective when it comes to adapting to market changes, issuing securities that attract private capital, aggregating data or lowering barriers to market entry. As such, there must be an updating and continued maintenance of the enterprises' securitization infrastructure.

This is an incredibly complex undertaking that will take years to develop, but it is an essential component of most reform proposals. Because of this, it is incredibly important the Director, on day one, has the technical expertise and the commitment to establish this potential utility similar to ones used in securities markets.

All of us are currently witnessing the consequences of political people leading technical platform development as we watch the continued failures of the rollout for ObamaCare. We cannot afford the same mistakes in the context of our $5 trillion mortgage market.

The management of the current assets of Fannie and Freddie is another essential component of the Director's task, for many reasons, both currently and in the future. When Congress passed HERA authorizing the FHFA Director to appoint the agency conservator of the GSEs, it authorized FHFA to put the GSEs in a ''sound and solvent condition,'' and to ''preserve and conserve the assets of the properties'' of the GSEs.

Congress very specifically intended that the assets of Fannie and Freddie be managed in such a way to maximize payments to the Treasury in exchange for bailing out the GSEs in 2008 and to maximize their value in whatever system is designed for the future. Acting Director DeMarco has done a commendable job fulfilling this task.

However, some believe that other statutory provisions trump this mandate and advocate using the GSEs in manners they believe would achieve other policy goals. Representative WATT noted at his confirmation that, if confirmed, he would decide whether there is sufficient capital to fund various social programs.

In order to ensure the taxpayers are made whole and to best position the secondary market for reform, we cannot afford the FHFA Director to make any decisions that do not first prioritize the preservation and conservation of taxpayer assets. So long as Fannie Mae and Freddie Mac are in conservatorship, profits accumulated by the GSEs should not be used to fund social programs.

Additionally, we cannot return to any of the policies that contributed to the housing crisis, such as further pressing the GSEs' affordable housing goals. Decisions affecting social housing policy should be made through congressional action on housing financing reform.

One final yet incredibly important element of the unique qualifications is regulatory interaction. In a new housing finance system, the already complex web of regulatory interaction between various Federal banking regulators and Federal and State regulators becomes further muddled. State insurance regulators and State banking supervisors must communicate effectively with Federal counterparts.

As this system is being built, the FHFA must coordinate effectively with prudential banking regulators and the CFPB to make sure we are not bogging down our economy with duplicative regulation. To accomplish this the Director needs not only to have an understanding that is built of highly technical expertise, but this person must be seen by other regulators as acting without political intent.

For all of these reasons, and many more, the conservator must be an apolitical financial regulator with the technical expertise who will resist political pressure from all sides of the political spectrum.

Joseph Smith, the last nominee for this position, failed to win confirmation by the Senate because of concerns over whether he was independent enough. At the time of Representative WATT's nomination, the White House was fully aware that these concerns have only been heightened since then.

In the wake of repeated attempts by outside political groups and individuals to influence the decisions of the conservator and in view of the countless complex decisions—of which I have only mentioned a few—numerous Senators repeatedly called for a technocrat rather than a political figure. However, rather than acknowledging the unique aspects of this job, the White House chose to ignore calls to emphasize technical expertise and political independence in their search. As a result, their nominee failed to be confirmed by this body just a few weeks ago. Yet again the White House failed to accept the advice of the Senate.

Today, because of a historical rewrite of Senate rules, we are now facing another vote. Instead, this time the White House and the Democrats in the Senate chose to break the rules of this body so that they could push through Representative WATT and other nominees in partisan votes. I am disappointed with the White House and those in the Senate who supported this rewrite of our rules, and at some time we will all likely be disappointed that these are the rules of this body moving forward. However, I continue to be opposed to this nomination and urge my colleagues to vote no today when the vote comes before us.

I yield the floor.

RECESS

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

Thereupon, the Senate, at 12:31 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Ms. BALDWIN).

The PRESIDING OFFICER. The majority leader is recognized.

NOMINATION OF MELVIN L. WATT TO BE DIRECTOR OF THE FEDERAL HOUSING FINANCE AGENCY—Continued

Mr. REID. On the matter now before the Senate, how much of the time that remains is controlled by the Democrats?

The PRESIDING OFFICER. There is 147 minutes.

Mr. REID. That is a little over 2 hours. How much time for the Republicans? The same?

The PRESIDING OFFICER. There is 130 minutes for the Republicans.

Mr. REID. Oh, I see. Why don't we yield back 130 minutes of our time. That would leave us 14 minutes or something like that?

The PRESIDING OFFICER. Seventeen minutes.

Mr. REID. That is far too much time. I yield back another 10 minutes.

The PRESIDING OFFICER. The majority leader's time is now set to 7 minutes.

The PRESIDING OFFICER. The Republican whip.

HEALTH CARE

Mr. CORNYN. Madam President, 4 years ago Members of both parties came to this Senate floor virtually every day to discuss the problems with America's health care system and offered suggestions for how we could remedy that.

I distinctly remember being here on Christmas Eve, 2009, at 7 in the morning and witnessing a party-line vote on ObamaCare. All of our Democratic friends voted for it, and all Republicans voted against it. I guess the most charitable thing I can say is that our Democratic friends actually thought it would work while Republicans were skeptics about this big government takeover of one-sixth of our national economy.

Well, 4 years later the cost of ObamaCare has become abundantly clear. I don't think it is an exaggeration to say that ObamaCare is the biggest case of consumer fraud ever perpetrated in this country. A law that

was supposed to expand coverage to those without it has instead caused millions of people with coverage to lose their coverage. A law that was supposed to improve patient access has instead resulted in smaller provider networks where people are restricted in terms of the doctors and hospitals they can see, making it much more likely that people will not be able to keep their doctors, should they want them. A law that was supposed to bend the cost curve down has instead caused individual and family premiums to skyrocket.

We have heard story after story that even if the premiums are lower, people, due to copays and deductibles, are finding themselves with thousands and thousands of dollars of deductibles they didn't previously have, meaning it is more money out of their pocket before the insurance actually kicks in.

We were told this was supposed to make Medicaid the safety net program for the most economically disadvantaged among us.

We were told that Medicare for seniors was supposed to make them stronger. Instead it has made them weaker.

A law that was supposed to help our economy has instead hurt our economy by discouraging full-time job creation, because if you have a full-time job your employer has to pay for the full ObamaCare pricetag. Due to ObamaCare businesses have been moving people from full-time work to part-time work.

A number of labor organization leaders went to the White House a few months ago and called the implementation of ObamaCare a nightmare. They said it made full-time work part-time work. It is worse than that.

ObamaCare has hampered medical innovation by taxing the very people who build medical devices here in America and is causing them to move those businesses offshore or simply cut down their hiring. It has placed costly new burdens on small businesses, the entities which produce as much as 70 percent of the new jobs in America. It is not the Fortune 500 companies that create the vast majority of jobs in America, it is the small mom-and-pop operations, the entrepreneurs who create those jobs, and that is who ObamaCare hits the hardest.

It is no wonder our economy continues to struggle. It is no wonder the labor participation rate—the number of people who are actually in the workforce—is at a 35-year low. People have given up looking for work, and that is an American tragedy.

As I stand here today, the broken promises of ObamaCare are causing enormous distress and financial hardship for people all across my State of Texas and all across America. It is undeniable that millions of Americans have lost their insurance because of ObamaCare despite President Obama's almost daily recitation that if you like what you have, you can keep it. He was making that promise as late as 2012, and we knew it wasn't true. We knew it was not true—and he knew it wasn't true—as early as 2010 when we debated some restrictive grandfather regulations from the Department of Health and Human Services.

Senator ENZI, who was the ranking member of the Health, Education, Labor and Pensions Committee, tried to get it fixed, and again we saw a party-line vote. All of our Democratic friends said, no, let's not provide flexibility for the grandfather provisions. Let's maintain the rigid grandfather provisions which have now resulted in more than 5 million people getting notices telling them that even though they like the policies they have, they can no longer keep them. That is why I have said this is one of the biggest cases of consumer fraud ever perpetrated in the United States by virtue of its scope and the audacity with which these promises were made time and time again, which are demonstrably not true. They are false.

We know ObamaCare is leading to a dramatic spike in insurance premiums for many people who buy their insurance in the individual market. My colleagues will recall that during and after the 2008 Presidential election, President Obama repeatedly told Americans his health care plan would reduce their health care premiums for a family of four by about $2,500. I don't know where he came up with that number, but it turned out to be just another broken promise.

According to the Kaiser Family Foundation, annual premiums for employer-based family health insurance increased by nearly $3,000 between 2009 and 2013. In other words, the President was $5,500 wrong. Rather than going down $2,500, they went up $3,000. For that matter, a recent study by the Manhattan Institute estimated that ObamaCare will drive up individual premiums by an average of 41 percent.

I don't know many hardworking American families who can afford a 41-percent increase in their health care costs as a result of a law promising that health care would be more affordable. The single biggest increase, according to this study, will be in the majority leader's home State of Nevada where individual premiums are projected to rise by an astounding 179 percent. The increases in New Mexico, Arkansas, and North Carolina are 142 percent—that would be New Mexico; 138 percent, that would be Arkansas; and 136 percent in North Carolina. What do each of these States have in common? They are represented by Senators who voted for this bill, perhaps believing what the President said would be true, but their constituents are having to pay the price.

Such premium increases are particularly burdensome for senior citizens and other folks on a fixed income. For example, recently in Copper Canyon, TX, one of my constituents wrote to me and said that because of ObamaCare, her monthly premiums were increasing by $200, which is only $27 less than her monthly Social Security income. In other words, it takes up almost the entire amount of her Social Security check for her to purchase this insurance. That is wrong.

In addition to premium hikes, many Americans entering the ObamaCare exchanges are facing higher deductibles. I mentioned that a moment ago. In a front-page story just yesterday in the Wall Street Journal, it was reported that many ObamaCare deductibles are so high that people with modest incomes may not be able to afford the portion of medical expenses that insurance doesn't cover. What is that all about? In fact, according to one study, the average deductible for the cheapest individual coverage on the Federal ObamaCare exchange is 42 percent higher than the average deductible for individual health insurance earlier this year, before most of ObamaCare kicked in—a 42-percent higher deductible. As we know, many of these deductibles we are hearing are in the $4,000 and $5,000 range for individuals and they are up to $10,000 or more for married couples. I don't know many households in Texas or across America that can absorb $10,000 in a deductible for their health insurance policy. Certainly that doesn't strike me as a success if the purpose is to cover health care costs and to prevent people from suffering economic hardship as a result. That strikes me as an epic failure. In other words, ObamaCare is making it significantly harder for many Americans to pay their bills, to buy groceries, and take care of their families.

Again, as I have said many times before, it didn't have to be this way. It didn't have to be this way. In 2009, polls demonstrated that the overwhelming majority of Americans who had health insurance liked what they had, and they were broadly satisfied with it. I assume that is why the President said: If you like what you have, you can keep it, because about 90 percent of the respondents said: We like what we have. So if you are the President trying to sell this so-called Affordable Care Act, you wouldn't want to scare that 90 percent of people into thinking they can't keep what they have even though they like it. So you misrepresent what you are selling. You tell people you can keep what you have and your premiums are going to go down and it is all going to be all right.

If we had focused on those people who either did not have coverage or who had inadequate coverage—obviously a smaller subset of Americans than the whole country—if we focused on them and dealt with their challenges in purchasing health insurance, we could have done much better. There were millions more who had low-quality Medicaid coverage that many doctors refused to accept because, in my State, Medicaid pays a doctor about 50 cents on the dollar compared to private insurance. Many doctors said: Look. I

want to see more Medicaid patients, but I simply can't afford to do it. I have to opt for higher paying private insurance patients. We know Medicare was facing a fast approaching bankruptcy date. What Congress could have done—what we should have done—is to enact sensible, narrowly drawn, targeted reforms, No. 1, aimed at improving the coverage options for each of these groups and strengthening and preserving Medicare and Medicaid. We needed to bring down the costs, not jack up the costs.

If we ask most people the biggest problem they have with their health insurance, they say it costs too much, and we have made it worse. It is worse, not better. To bring down the costs, we could have allowed people to buy health insurance across State lines. I know that doesn't sound like a panacea, but most States have captive insurance markets and many State legislatures, including the Texas legislature, have mandated coverage that many people simply don't want, but it adds to the cost of their health insurance. So I could have the choice to buy insurance across State lines if we enacted this reform. If I liked the insurance coverage of Wisconsin or Louisiana or somewhere else, and if that suited my needs, I could buy it there and we would have a true competitive market and people would compete based on quality and price, but we don't have that now.

What else could we have done? We could have expanded the use of tax-free health savings accounts paired with high deductible plans, such as the kind I talked to a number of my constituents in Austin, TX, about who are employed at Whole Foods. They cover roughly 80 percent of the out-of-pocket costs for health insurance through health savings accounts and high deductible insurance, and the employees—I think it is still the case; it was then—still vote on an annual basis for what kind of coverage they want. They vote for this type of coverage because they are satisfied with it and it gives them a sense of ownership, which is actually true, because the money put in a health savings account they get to keep and if they don't use it on their health care, then they get to save it, the same as with an IRA or something such as that. But it also changes the calculation. It makes people much smarter shoppers and it moves us further along to a system where people can shop for their health insurance and their health services as they do with everything else and it will bring down costs and it will improve quality of service as a result of competition for that business.

We could have cracked down on frivolous medical malpractice lawsuits which cause defensive medicine. Just think about it. If a doctor is worried about losing everything they have worked a lifetime to achieve in terms of assets and their medical practice, the last thing they want to do is be subjected to a lottery-type lawsuit. So the easiest thing for those doctors to do—I know they don't do it on purpose—is make the decision to provide a test or a treatment based not so much on a patient's clinical situation but based on their desire to not be sued and to not be second-guessed 2 years later when somebody comes in and says you should have done this or that. So the temptation is to do everything and to run up the cost of health care coverage.

These are just a few examples. But by lowering costs across the board, these reforms—which I talked about and which the President and his political party rejected—could have helped people who already had coverage and we could have helped those who previously could not have afforded coverage. Some people—if I have heard it one time, I have heard it a thousand times—said we need ObamaCare because people with preexisting conditions couldn't get coverage. That is a serious concern. But we already have in place high-risk pools in the States, and if we needed to help those States provide coverage to people with those high-risk health conditions, we could have done it a whole lot cheaper and a whole lot more efficiently than creating this huge monstrosity, this huge bureaucracy, this huge expense known as ObamaCare.

We could have increased funding to the high-risk pools that were already operating in about three dozen States. The irony is that the people in the high-risk pool in Texas got a letter that said their coverage has been canceled effective December 31—the very people ObamaCare was supposed to help—your coverage is canceled because ObamaCare kicks in January 1. But because people were worried about their ability to get on the exchanges due to the Web site problems, the Texas legislature and the Texas Department of Insurance decided to extend the coverage of the high-risk health insurance pools in Texas so people wouldn't fall through the cracks because of this train wreck of a rollout of ObamaCare.

How about Medicaid. We hear a lot of discussion about Medicaid. I have already mentioned that Medicaid only reimburses doctors about half what a private insurance policy would, so a lot of doctors simply can't afford to see a new Medicaid patient. In Texas, only one doctor out of three will see a new Medicaid patient for that reason. It is not because they don't want to; it is simply because they can't afford to do so. We could have made it a lot easier for States to bolster their Medicaid Program and deliver targeted policies that would allow them to manage Medicaid populations, for example; create a medical home, for example. But because of the redtape Washington refused to cut, Medicaid ends up in many instances being an appearance of coverage, but people can't find a doctor who will see them. What good is that? That is, to me, a sleight of hand and part of the reason I call this one of the biggest cases of consumer fraud in American history.

To help Medicare patients—who are, of course, our seniors—we could have increased private competition and patient choice by embracing the premium support model that was endorsed by 10 members of President Clinton's Medicare Commission back in 1999. That is not a partisan solution; it is one President Clinton's Medicare Commission embraced back in 1999.

The reforms I have just outlined would have given us a genuine national marketplace for individual health insurance. Unfortunately, our friends across the aisle and our President decided to take a different path with the Affordable Care Act or ObamaCare. Unfortunately, the folks who designed ObamaCare consciously chose to destroy the individual market and force millions of people to pay for Washington-mandated coverage they didn't need and they didn't want and at a price they can't afford. Rather than adopt measures to bring down the costs and coverage issues for a subset of the population, the roughly 10 percent who weren't among those 90 percent who said they like what they had, the President and his allies chose to wreck the existing health care system—to wreck it, to make it worse, not better.

As a result, they have made the cost problem worse. They have jeopardized physician access for millions of Americans who like their current health plans and wish to keep them. And, of course, now the administration is boasting that the Web site is mostly fixed. Indeed, by most objective reports, people are not experiencing the same sort of epic failure they did when they first tried to get into the Obama exchanges. But at this point the President and his allies have lost all credibility with regard to other aspects of ObamaCare, which I have mentioned. Fixing the Web site will not fix the underlying deficiencies of ObamaCare. These are not glitches. These were baked in the cake. These were designed. This is the way ObamaCare was created and was supposed to work, notwithstanding the fact that the American people had been sold a bill of goods to the contrary.

Indeed, the only way to solve America's biggest health care challenges is a do-over, to replace ObamaCare with the sort of patient-centered reforms I mentioned a few moments ago. ObamaCare may be a complete disaster, but it is not too late for us to work together to fix what is broken and to start over.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

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

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

Mr. BARRASSO. Madam President, with less than 2 weeks remaining before the deadline for people who need to sign up for health insurance that

starts for them to be insured on January 1, there is a significant amount of anger as well as anxiety across the country. The Web site where people are supposed to go to buy that insurance has been plagued with problems that everyone in the country seems to know about, and that has caused huge amounts of anxiety. I heard about it last week in Wyoming, I hear about it on Capitol Hill with staff members, and I hear it pretty much anywhere I go.

What people have been learning is that the problems with the Web site are actually just the tip of the iceberg. The Obama administration has been saying that it has been fixed, that the problems with this health care law are fine, that everything is good, that a majority of people are having good experiences. I remember listening to the President not long ago, sitting with Bill Clinton, saying: Easier to use than Amazon.

Well, that is not what the American people found. He also said: Cheaper than your cell phone bill. He said: You will be able to keep your doctor if you like them.

But the law continues to leave so many Americans struggling—struggling with higher costs, with greater confusion—and really with a lot less confidence in the administration. People all around the country are worrying about whether the administration even knows what it is doing.

So when I talk about the Web site being just the tip of the iceberg, people around the country are running into higher premiums, canceled coverage, finding out they cannot keep their doctor. They are running into fraud and identity theft issues and issues in terms of higher copays and out-of-pocket costs and deductibles.

People at home in Wyoming—and I went not just around communities in the State, traveling to a number of different communities, but I also went to my own medical office where I practiced as an orthopedic surgeon at Casper Orthopedics for 24 years—were telling me how worried they were about the higher costs they are seeing regarding paying for insurance for next year.

I got a letter from one man in Cody, WY. He talked about how the rates he has been quoted are going to go up from about $860 a month that he pays now for a family of four to $2,400 a month—$860 to $2,400 a month. He said: ''I'm not sure what planet they think I live on, but there is no way I can spend more than half of my monthly income on insurance.'' Well, I hear the same thing from people all around Wyoming. People are having this same sticker shock all over the country.

We know that more than 4.7 million Americans in 32 States are being told they cannot keep the insurance they had. When we take a look at the map, we know we do not have the numbers yet on certain States, including the State of Wisconsin. We do not have Illinois. We do not have Ohio. We do not have Texas. We do not have Virginia. So we really do not know how many people have lost their coverage. But we know that at least 4.7 million Americans were told they cannot keep the insurance they had in spite of what the President may have promised them. Now what they have to do is buy new Washington-approved health coverage that really may not be the right coverage for them and may likely cost more than they were paying before. Millions of Americans are going to be forced to use money that in the past was used to pay rent or put their children through school or to invest in their communities or in a business or to help make repairs to their homes—now that money is going to go to pay for higher premiums as well as the incredibly high deductibles people are seeing related to the health care law.

It is interesting, looking through the papers—this was yesterday's Wall Street Journal, Monday, December 9. Above the fold on the front page: ''Deductibles Fuel New Worries of Health-Law Sticker Shock.'' The article says:

> The average individual deductible for what is called a bronze plan on the exchange—the lowest-priced coverage—is $5,081 a year, according to a new report on insurance offerings in 34 of the 36 states that rely on the federally run online marketplace.

The Wall Street Journal reports:

> That is 42% higher than the average deductible of $3,589 for an individually purchased plan in 2013 before much of the federal law took effect.

So what people are seeing—and the Wall Street Journal reports above-the-fold on the first page—are higher deductibles by a lot.

It is not just the Wall Street Journal. In the New York Times yesterday, Robert Pear had an article: ''On Health Exchanges, Premiums May Be Low, But Other Costs Can Be High.'' It says:

> . . . as consumers dig into the details—

Dig into the details—something this body never did. Members of that part of the body who voted for this health care law never did dig into the details.

It says:

> . . . as consumers dig into the details, they are finding that the deductibles and other out-of-pocket costs are often much higher than what is typical in employer-sponsored health plans—the plans many of these people have had in the past.

So what we are seeing are not just the higher costs, not just the higher deductibles, the higher copays; there is also a lot of confusion about the health care Web site itself, and I think that is only going to get worse. Ten weeks after the Web site launched, there is still an awful lot that is broken, including the parts that actually get people the insurance they think they signed up for.

A number of my staff have applied, and they believe they have signed up for health insurance. They are not sure. They have not yet gotten confirmation. And I know Members on Capitol Hill who have staff signing up are experiencing the same thing.

Last month one of the officials from the Department of Health and Human Services testified in the House of Representatives that as much as 40 percent of this Web site's system still has not even been built yet. The Web site still has trouble transmitting information to the insurance companies once someone has chosen a plan.

The Web site was down again earlier today. It still has not figured out how to automatically pay the portion of premiums covered by any government subsidy.

There are still many, many security holes that can be exploited by con artists, by hackers. Certain branches of the government have been warning citizens to be cautious when going on the Web site because of the concerns about exploitation, people who are trying to use this in a fraudulent way.

And then you hear that the administration is bragging. It is really sad that almost 9 weeks after the Web site opened the administration is now bragging that it only has an error rate of 10 percent on one important step of the Web site. Madam President, 1 in 10 is their error rate. This is a President who said the Web site was going to be running like amazon.com. He said that 3 or 4 days before the Web site opened. Now, 9 weeks later, he is delighted that the error rate is still 1 out of 10. Does the President actually believe Amazon would accept a 10-percent error rate in their customers not being able to finish their purchases?

I believe all of these flaws and failures have led to a dramatic loss of confidence by the American people in their government. According to a new Gallup poll, 52 percent of Americans are in favor of scaling back the health care law or repealing it entirely. People continue to turn against the law for a number of reasons, and it is not just the Web site, it is the higher premiums, it is the canceled coverage, it is that they cannot keep their doctor, and it is fraud and identity theft, higher copays, higher deductibles, and confusion about what is going to go wrong next because so many things the President and his administration have said—have looked into the camera and told the American people would be one way—turned out to be something very different. There have been so many changing stories coming out of the White House.

The President said: If you like your health insurance, you can keep your health insurance, and then he actually said ''period,'' with a punctuation mark, that that was it; no ifs, ands, or buts—just the period. People now know all across the country—those who voted for him, those who did not—what they all know is that what the President said was not true.

The President said: If you like your doctor, you can keep your doctor. Well, on Sunday one of the architects of ObamaCare went on FOX News and admitted also that was not true. This is Dr. Ezekiel Emanuel—the brother of

Rahm Emanuel, the former Chief of Staff of the White House—who is a medicine professor. What he said was, if you like your doctor and you want to keep your doctor, you can pay more for insurance that includes your doctor. There are a lot of places where you cannot even buy insurance that will cover that doctor. This is not at all what the President promised.

It is interesting, even in the Financial Times yesterday, ''Healthcare insurers cut costs by excluding top hospitals.'' So you cannot even go to the hospitals. There is a picture here of the University of Texas MD Anderson Cancer Center. ''Plan will not cover treatment at Houston cancer center.'' So we have somebody who has lost their insurance who has been going to that cancer center where their doctors are—they are losing their insurance on January 1, knowing they cannot keep their doctor, they cannot keep their hospital. We see children's hospitals around the country, people who are not going to be included in these exchanges. So children with leukemia, come January 1, are going to lose their doctor, lose their hospital. But that is what the President and that is what the Democrats in this body who voted for this health care law have given to the American people.

Just before Thanksgiving, the Obama administration announced it would have to delay a health insurance exchange that was supposed to let small businesses shop for insurance. I remember hearing speeches on this floor about small businesses being able to find affordable insurance. Well, it turns out, once again, the administration knew at least 6 weeks before that they were going to have to delay the program. Did they admit it to the American people? Did they tell the truth? No. They waited.

One broken promise after another, one statement after another that the administration knows is not true. So is it a surprise, then, that the President of the United States is viewed as untruthful by a majority of the people of this country? It is a terrible situation for anyone to put their country in.

Back when we first started talking about the health care law, Republicans offered ideas on how to give people what they really wanted, which was reform that lowered costs and improved access to care. That is what people were concerned about. So many of the complaints we have heard around the country have had to do with the cost of care.

So President Obama and Democrats in Congress refused to listen, ignored all of the warning signs, and used raw majority power to force this bad law on all of the American people. I remember the vote in this body, Christmas Eve morning, voting on a health care law. We watched it crammed through on party-line votes.

Now Democrats in the Senate have decided to make another power play and have broken the rules of the Senate just a couple of weeks ago to change the rules of the Senate. They took a drastic and unwarranted step so that they could have the power once again to force more bad ideas like the Obama health care law onto the American people.

They say we do not need the 60 votes now; all we need is a simple majority. Let's change the way the Senate has run for well over 100 years, because, once again, the Democrats say: We know better than the American people. We know better than you.

That is what the President said with his health care law. Now the American people are realizing what they knew all along. This is not what they wanted with health care reform. Regrettably it is what they are living with now, and they are seeing the higher premiums, the canceled coverage, losing their doctor, the fraud and identity theft, higher copays, and higher deductibles.

It is interesting; even today in the Washington Post, the front page above the fold said: ''Under health law, insurers limiting drug coverage.'' Costs may soar. It talks about many different ailments, including for those with HIV. That is a result of the health care law. If this health care law would not have passed, forced down the throats of the American people with the President telling one falsehood after another, deliberately designed to mislead the American people, you would never have seen a headline like this today.

If President Obama really wants to help the American people, he is going to sit down with the Republicans and talk about the real issues to reduce costs, to get rid of all of this confusion that he and the Democrats have caused and to restore people's confidence in America, as well as in him.

There is a better way. Republicans agree we need to reform America's health care system. We think that those reforms could have been done without the kind of harm caused by the President's health care law.

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

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

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. THUNE. Mr. President, once again I come to the floor to discuss the negative impacts ObamaCare is having on my constituents in South Dakota and to countless Americans across the Nation. Since this health care law was enacted in 2010, I have come to the floor on numerous occasions to discuss the number of promises the President made to the American people, promises that have been broken. My colleagues and I have highlighted the fact that the President's promise, ''if you like your health care plan, you can keep your health care plan—period,'' simply isn't true.

Reports indicate that more than 5 million Americans already have received cancellation notices from their insurance companies and much of the ObamaCare policy has not even been implemented yet. What is worse, the administration knew they would never live up to this promise. Instead of finding a permanent solution to the problem, they proposed a political solution.

Today I would like to highlight yet another broken promise made by the President that is resulting in sticker shock as many Americans purchase health insurance.

While campaigning for the Presidency, and in speeches leading up to the passage of ObamaCare, President Obama promised the American people that their premiums would decrease by up to $2,500 per family. Instead, many families are facing sticker shock. Since enactment of ObamaCare, health care premiums have actually increased by more than $2,500 per family—that according to the Kaiser Family Foundation annual survey. As a result, many American families are sitting around their kitchen table trying to figure out how they are going to shift their finances around to afford health care when they were promised their premiums were going to go down by $2,500 per family.

As the President has said, this law is more than just a Web site. We agree with that; this law is more than just a Web site. This law is a series of broken promises that are resulting in higher premiums, higher deductibles, and higher out-of-pocket costs for middle-class families, money the families could be using to help pay off student loans, save for a house, or start a business. Those are now going to be used to pay for government-approved health care.

Recent reports out this week by the New York Times and Wall Street Journal highlight the fact that deductibles and other costs under ObamaCare have surged. The Wall Street Journal reports that the average individual deductible for a bronze level plan on the exchanges is over $5,000 a year. This means a policyholder would need to pay over $5,000 in order for their insurer to start making payments.

One of my constituents recently informed me that her family's health insurance plan was cancelled and the new policy she was offered would double their deductible to $5,000 per individual. She and her husband have three children. In addition to a higher deductible, this family faces higher premiums, higher copayments, and a higher out-of-pocket maximum. She goes on to say, ''Please explain how this new coverage is considered 'affordable' under the Affordable Care Act?''

Another couple in my State of South Dakota informed me, in the form of an email, that their premiums were going up by $400 a month and the deductibles were going up by $1,400 on their policy.

Their question was, What is the Federal Government doing? The gentleman says I feel like the Federal Government just stole $5000 from me.

That is the frustration people across the country are feeling as a result of ObamaCare. The middle class is faced with higher costs, while their take-home pay and hours are being reduced.

As more and more Americans begin to formulate their family budget for 2014, they are going to learn that yet another promise by the President has been broken. Not only are they losing the plan they were promised they could keep, they are facing sticker shock over the increased cost of health care coverage. This flawed law will continue hitting middle-class Americans in their pocketbooks as the Nation's economy continues to struggle to regain its footing.

The flawed rollout of ObamaCare is no secret. We have all seen what were described as the countless glitches associated with the rollout. But to make matters worse, recent reports indicate that in October, one in four ObamaCare enrollees faced a glitch not many were aware of. This glitch, called an 834 error, has prevented insurers from receiving the proper information regarding people who believed they had successfully enrolled in a health care plan. In essence, 25 percent of the initial enrollees in ObamaCare, after persevering through the errors on a Web site that was not ready for prime time, may not have proper coverage come January 1 of 2014.

What is even more troubling is that the administration estimates that 10 percent of new enrollees will continue to face this problem. Here we are, 23 days before January 1, and those who worked through the headaches of healthcare.gov may or may not have coverage. Unfortunately, this administration continues to refuse to seriously address these problems.

Even though they have unilaterally delayed several portions of this law from taking effect and have previously failed to meet half of the requirements mandated by the law, the administration will not provide the same relief for the individual Americans as it has for big businesses.

This law is fundamentally broken and we need to start over. Rather than expand the government's role in providing health care, we need to enact policies that make the private insurance market more competitive to ensure that individuals and families have choices when it comes to their health care. Yet the unfortunate reality for middle-class families is that their premiums, their deductibles, their out-of-pocket costs under ObamaCare are not glitches, they are a harmful reality that is resulting in sticker shock for literally millions of Americans.

We can do better; we should do better. This is more than just a Web site. It is the substance of this law that was built upon a faulty foundation that is leading to canceled policies, higher premiums, higher deductibles, higher taxes, fewer jobs, and lower take-home pay for the American people. This is a direct shot at the heart of the American middle class.

The President last week got up and made a speech where he talked about income inequality. What he should have focused on is the best way to get rid of income inequality is to repeal this health care law because what is going to happen to middle-class families and middle-class Americans under this health care law is much higher costs, much lower take-home pay, many fewer jobs for them and for their children, and a lower standard of living and lower quality of life than they have enjoyed in the past. This will be the impact upon middle-class Americans as a result of this law.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Louisiana

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

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

Mr. VITTER. Mr. President, I come to the floor to discuss what I call the Washington exemption from ObamaCare. One of the few real victories the American people had in the ObamaCare debate was we actually got an amendment included in the Senate consideration of the bill that said much of Washington—all Members and all of our congressional staff—have to go to the ObamaCare exchanges for our health care, just like millions of other Americans. We had to get it there.

Unfortunately, I guess this was an example of what NANCY PELOSI said when she said we need to pass the bill in order to understand what is in it.

After the ObamaCare statute passed with that very clear and very specific provision in it, a lot of folks around here read it and said: Oh, you know what. How are we going to deal with this? A furious behind-the-scenes lobbying effort then began. It went on for months. It was to essentially get around that provision and the pain it would cause—the pain being subjecting Members of Congress and all of our staff to the same circumstance and experience as other Americans.

That ended with President Obama getting personally involved and the Obama administration issuing a special rule, and that rule is just an end run around the specific statutory provision. I think it is completely illegal for that reason, because it is in conflict with that statutory provision.

One of the key issues of that rule says—well, the statute says all official staff will go to the exchange, but we really don't mean that so we are going to leave it up to each individual Member to decide what staff are official and what staff will go to the exchange.

As a result, there is a huge loophole some Members are using to exempt much—in some cases even all—of their staff from going to the exchange.

As mandated clearly by the ObamaCare statute, we have to walk the walk of other Americans, and we have to share in that experience.

Sadly, according to press reports, the distinguished majority leader Mr. REID is one of those Members actively taking advantage of that loophole and exempting much of his staff. Because of that, I have written the majority leader today and asked him to answer some very important and straightforward questions about that situation.

In order to make my point, I will simply read the letter into the RECORD. It was sent to the distinguished majority leader in the last several hours.

Dear Majority Leader Reid.

It has been reported that you were the only Member of top Congressional leadership—House and Senate, Democrat and Republican—who has exempted some of your staff from having to procure their health insurance through the Obamacare Exchange as clearly required by the Obamacare statute.

Millions of Americans are losing the health care plans and doctors they wanted to keep and are facing dramatic premium increases, all as Washington enjoys a special exemption. Given this, I ask you to publicly and in writing answer the four important questions below regarding your office's exemptions. I will also be on the Senate floor to discuss this at approximately 4:15 pm today and invite you to join me there.

First, how did you designate each member of your staff, including your leadership staff, regarding their status as ''official'' (going to the Exchange) or ''not official'' (exempted from Exchange)? Did you delegate that designation to the Senate Disbursing Office, which would have the effect of exempting all of your leadership staff from going to the Exchange?

Second, if any of your staff is designated as ''not official'' (exempted from Exchange), are any of those staff members receiving official taxpayer-funded salaries, benefits, office space, office equipment, or any other taxpayer support?

Third, if any of your staff is designated as ''not official'' (exempted from Exchange), did any of these staff members assist you in drafting or passing Obamacare into law? If so, which staff members exactly?

Fourth, how are the above designations of yours consistent with the clear, unequivocal statement you made on September 12: ''Let's stop these really juvenile political games—the ones dealing with health care for Senators and House members and our staff. We are going to be part of exchanges, that's what the law says and we'll be part of that.''

I look forward to your clear, written responses to these important questions. I also look forward to having fair up-or-down votes on the Senate floor on my ''Show Your Exemptions'' and ''No Washington Exemptions'' proposals in the new year.

Sincerely, David Vitter.

This letter lays it out clearly. I think this is an important debate the American people care about. As I said in the letter, millions of Americans face real dislocation and pain under ObamaCare. They are losing—in millions upon millions of cases—the health care plan they wanted to keep and they were promised they could keep. They are

losing their ability to see the doctor they love and were promised they could continue to see. That number in Louisiana alone is 93,000 families.

They face skyrocketing premiums in many cases. Yet, as all of that goes on, Washington enjoys this Washington exemption from ObamaCare. Some Members of Congress, in particular—apparently, according to press reports, that includes the majority leader Mr. REID—are using this end run around the clear language of the ObamaCare law and exempting much of their staff.

I think it is incumbent upon the distinguished majority leader to come clean and answer these four very legitimate, very straightforward questions in an open, transparent, written, and straightforward way.

I am sorry he could not join me on the floor right now to discuss this matter. I welcome that conversation at any point in the near future, and I certainly look forward to his written responses to these questions. I think the American people deserve that, at a very minimum.

I also think they deserve—at a very minimum—what I have been fighting for months: Fair up-or-down votes on my Show Your Exemptions proposal and No Washington Exemptions from ObamaCare proposal. The first is real simple. It simply mandates that every Member disclose how they are handling their office. It is the same sort of question and goes to the same sort of information I am asking directly of Senator REID.

The No Washington Exemptions from ObamaCare ends the end run around—ends that special status, that special treatment for Congress and our official staff. It would also put them in the same category of having to go to the exchanges with no special treatment or subsidy. It would include the President, Vice President, White House staff, and political appointees.

Unfortunately, again, the majority leader has blocked all of my attempts to simply get a vote on these matters. I am not asking everyone to agree with me; it is a free country, but I think I deserve a vote. I think the American people deserve a debate and a vote, and so I will continue fighting for fair up-or-down votes on the Senate floor on both my disclosure proposal, Show Your Exemptions, and the ultimate fix, No Washington Exemptions from ObamaCare.

I will continue that work, and I look forward to the majority leader's response to this letter.

I yield the floor.

Mr. DURBIN. Mr. President, the Senate has considered several well-qualified nominees this week. One of those is Congressman MEL WATT, the President's nominee to be Director of the Federal Housing Finance Agency. Congressman WATT has the institutional knowledge, legislative experience, and vision to transform our housing market and ensure that the mortgage crisis doesn't happen again.

Congressman WATT has vast experience working with the housing market. He practiced law for 22 years prior to his congressional career, executing countless real estate transactions. Since being elected to serve in North Carolina's 12th District in 1993, Congressman WATT has fought tirelessly to restore integrity to our financial system.

He serves on the House Financial Services Committee, where he sponsored legislation that would eventually become part of the Dodd-Frank Wall Street Reform and Consumer Protection Act to ensure that mortgage applicants can, in fact, meet their mortgage obligations. What is more, he recognized that lenders were engaging in predatory practices when underwriting mortgage loans well before the foreclosure crisis.

Since 2004, he has advocated for legislation to combat predatory mortgage practices. He has also been working for 10 years toward reform of Fannie Mae and Freddie Mac. I share his goal, and I want the right person at the helm when Congress begins that process.

Before responsible reform can happen, we need to come to some consensus about what we want the secondary mortgage market to look like. Families should have access to traditional 30-year mortgages. And we don't want to cut off access to capital for multifamily housing, which provides affordable housing for millions of families. Congressman WATT's experience delving into these issues will be invaluable in his role as the new Director of FHFA.

The mortgage crisis that took our Nation's economy to the brink in 2008 is still hurting American homeowners and our economy. About 15 percent of all borrowers—more than 7 million Americans—are still under water on their mortgages and high rates of foreclosure continue to plague communities across the country. The housing market still has a long way to go.

There is more that FHFA can do to help the housing market recover—from working with State and local governments to maintain vacant foreclosed properties held by Fannie and Freddie, to targeted principal reduction to help families stay in their homes. I look forward to working with Congressman MEL WATT to address the challenges still facing the housing market.

Time and again, some of my colleagues threaten to block confirmation of nominees to further sometimes unrelated agendas. Sometimes it is simply because President Obama nominated these individuals. I hope that my colleagues will carefully consider the struggling homeowners in their respective States as they do this.

FHFA has gone without a Director for more than 4 years. This important agency needs a Director that will stand up for homeowners and work with Congress to reform Fannie Mae and Freddie Mac.

FHFA deserves to be fully staffed so it can serve the best interests of taxpayers and homeowners. I urge my colleagues to support Congressman WATT's confirmation and look forward to working with him as he becomes the new Director of the FHFA.

I yield the floor.

The PRESIDING OFFICER (Mr. DONNELLY). The question is, Will the Senate advise and consent to the nomination of MELVIN L. WATT, of North Carolina, to be Director of the Federal Housing Finance Agency for a term of 5 years?

Mr. SCHATZ. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second. There is a sufficient second.

The clerk will call the roll.

The assistant bill clerk called the roll.

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

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

The result was announced—yeas 57, nays 41, as follows:

[Rollcall Vote No. 252 Ex.]

YEAS—57

Baldwin	Hagan	Murray
Baucus	Harkin	Nelson
Begich	Heinrich	Portman
Bennet	Heitkamp	Pryor
Blumenthal	Hirono	Reed
Booker	Johnson (SD)	Reid
Boxer	Kaine	Rockefeller
Brown	King	Sanders
Burr	Klobuchar	Schatz
Cantwell	Landrieu	Schumer
Cardin	Leahy	Shaheen
Carper	Levin	Stabenow
Casey	Manchin	Tester
Coons	Markey	Udall (CO)
Donnelly	McCaskill	Udall (NM)
Durbin	Menendez	Warner
Feinstein	Merkley	Warren
Franken	Mikulski	Whitehouse
Gillibrand	Murphy	Wyden

NAYS—41

Alexander	Fischer	Moran
Ayotte	Flake	Murkowski
Barrasso	Graham	Paul
Blunt	Grassley	Risch
Boozman	Hatch	Roberts
Chambliss	Heller	Rubio
Coats	Hoeven	Scott
Coburn	Inhofe	Sessions
Cochran	Isakson	Shelby
Collins	Johanns	Thune
Corker	Johnson (WI)	Toomey
Cornyn	Lee	Vitter
Crapo	McCain	Wicker
Enzi	McConnell	

NOT VOTING—2

Cruz	Kirk

The nomination was confirmed.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Mr. President, that last vote took 30 minutes. We are not going to wait around for Senators to come. We are going to start cutting off votes—Democrats, Republicans, Independents, everybody. We cannot do this. We have a lot of work to do, so it is unfair to everyone who gets here on time. We are going to start cutting off the votes in 20 minutes. I advise the floor staff that in fact is the case. We are not to be waiting for people. It is wrong. It is unfair.

NOMINATION OF CORNELIA T. L. PILLARD TO BE UNITED STATES CIRCUIT JUDGE FOR THE DISTRICT OF COLUMBIA

Mr. REID. I now move to proceed to reconsider the vote by which cloture was not invoked on the Pillard nomination.

The PRESIDING OFFICER. The question is on agreeing to the motion.

Mr. THUNE. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

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

The result was announced—yeas 54, nays 44, as follows:

[Rollcall Vote No. 253 Ex.]

YEAS—54

Baldwin	Hagan	Murray
Baucus	Harkin	Nelson
Begich	Heinrich	Pryor
Bennet	Heitkamp	Reed
Blumenthal	Hirono	Reid
Booker	Johnson (SD)	Rockefeller
Boxer	Kaine	Sanders
Brown	King	Schatz
Cantwell	Klobuchar	Schumer
Cardin	Landrieu	Shaheen
Carper	Leahy	Stabenow
Casey	Levin	Tester
Coons	Markey	Udall (CO)
Donnelly	McCaskill	Udall (NM)
Durbin	Menendez	Warner
Feinstein	Merkley	Warren
Franken	Mikulski	Whitehouse
Gillibrand	Murphy	Wyden

NAYS—44

Alexander	Fischer	Moran
Ayotte	Flake	Murkowski
Barrasso	Graham	Paul
Blunt	Grassley	Portman
Boozman	Hatch	Risch
Burr	Heller	Roberts
Chambliss	Hoeven	Rubio
Coats	Inhofe	Scott
Coburn	Isakson	Sessions
Cochran	Johanns	Shelby
Collins	Johnson (WI)	Thune
Corker	Lee	Toomey
Cornyn	Manchin	Vitter
Crapo	McCain	Wicker
Enzi	McConnell	

NOT VOTING—2

Cruz	Kirk

The motion was agreed to.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Mr. President, I move to reconsider the vote by which cloture was not invoked on the Pillard nomination.

The PRESIDING OFFICER. The question is on agreeing to the motion.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

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

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

The result was announced—yeas 54, nays 44, as follows:

[Rollcall Vote No. 254 Ex.]

YEAS—54

Baldwin	Hagan	Murray
Baucus	Harkin	Nelson
Begich	Heinrich	Pryor
Bennet	Heitkamp	Reed
Blumenthal	Hirono	Reid
Booker	Johnson (SD)	Rockefeller
Boxer	Kaine	Sanders
Brown	King	Schatz
Cantwell	Klobuchar	Schumer
Cardin	Landrieu	Shaheen
Carper	Leahy	Stabenow
Casey	Levin	Tester
Coons	Markey	Udall (CO)
Donnelly	McCaskill	Udall (NM)
Durbin	Menendez	Warner
Feinstein	Merkley	Warren
Franken	Mikulski	Whitehouse
Gillibrand	Murphy	Wyden

NAYS—44

Alexander	Fischer	Moran
Ayotte	Flake	Murkowski
Barrasso	Graham	Paul
Blunt	Grassley	Portman
Boozman	Hatch	Risch
Burr	Heller	Roberts
Chambliss	Hoeven	Rubio
Coats	Inhofe	Scott
Coburn	Isakson	Sessions
Cochran	Johanns	Shelby
Collins	Johnson (WI)	Thune
Corker	Lee	Toomey
Cornyn	Manchin	Vitter
Crapo	McCain	Wicker
Enzi	McConnell	

NOT VOTING—2

Cruz	Kirk

The motion was agreed to.

Mr. LEAHY. Mr. President, today, for the second time in a month, we are debating whether to allow a confirmation vote on the nomination of Nina Pillard to the U.S. Court of Appeals for the DC Circuit. Yesterday, we were finally able to vote on the nomination of Patricia Millett after many months of being filibustered by Senate Republicans. I am glad we are making more progress today on another exceptional nominee.

The DC Circuit is often considered to be the second most important court in the Nation and should be operating at full strength. Today we will take a step towards making this court operate at full strength for the American people.

In late November, a bipartisan majority of Senators voted in favor of moving to an up-or-down vote on Nina Pillard's nomination, but we fell short by three votes. The same efforts to remove the Republican blockade of this President's nominees to fill vacancies on the DC Circuit that allowed the Senate to confirm Patricia Millett earlier this week will similarly allow the Senate to move forward on Nina Pillard's nomination so she can be confirmed and get to work for the American people.

Nina Pillard is an accomplished litigator whose work includes nine Supreme Court oral arguments, and briefs in more than 25 Supreme Court cases. She drafted the Federal Government's brief in United States v. Virginia, which after a 7–1 decision by the Supreme Court made history by opening the Virginia Military Institute's doors to female students and expanded educational opportunity for women across the country. Since then, hundreds of women have had the opportunity to attend VMI and go on to serve our country.

Ms. Pillard has not only stood for equal opportunities for women but for men as well. In Nevada v. Hibbs, Ms. Pillard successfully represented a male employee of the State of Nevada who was fired when he tried to take unpaid leave under the Family Medical Leave Act to care for his sick wife. In a 6–3 opinion authored by then-Chief Justice William Rehnquist, the Supreme Court ruled for her client, recognizing that the law protects both men and women in their caregiving roles within the family.

She has also worked at the Department of Justice as the Deputy Assistant Attorney General in the Office of Legal Counsel, an office that advises on the most complex constitutional issues facing the executive branch. And prior to that, Ms. Pillard litigated numerous civil rights cases as an assistant counsel at the NAACP Legal Defense & Educational Fund. At Georgetown Law, Ms. Pillard teaches advanced courses on constitutional law and civil procedure, and co-directs the law school's Supreme Court Institute.

She has earned the American Bar Association's highest possible ranking—Unanimously Well Qualified—to serve as a Federal appellate judge on the DC Circuit. She also has significant bipartisan support. Viet Dinh, the former Assistant Attorney General for the Office of Legal Policy under President George W. Bush, has written that ''Based on our long and varied professional experience together, I know that Professor Pillard is exceptionally bright, a patient and unbiased listener, and a lawyer of great judgment and unquestioned integrity . . . Nina has always been fair, reasonable, and sensible in her judgments . . . She is a fair-minded thinker with enormous respect for the law and for the limited, and essential, role of the federal appellate judge—qualities that make her well prepared to take on the work of a DC Federal Judge.''

Former FBI Director and Chief Judge of the Western District of Texas William Sessions has written that her ''rare combination of experience, both defending and advising government officials, and representing individuals seeking to vindicate their rights, would be especially valuable in informing her responsibilities as a judge.''

Nina Pillard has also received letters of support from 30 former members of the U.S. Armed Forces, including 8 retired generals; 25 former Federal prosecutors and other law enforcement officials; 40 Supreme Court practitioners, including Laurence Tribe and Carter Phillips, among many others.

Despite having filled nearly half of law school classrooms for the last 20 years, women are grossly underrepresented on our Federal courts. We

need women on the Federal bench. A vote to end this filibuster is a vote to break yet another barrier and move in the historic direction of having our Federal appellate courts more accurately reflect the gender balance of the country.

I commend President Obama on his nominations of highly qualified women such as Nina Pillard, Patricia Millett, Elena Kagan and Sonia Sotomayor. In each of these women, the Senate has had the opportunity to vote to confirm women practicing at the pinnacle of the legal profession. Once the Senate confirmed Justice Kagan, the highest court in the land had more women than ever before serving on its bench. With the confirmation and appointment of Nina Pillard, the same will be true for what many consider to be the second highest court in the land, the DC Circuit, because she will be the fifth active female judge on the court. Never before have five women jurists actively served on that court at one time. I look forward to that moment and to further increasing the diversity of our federal bench.

I urge my colleagues to vote in favor of ending the filibuster on this outstanding nominee. This Nation would be better off for Nina Pillard serving as a judge on the DC Circuit.

CLOTURE MOTION

The PRESIDING OFFICER. The question is on agreeing to the motion to invoke cloture on the Pillard nomination, upon reconsideration.

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

The bill clerk read as follows:

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 Cornelia T. L. Pillard, of the District of Columbia, to be United States Circuit Judge for the District of Columbia Circuit.

Harry Reid, Patrick J. Leahy, Richard J. Durbin, John D. Rockefeller IV, Benjamin L. Cardin, Jon Tester, Sheldon Whitehouse, Mark R. Warner, Patty Murray, Mazie K. Hirono, Angus S. King, Jr., Barbara Boxer, Jeanne Shaheen, Robert Menendez, Bill Nelson, Debbie Stabenow, Richard Blumenthal.

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 Cornelia T. L. Pillard, of the District of Columbia, to be United States Circuit Judge for the District of Columbia Circuit, shall be brought to a close, upon reconsideration?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

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

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

The yeas and nays resulted—yeas 56, nays 42, as follows:

[Rollcall Vote No. 255 Ex.]

YEAS—56

Baldwin	Hagan	Murray
Baucus	Harkin	Nelson
Begich	Heinrich	Pryor
Bennet	Heitkamp	Reed
Blumenthal	Hirono	Reid
Booker	Johnson (SD)	Rockefeller
Boxer	Kaine	Sanders
Brown	King	Schatz
Cantwell	Klobuchar	Schumer
Cardin	Landrieu	Shaheen
Carper	Leahy	Stabenow
Casey	Levin	Tester
Collins	Markey	Udall (CO)
Coons	McCaskill	Udall (NM)
Donnelly	Menendez	Warner
Durbin	Merkley	Warren
Feinstein	Mikulski	Whitehouse
Franken	Murkowski	Wyden
Gillibrand	Murphy	

NAYS—42

Alexander	Fischer	McConnell
Ayotte	Flake	Moran
Barrasso	Graham	Paul
Blunt	Grassley	Portman
Boozman	Hatch	Risch
Burr	Heller	Roberts
Chambliss	Hoeven	Rubio
Coats	Inhofe	Scott
Coburn	Isakson	Sessions
Cochran	Johanns	Shelby
Corker	Johnson (WI)	Thune
Cornyn	Lee	Toomey
Crapo	Manchin	Vitter
Enzi	McCain	Wicker

NOT VOTING—2

Cruz	Kirk

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The assistant legislative clerk read the nomination of Cornelia T. L. Pillard, of the District of Columbia, to be United States Circuit Judge for the District of Columbia Circuit.

The PRESIDING OFFICER. The Senator from Rhode Island.

UNANIMOUS CONSENT REQUEST—S. 1797

Mr. REED. Mr. President, as in legislative session, I ask unanimous consent the Senate proceed to the immediate consideration of S. 1797, which was submitted earlier today; that the bill be read three times and passed; and the motion to reconsider be considered made and laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from North Dakota.

Mr. HOEVEN. Mr. President, I want to reserve the right to object. I am certainly willing to let the good Senator make comments. But at this point I want to reserve the right to object.

The PRESIDING OFFICER. Is there objection?

Mr. HOEVEN. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. REED. Mr. President, first of all, I think it is appropriate to make some comments. I appreciate the Senator from North Dakota being here and making his point. But we are at a juncture that within 2 weeks 1.3 million Americans will lose their Federal unemployment compensation insurance.

It will be a shock to them economically and particularly since it will be just a few days after the Christmas holiday. My legislation is very simple. I am seeking to extend for an additional year the unemployment compensation program that has been in place for several years. That will allow 1.3 million Americans to have some support as they face a very difficult economy.

We have asked, as Democrats, that this UI proposal be part of the budget negotiation. Our colleagues in the House of Representatives have made the same request. It appears that will not be the case. So we have to seek a stand-alone legislative vehicle. That is why I proposed the legislation as I have done today.

What we were trying to do, with the request that was just objected to, and what we have to do within 2 weeks is pass this legislation—so the upcoming expiration does not allow us the time for the procedural process of committee deliberation and markup, et cetera. What we have to do is try to avoid a huge economic shock to 1.3 million Americans immediately. There will be more after that. But as of December 28, if you are on unemployment insurance, Federal unemployment insurance, you lose it.

In my State, that is 4,900 people celebrating New Year's Day by losing their Federal unemployment insurance benefits; for families who are struggling just to keep their heads above water in a very difficult economy—who have seen their jobs disappear, who after years of dedicated work find themselves now looking at very difficult circumstances for employment, in my home State particularly, but not my home State alone—this is a very difficult burden to bear.

So we have to act. That is why we are here this evening, to ask for immediate consideration of my legislation to extend unemployment insurance, not further review, but immediate consideration.

I think it is important to point out that the average weekly benefit is about $300 per week. This is not a program that people are using to enrich themselves by any means. This is basically keeping the heat on, keeping some food on the table, maybe keeping the rent paid. Also, this is a program that people only qualify for after working and establishing a work history.

So for all of these reasons, we are not talking about some lavish benefit that is a windfall to Americans. This is something that can keep families together. That is why I think we have to be willing, beginning this evening, to get this program extended through next year at least.

There is another aspect to this too. Unemployment insurance is one of the best countercyclical economic programs we have when it comes to Federal fiscal policy. The nonpartisan Congressional Budget Office estimates that

with the expiration of UI, if we do not act, it will cost our economy next year 200,000 jobs. It will cost us jobs if we do not act. It will slow economic growth by about .2 percent is their estimate.

So not only is this sensible, in fact the decent thing to do for millions of families, it is the smart thing to do for our economy. Because if we do not do it, we are literally seeing, under very rational estimates, 200,000 jobs disappear. What is the one thing everybody claims we need to do in this country right now? Put more people back to work.

This extension has been scored at about $26 billion for the year. Traditionally, we have treated unemployment insurance as an emergency expenditure. We have not offset it. That tradition has been abandoned recently and we have had to come up with offsets. But there are offsets. There are tax loopholes that should be closed. There are provisions that encourage companies to move jobs overseas that we can close and pay for this.

There are other provisions that would stop subsidizing significant multimillion dollar corporate benefits so American families can have a chance. These loopholes we have talked about—and many of my colleagues talked about—they should be closed anyway. But if it helps pay for unemployment insurance, that is not only good, that is something that would be a very positive step forward.

We need to extend these benefits not only for the individual families but for the overall economy. We have to start immediately. We are running out of time. We have just 2 weeks. Nothing is more important than getting people back to work. As I said, if we do not do this, we are going to see 200,000 jobs that are going to be forgone in the next year. So this is about jobs, as well as it is about keeping families together and keeping them able to provide for their basic needs.

It is progrowth. It is smart. I hope we can come together and do it. I hope again—I appreciate certainly the objection of the Senator from North Dakota. But I hope we can find a way to not object but to move forward together. The benefits cut across party lines. If you look at the States that are suffering the most—as we all know, the unemployment compensation program is a tiered program. It depends upon the level of unemployment in our States. But if you look at the States that are suffering the most, and unfortunately I am going to have to say Rhode Island is one of them. Nevada has the highest unemployment rate, 9.3. We are right behind them, 9.2 percent.

It has been 5 long years of unacceptable and elevated unemployment. It has come down from above 10 percent, but it is still much too high. But this is not a regional phenomenon. Illinois, 8.9 percent unemployment; Mississippi, 8.5 percent unemployment; Kentucky, 8.4 percent unemployment; North Carolina, 8 percent unemployment; Georgia, 8.1 percent unemployment; Arizona, 8.2 percent unemployment. These are tough numbers. It is not concentrated in one place; it is across this entire country. This is not a red issue or a blue issue. This is an American issue for workers who have worked and now cannot find jobs and need support. There is something else that is important to mention; that is, we have seen some progress on the jobs front. The last report showed we actually grew last month, 203,000 jobs. That is the good news. The bad news is despite this improvement, long-term unemployment remains high.

More than 4 million workers, 37 percent of those unemployed, were jobless for 27 weeks or longer in November. So what we are seeing is some short-term movement, but the longer term unemployment, the ones who qualify for the Federal benefits, they are still finding it virtually—very difficult, if not impossible, to find work.

That is exactly what this Federal program is designed to fix. Those long-term unemployed who are in an environment, in a State where the economy is not working as well as some other States. There are some States that are doing exceptionally well. I am glad for them. But there are more, as I said before, who are experiencing unacceptably high unemployment rates.

This program started to take shape in its most recent incarnation in June 2008, when President George W. Bush signed the program into law. When he did it, the unemployment rate was 5.6 percent and the average duration of unemployment was 17.1 weeks. So we are looking now at a situation that nationally and in many States is much higher than when we initiated this program back in 2008.

Now is not the time to stop, and in order to get this done, we have to move expeditiously. There is not time for elaborate hearings. There is not time for conferences with the House. The House is proposing to leave this Friday. We have to move immediately.

Today, our national unemployment rate is 7 percent. The duration of unemployment is 37.2 weeks. That is 7 percent compared to 5.6 and 37.2 weeks compared to 17.1 weeks. We still need this program to help the families of this Nation. We can't end it now. We have to move forward, particularly during this holiday season.

The reality—and finally to make this point—is that people will be looking at a new year coming with the knowledge that what little benefit they are getting as they search for work—an average of $300 a week—is gone. That is a tough reality, to look at your family on New Year's Day and understand that you don't have those resources.

So we have to act, and I hope we can.

With that, I yield the floor for my colleague and his comments.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. Mr. President, I objected earlier, and I want to express my appreciation to the good Senator from Rhode Island. I understand his concerns, but I want to take a minute just to explain the objection that we have.

I don't think there is anyone in this Chamber who is indifferent to the plight of the long-term unemployed. However, this legislation falls under the jurisdiction of the Senate Finance Committee and, as of yet, the committee has not had the opportunity to consider it.

There are a number of concerns that Members on our side of the aisle have with the legislation, most notably the price tag. According to the CBO, a full 1-year extension of the Emergency Unemployment Compensation Program would cost $25 billion for a single year. That is the cost of this bill, and the bill contains no offsets to cover that cost.

So the Senate Finance Committee needs to have an opportunity to consider this legislation to find a way to pay for it. In addition, the committee needs to have an opportunity to consider alternatives. Rather than simply providing additional benefits to the unemployed, hopefully we can come up with something that really helps them get back to work. Republicans are willing to consider such ideas and need to have an opportunity to do so through the committee process.

It is on that basis that I object to my colleague's unanimous consent request.

I thank the Chair for the time and the courtesy of my colleague.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, I certainly respect my colleague from North Dakota for stating his principled position. I think we can both agree on one thing: We have to start moving very quickly because this reality is moving very rapidly on 1.3 million Americans. I hope we can move forward.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, I too hope we can resolve the issue my colleagues were just discussing. It is an important one for the country. We are very blessed in Louisiana to have a relatively low unemployment rate because our economy is doing so well, in large measure because of extraordinary new technologies, which I think the Chair understands as well in Indiana, where they used to discover oil and gas, and particularly natural gas in places and in ways we never thought possible. That is creating a real resurgence of manufacturing in our State, and that is benefiting not only us and our neighbors along the gulf coast, but it is benefiting States all over America.

The economic numbers, despite the great challenges we have here in the Congress on our budget, on paying down our debt, on reducing our annual deficit, on procedural measures and how to run the Senate and work more effectively on behalf of the people of all of our States, are really quite good in

North Dakota, in South Dakota, in Texas, Louisiana, and other States. They are experiencing really very low numbers of unemployment because the jobs are plentiful. Our challenge is, just to comment briefly, on training the workforce we are going to need to fill all the jobs we have. These are very good-paying jobs, some starting at $40,000 or $60,000 a year—construction, welders—going up to $125,000. Some are temporary, but many of them will be permanent.

So I hope we can resolve this unemployment issue, because, unfortunately, in Senator REED's State—the State of Rhode Island—and in 20 other States there is very high unemployment. In some States it might still be over 9 percent. They are chronically unemployed because of the competition of globalization and other factors. So I think we have to try to find a way to work together as a Nation. As I said, Louisiana is blessed to have relatively low unemployment, but we have a big job skills training gap we are working on in our State.

VETERANS AFFAIRS MAJOR MEDICAL FACILITY LEASE AUTHORIZATION ACT OF 2013

Ms. LANDRIEU. Mr. President, I want to actually talk a few minutes this evening about a very important bill the House just passed by an extraordinary vote of 346 to 1. My colleague, Congressman BOUSTANY in the House, was the lead sponsor, and I want to really congratulate him for his extraordinary work on this particular bill. It is something he and I have worked together on across party lines. He is a Republican and I am a Democrat, but we worked very closely together to get this entire bill passed not only for the benefit of Louisiana—which is shaded here on this chart as one of the States that would benefit—but we can see here how many other States between 2013 and 2017 will be affected positively by the passage of this bill.

The bill is the Veterans Affairs Major Medical Facility Lease Authorization Act. That is a mouthful, but it takes important action. It basically uses the guidance of the Office of Management and Budget—we received a letter from them at my request—and formulates a piece of legislation that will allow the Veterans Administration to build clinics the way they have been building clinics for our veterans—who really need the highest and best quality care—using a lease arrangement.

The reason we had to pass this bill—and I will be working with Senator VITTER and many others to ask unanimous consent at the proper time for this bill to pass through the Senate—is because about 6 years ago there was an administrative ruling that basically stopped the ability of the Veterans Affairs Department to be able to build these very needed veterans clinics by using a lease.

Internally, the administration just decided to score it differently. That threw lots of sand into the gears, and those gears have been stuck for 6 years. In our State, veterans in Lafayette and in Lake Charles have been waiting and waiting and waiting. We had some added complications, which the Veterans Administration has taken the blame for, in that the bid process that was used initially for one of our clinics was defective and they had to throw it out.

But the end of this sad story is that a great bill passed the House of Representatives, literally just a few hours ago, and I wanted to come to the floor to say how proud I am of Congressman BOUSTANY and his dogged pursuit of justice. The district of Congressman BOUSTANY is in the part of the State where these two clinics will be built, in Lafayette and Lake Charles, so I worked closely with him, as has Senator VITTER, to make sure we brought some clarity and focus to this issue in order to move forward. As the bill moved through to help us with our problem, it turns out it is also going to help many other States that are scheduled for veterans clinics.

I also want to thank Congressman MILLER of Florida, who is the chair of the VA committee. He worked very closely with Congressman BOUSTANY. Also I want to thank BERNIE SANDERS, our Senator from Vermont who chairs our committee here. Senator SANDERS—whose desk is right here, next to mine—has been very supportive of this effort. While I am not going to ask unanimous consent at this moment, he and I have had a discussion earlier today about how strongly he supports this effort and how much he wants to help us get this done.

There are 27 clinics in 22 States. This process—or nightmare, I should say—began in Louisiana about 6 years ago. Four years ago the ruling was made, but our legislation that was passed in the House will override that and basically set us on a course that is both fiscally responsible and so important to our veterans. We must honor the promises we made to them that we would provide clinics close enough so they could access them and so they are not driving hundreds of miles for regular care. We can be very smart in the way we design these leases so it will be a benefit to the taxpayer, a benefit to the veterans and it will really meet our obligation to them.

So again, the bill just passed the House, and tomorrow I will be asking unanimous consent, along with Senator VITTER, to move this bill, to get it to the President's desk and get it signed so that veterans who have been waiting—particularly in our State—for so long will have something extra special to celebrate this Christmas holiday.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. 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.

COMMENDING SENATOR MURRAY

Mr. REID. Mr. President, a couple years ago I surprised everyone—but I didn't surprise myself—when I selected PATTY MURRAY as chair of the supercommittee. At the time Patty was chairman of the Veterans' Affairs Committee, she was a member of the Budget Committee, and I thought she would do a remarkably good job because I had such faith in her integrity, her temperament, her wisdom, and her ability to get things done.

The country should be so pleased with the work she was able to do on a bipartisan basis with PAUL RYAN. It is really a kind of unconventional pair working together to come up with a budget that we can work on for 2 years. We have numbers now. I am very pleased that budget negotiators MURRAY and RYAN have come up with an agreement today that will roll back the painful arbitrary cuts of sequester and prevent another costly government shutdown. I again commend Budget Committee chairman PATTY MURRAY for making this possible. But it is also fair—and I hope this doesn't get him in trouble in the House—to say that Chairman RYAN also worked hard. It was a compromise. We didn't get what we wanted, they didn't get what they wanted, but that is what legislation is all about—working together. ''Compromise'' is not a bad word.

We believed all along that Congress should set sound fiscal policy through the regular order of the budget process and not through hostage-taking or crisis-making. We will have a lot more to say about this in the days to come, but this is a good day for our country.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed now to a period of morning business, with Senators allowed to speak for up to 10 minutes each.

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

INTERNATIONAL HUMAN RIGHTS DAY

Mr. CARDIN. Mr. President, I rise today in recognition of International Human Rights Day. Sixty-five years ago, on December 10, 1948, the United Nations General Assembly adopted the Universal Declaration of Human Rights, which serves as a foundation for human rights initiatives internationally, and is an enduring guide for human rights advocates around the globe.

On this annual celebration of International Human Rights Day we all

mourn with heavy hearts the loss of Nelson Mandela, a man who devoted his life to promoting human rights, freedom, and harmony.

Humanity has lost one of its greatest leaders with the passing of Madiba, or ''father,'' as he was lovingly called. My prayers go out to his family and all the people of South Africa. He was a personal hero of mine, and of those who work to uphold human rights around the world. He led his nation not only in overcoming the divisions of racism, but in reconciling and healing. Throughout his life Nelson Mandela never stopped fighting for the oppressed, speaking out for the voiceless, and given hope to the hopeless. One of the greatest leaders may have left this world but the lessons he taught us about human dignity, sacrifice, perseverance, and perhaps the most powerful lesson of all—forgiveness—will live on forever.

In 1964, Nelson Mandela was convicted of treason and sentenced to life in prison for his part in the fight for racial equality in apartheid South Africa. At his trial Mandela said:

> I have fought against white domination, and I have fought against black domination. I have cherished the ideal of a democratic and free society in which all persons live together in harmony and with equal opportunities. It is an ideal which I hope to live for and to achieve. But if needs be, it is an ideal for which I am prepared to die.

Thankfully Mandela did not die during his years of imprisonment, and instead after enduring the unthinkable with grace and dignity, he emerged to lead a country to self determination, reconciliation, and forgiveness.

In 1990, when Nelson Mandela was finally released after 10,000 days of imprisonment, his spirit was stronger than ever. Ten thousand days in prison were not enough to break his spirit and his devotion to the freedom of all people. In his autobiography, Mandela wrote ''. . . to be free is not merely to cast off one's chains, but to live in a way that respects and enhances the freedom of others.''

And that he did. His democratic ideals were unwavering. He led by example, living a relatively modest life, refusing to reside in the presidential mansion, and serving only one term as South Africa's first black President.

Mandela's influence on the continent, and indeed around the world, does not end with his passing. His story and moral courage has changed countless lives forever. As he once said, ''the true test of our devotion to freedom is just beginning.'' State and Federal lawmakers across the United States looked to Mandela as an inspiration when crafting laws that mandated divestment from South Africa's cruel Apartheid regime. I had the privilege of serving as speaker of the Maryland House of Delegates when we passed such legislation. Years later, our Nation is still striving to follow in Mandela's footsteps and fully realize his dream of peace and equality for all of mankind.

As President Obama said, Mandela ''took history in his hands, and bent the arc of the moral universe toward justice.'' And so on this International Human Rights Day, we pay tribute to the great Madiba, the father of a free and peaceful South Africa, a legendary African, and a shining example for future generations of change-makers who have inherited a better world because of his great deeds.

TRIBUTE TO MARY ELLEN MCCARTHY

● Mr. SANDERS. Mr. President, when people think of government, some of the first words that may come to mind are politics and bureaucracy, two things that tend to stifle progress. Today, however, I have the great pleasure of honoring someone who has spent her many years on the Hill overcoming these barriers. She has implemented changes and fixed problems to improve the lives of veterans and their families in a very real way. Now, as she moves into retirement, she leaves behind an example to which we should all aspire.

Mary Ellen McCarthy has spent the last 7 years of her distinguished career serving as the lead investigator for the Senate Committee on Veterans' Affairs and the decade before that as staff director for two subcommittees of the House Committee on Veterans' Affairs. In that time, she has visited nearly every Department of Veterans Affairs regional office and reviewed thousands of benefits claims. She has not only identified gaps in services to veterans and their families, but also problems within VA. Most importantly, Mary Ellen never rested with the identification of a problem. Instead, she found solutions to meet the needs of veterans and their families and worked relentlessly to ensure they were put into place as quickly as possible.

Among her many achievements, Mary Ellen will be forever recognized for her extraordinary work in ensuring Vietnam era veterans and their families receive the benefits to which they are entitled. She has worked tirelessly to identify the many veterans whose exposure to dangerous toxins was previously overlooked. Her efforts have helped veterans with service on the inland waterways of Vietnam, along the DMZ in Korea, and on the perimeters of Air Force Bases in Thailand. Her work has led to vindication and assistance to those suffering from health problems related to Agent Orange exposure. Her efforts did not stop with the veterans themselves, however. She also brought attention to the children who are born with spina bifida, as a result of their parents' exposure to Agent Orange.

So much of Mary Ellen's work has focused on those most in need—elderly and low-income veterans and surviving family members. For example, one of Mary Ellen's investigations revealed the surviving spouses of veterans who had been receiving VA disability benefits were not receiving the payments to which they were entitled during the month of their spouse's passing. These payments not only help with funeral costs, but provide some time to make other financial arrangements. Her discovery of this oversight and subsequent actions resulted in approximately 200,000 surviving spouses receiving more than $124 million in benefits, allowing them to focus on moving forward after the death of a loved one.

Mary Ellen has also been heavily involved in working toward elimination of the claims backlog, a challenge that has plagued the Department for decades and caused far too many veterans unnecessary hardship. Before she came to Capitol Hill, she spent two decades working as a nurse and then a lawyer, helping low-income and elderly individuals obtain government benefits. This experience gave her a unique insight into the challenges of claims processing and she has been able to offer a number of solutions that may otherwise have been overlooked.

These are just a few examples of the very real contributions Mary Ellen has made to the veterans community throughout her career. To those who have had the pleasure of working with her, Mary Ellen has been an inspiration—working tirelessly to provide assistance to those who have served this great Nation—a true veterans' advocate.

As she enters into her much deserved retirement, she can rest easy knowing her efforts will continue benefiting veterans and their families for generations to come, which is, as she is known to say, not bad for an old lady.

Mary Ellen, thank you for your years of advocacy on behalf of our Nation's veterans. I wish you only the best in retirement.●

TRIBUTE TO SIMEON BOOKER

Mr. PORTMAN. Mr. President, today I wish to honor Simeon Booker as he receives an honorary doctor of letters from Youngstown State University on December 15, 2013. Mr. Booker has devoted his life's work to chronicling the history of the civil rights movement in America.

As an African-American college student in the 1940s and 1950s, Mr. Booker experienced discrimination firsthand at what was then Youngstown College. Refusing to accept the indignities he found there, he transferred to Virginia Union University where he continued to champion the rights of Black students.

Early in his career, he was hired by his hometown newspaper, the Youngstown Vindicator, where he would write local columns focused on the city's African-American population and summaries for the local Black baseball leagues. He went on to work for the Cleveland Call and Post and was offered the esteemed Nieman Fellowship at Harvard University in the 1950s.

Mr. Booker became the first Black reporter for the Washington Post in

1952, and also wrote for Jet and Ebony magazines. Mr. Booker was witness to the rise of the great civil rights leaders of that time—Martin Luther King, Jr., the Kennedy brothers, Whitney Young, and many others. He wrote about Martin Luther King's nonviolent movement for civil rights, and covered the 1963 March on Washington.

Mr. Booker has received recognition from his peers, having been awarded both the Newspaper Guild Award and the Wilkie Award. As a journalist, he became the first African-American to win the National Press Club's Fourth Estate Award in 1982. He most recently authored ''Shocking the Conscience: A Reporter's account of the Civil Rights Movement,'' an account of a half-century of American history. Earlier this year, he was inducted into the National Association of Black Journalists Hall of Fame.

I would like to honor Simeon Booker for his lifetime contributions to our country in the fields of journalism and civil rights and congratulate him on his recognition at Youngstown State University.

ADDITIONAL STATEMENTS

RECOGNIZING JOEL DEFEBAUGH

• Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Joel Defebaugh for his hard work as an intern in my Washington, DC Office. I recognize his efforts and contributions to my office as well as to the State of Wyoming.

Joel is a native of Casper, WY and a graduate of Natrona County High School. He is also a recent graduate of the University of Wyoming, where he earned a degree in political science. He has demonstrated a strong work ethic, which has made him an invaluable asset to our office. The quality of his work is reflected in his great efforts over the last several months.

I want to thank Joel for the dedication he has shown while working for me and my staff. It was a pleasure to have him as part of our team. I know he will have continued success with all of his future endeavors. I wish him all my best on his next journey.•

RECOGNIZING ABBIE GOLDEN

• Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Abbie Golden for her hard work as an intern in the Senate Republican Policy Committee office. I recognize her efforts and contributions to my office.

Abbie is a native of Little Rock, AR and a graduate of Episcopal High School. She is also a recent graduate of the University of Pennsylvania, where she earned a degree in political science. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I want to thank Abbie for the dedication she has shown while working for me and my staff. It was a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.•

RECOGNIZING AMANDA JONES

• Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Amanda Jones for her hard work as an intern in my Riverton, WY office. I recognize her efforts and contributions to my office as well as to the State of Wyoming.

Amanda is a graduate of Lander Valley High School. She is from Riverton, WY and currently attends the University of Wyoming, where she is majoring in criminal justice. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I want to thank Amanda for the dedication she has shown while working for me and my staff. It was a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.•

RECOGNIZING NATASHA JOHN

• Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Natasha John for her hard work as an intern in the Senate Committee on Indian Affairs. I recognize her efforts and contributions to my office as well as to the State of Wyoming.

Natasha is a native of Oklahoma and a graduate of Concordia College. She is also a candidate for a masters of arts in global studies and international relations from the University of Central Oklahoma. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I want to thank Natasha for the dedication she has shown while working for me and my staff. It was a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.•

RECOGNIZING AMY LEE

• Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Amy Lee for her hard work as an intern in my Washington, DC office. I recognize her efforts and contributions to my office as well as to the State of Wyoming.

Amy is a native of Cheyenne, WY. She is a recent graduate of Marquette University where she earned a bachelor of arts in political science. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I want to thank Amy for the dedication she has shown while working for me and my staff. It was a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.•

RECOGNIZING RYAN LOJO

• Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Ryan Lojo for his hard work as an intern in my Washington, DC office. I recognize his efforts and contributions to my office as well as to the State of Wyoming.

Ryan is a native of Casper, WY and a graduate of Kelly Walsh High School. He is also a recent graduate of Gonzaga University, where he earned a degree in business administration-economics. He has demonstrated a strong work ethic, which has made him an invaluable asset to our office. The quality of his work is reflected in his great efforts over the last several months.

I want to thank Ryan for the dedication he has shown while working for me and my staff. It was a pleasure to have him as part of our team. I know he will have continued success with all of his future endeavors. I wish him all my best on his next journey.•

RECOGNIZING MATTHEW SPENNY

• Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Matthew Spenny for his hard work as an intern in my Cheyenne, WY office. I recognize his efforts and contributions to my office as well as to the State of Wyoming.

Matthew lives in Laramie, WY and is a graduate of the University of Wyoming, where he earned a degree in communication and journalism. He has demonstrated a strong work ethic, which has made him an invaluable asset to our office. The quality of his work is reflected in his great efforts over the last several months.

I want to thank Matthew for the dedication he has shown while working for me and my staff. It was a pleasure to have him as part of our team. I know he will have continued success with all of his future endeavors. I wish him all my best on his next journey.•

RECOGNIZING JENNIFER TRABING

• Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Jennifer Trabing for her hard work as an intern in my Cheyenne, WY office. I recognize her efforts and contributions to my office as well as to the State of Wyoming.

Jennifer is a native of Buffalo, WY where she graduated from Buffalo High School. She is also a graduate of the University of Wyoming where she earned a bachelor of arts in international studies. She has demonstrated a strong work ethic, which has made her an invaluable asset to our office. The quality of her work is reflected in her great efforts over the last several months.

I want to thank Jennifer for the dedication she has shown while working for me and my staff. It was a pleasure to have her as part of our team. I know she will have continued success with all of her future endeavors. I wish her all my best on her next journey.●

AETNA HOSE HOOK & LADDER COMPANY

● Mr. COONS. Mr. President, on behalf of Senator TOM CARPER, Congressman JOHN CARNEY and myself, I rise today to recognize the Aetna Hose Hook & Ladder Company and its many volunteers and leadership who, on December 17, 2013, will celebrate the 125th anniversary of the company's founding in 1888.

For more than a century, Aetna has provided exemplary firefighting and lifesaving services for residents of Newark, DE. From its humble beginnings at the turn of the century, when the company consisted of a simple, hand-drawn hose cart, the Aetna Hose Hook & Ladder Company has grown to incorporate 5 stations, 17 trucks, and hundreds of members dedicated to ''service for others.''

Prior to 1888, residents were forced to combat fires on their own, until a fire in a woolen mill resulted in the loss of 800 jobs. The disaster prompted the town council to call for the creation of a town fire company. Founded on December 17, 1888 at a meeting of 30 town citizens, Aetna Hose Hook & Ladder Company's first leadership group included John A. Mullin as chairman, Isaac J. Moore as secretary, William H. Simpers as president, and Joseph T. Willis as foreman—the 19th century term for fire chief. Dues for active members began at $1, while contributing members paid $2 per year. The company was incorporated on December 13, 1889, with 57 charter members.

During its humble first years, Aetna's fire alarm system consisted of ringing Catholic Church, academy and college bells. In 1893, the company purchased its first hose carriage and in 1901, it received its first $250 appropriation from the town of Newark, prompting a celebratory parade.

The fire company soon became an integral part of the Newark community, hosting banquets, carnivals, and bingo nights to raise money for equipment and firefighting gear. Formed in 1949, the Aetna Ladies Auxiliary has provided unwavering support for the company's members, from fundraising to providing hot meals for firefighters and their guests.

Today, Aetna is proud to be home to more than 20 highly decorated firefighters, EMS, and EMT members. Recent citations include Heroic EMT of the Year to Jeff Evans, Eric Barsky, Paul Testa, Steve Walls, and Garland Church, and Lt. John P. Murphy; EMT of the Year to Rob ''Dusty'' Sweetman, Joshua Rainey, Michael Shao, Kevin Eichinger, Theodorica Cenizal, Ann Gillespie, Arman Fardanesh, Laurel Petchel, and Melanie Patnaude; and Lifetime Achievement in EMS Awards to Diane Silverman, E. David Bailey, and Gene Niland. Aetna is also the home to 12 EMS Top Responders, including 4-time winner Eric B. Barsky.

The Delaware congressional delegation is proud to recognize the Aetna Hose Hook & Ladder Company and its team of first responders for 125 years of honorable service to the community of Newark, DE.●

MESSAGE FROM THE HOUSE

At 12:06 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 3627. An act to require the Attorney General to report on State law penalties for certain child abusers, and for other purposes.

The message further announced that pursuant to section 1238(b)(3) of the Floyd D. Spence National Defense Authorization Act of Fiscal Year 2001 (22 U.S.C. 7002), amended by the division P of the Consolidated Appropriations Resolution, 2003 (22 U.S.C. 6901), the Minority Leader re-appoints the following members to the United States-China Economic and Security Review Commission: Ms. Carolyn Bartholomew of Washington, DC and Mr. Jeffery L. Fiedler of Great Falls, Virginia.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 3627. An act to require the Attorney General to report on State law penalties for certain child abusers, and for other purposes; to the Committee on the Judiciary.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 1797. A bill to provide for the extension of certain unemployment benefits, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–3742. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Fenpropathrin; Pesticide Tolerances'' (FRL No. 9902–44) received in the Office of the President of the Senate on November 19, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3743. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Tebuconazole; Pesticide Tolerances'' (FRL No. 9392–1) received in the Office of the President of the Senate on November 19, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3744. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Etofenprox; Pesticide Tolerances'' (FRL No. 9902–39) received during adjournment of the Senate in the Office of the President of the Senate on December 2, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3745. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Quinclorac; Pesticide Tolerances'' (FRL No. 9902–15) received during adjournment of the Senate in the Office of the President of the Senate on December 2, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3746. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Metaldehyde; Pesticide Tolerances'' (FRL No. 9399–8) received during adjournment of the Senate in the Office of the President of the Senate on December 2, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3747. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Importation of Fresh Beans, Shelled or in Pods, From Jordan Into the Continental United States'' ((RIN0579–AD69) (Docket No. APHIS–2012–0042)) received in the Office of the President of the Senate on November 19, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3748. A communication from the Secretary of the Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled ''Derivatives Clearing Organizations and International Standards'' (RIN3038–AE06) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3749. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, the quarterly exception Selected Acquisition Reports (SARs) as of September 30, 2013 (DCN OSS 2013–1801); to the Committee on Armed Services.

EC–3750. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General Robert P. Lennox, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–3751. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General Darrell D. Jones, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–3752. A communication from the Assistant Secretary of Defense (Global Strategic Affairs), transmitting, pursuant to law, a report relative to the Government of Panama requesting the U.S. Government to destroy eight U.S.-origin munitions remaining from testing by the United States on San Jose Island off the coast of Panama; to the Committee on Armed Services.

EC–3753. A communication from the Secretary of Defense, transmitting, pursuant to law, a report relative to the Department of Defense commencing disaster relief operations in the Philippines; to the Committee on Armed Services.

EC–3754. A communication from the Assistant Secretary of Defense (Global Strategic Affairs), transmitting, pursuant to law, a report entitled ''Report on Proposed Obligations for Cooperative Threat Reduction''; to the Committee on Armed Services.

EC–3755. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, the Fiscal Year 2012 Report on Department of Defense (DoD) Operation and Financial Support for Military Museums; to the Committee on Armed Services.

EC–3756. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Burma that was declared in Executive Order 13047 of May 20, 1997; to the Committee on Banking, Housing, and Urban Affairs.

EC–3757. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to the stabilization of Iraq that was declared in Executive Order 13303 of May 22, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC–3758. A communication from the Associate General Counsel for Legislation and Regulations, Office of the Secretary, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled ''Floodplain Management and Protection of Wetlands'' (RIN2501–AD51) received in the Office of the President of the Senate on November 21, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC–3759. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Suspension of Community Eligibility'' ((44 CFR Part 64) (Docket No. FEMA–2013–0002)) received in the Office of the President of the Senate on November 21, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC–3760. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Suspension of Community Eligibility'' ((44 CFR Part 64) (Docket No. FEMA–2013–0002)) received in the Office of the President of the Senate on November 21, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC–3761. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Housing Assistance Due to Structural Damage'' ((RIN1660–AA68) (Docket No. FEMA–2010–0035)) received in the Office of the President of the Senate on November 19, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC–3762. A communication from the General Counsel of the Federal Housing Finance Agency, transmitting, pursuant to law, the report of a rule entitled ''Information Sharing Among Federal Home Loan Banks'' (RIN2590–AA35) received in the Office of the President of the Senate on December 2, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC–3763. A communication from the Director of Legislative Affairs, Legal Office, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled ''Deposit Insurance Regulations; Definition of Insured Deposit'' (RIN3064–AE00) received in the Office of the President of the Senate on November 20, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC–3764. A communication from the Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled ''Amendments to the 2013 Mortgage Rules Under the Real Estate Settlement Procedures Act (Regulation X) and the Truth in Lending Act (Regulation Z)'' ((RIN3170–AA37) (Docket No. CFPB–2013–0031)) received during adjournment of the Senate in the Office of the President of the Senate on December 3, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC–3765. A communication from the Secretary of the Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled ''Premerger Notification; Reporting and Waiting Period Requirements'' (RIN3084–AA91) received during adjournment of the Senate in the Office of the President of the Senate on November 25, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC–3766. A communication from the Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled ''Homeownership Counseling Organizations Lists Interpretive View'' (RIN3170–AA37) received during adjournment of the Senate in the Office of the President of the Senate on December 2, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC–3767. A communication from the Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled ''Ability-to-Repay and Qualified Mortgage Standards Under the Truth in Lending Act (Regulation Z)'' ((RIN3170–AA37) (Docket No. CFPB–2013–0002)) received during adjournment of the Senate in the Office of the President of the Senate on December 2, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC–3768. A communication from the Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled ''Truth in Lending Act (Regulation Z)'' (Docket No. CFPB–2013–0035) received during adjournment of the Senate in the Office of the President of the Senate on December 2, 2013; to the Committee on Banking, Housing, and Urban Affairs.

EC–3769. A communication from the Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled ''Truth in Lending Act (Regulation M)'' (Docket No. CFPB–2013–0034) received during adjournment of the Senate in the Office of the President of the Senate on December 2, 2013; to the Committee on Banking, Housing, and Urban Affairs.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. ALEXANDER:

S. 1785. A bill to modify the boundary of the Shiloh National Military Park located in the States of Tennessee and Mississippi, to establish Parker's Crossroads Battlefield as an affiliated area of the National Park System, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. GRASSLEY (for himself and Mr. KAINE):

S. 1786. A bill to encourage the placement of children in foster care with siblings; to the Committee on Finance.

By Mr. ROCKEFELLER:

S. 1787. A bill to require a medical loss ratio of 85 percent for Medicaid managed care plans, and for other purposes; to the Committee on Finance.

By Mr. THUNE (for himself and Mr. WYDEN):

S. 1788. A bill to make it a negotiating principle of the United States in negotiations for bilateral, plurilateral, or multilateral agreements to seek the inclusion of provisions that promote Internet-enabled commerce and digital trade; to the Committee on Finance.

By Ms. BALDWIN (for herself and Mr. MARKEY):

S. 1789. A bill to amend the Communications Act of 1934 to establish signal quality and content requirements for the carriage of public, educational, and governmental channels, to preserve support of such channels, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. COONS:

S. 1790. A bill to modernize laws, and eliminate discrimination, with respect to people living with HIV/AIDS, and for other purposes; to the Committee on the Judiciary.

By Mr. ROCKEFELLER:

S. 1791. A bill to provide for the treatment of certain hospitals under the Medicare program; to the Committee on Finance.

By Mrs. FISCHER (for herself and Mr. MANCHIN):

S. 1792. A bill to close out expired, empty grant accounts; to the Committee on Homeland Security and Governmental Affairs.

By Ms. KLOBUCHAR (for herself, Mr. CASEY, and Mr. SCHUMER):

S. 1793. A bill to encourage States to require the installation of residential carbon monoxide detectors in homes, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. UDALL of Colorado:

S. 1794. A bill to designate certain Federal land in Chaffee County, Colorado, as a national monument and as wilderness; to the Committee on Energy and Natural Resources.

By Ms. STABENOW:

S. 1795. A bill to establish a Federal tax credit approximation matching program for State new jobs training tax credits, and for other purposes; to the Committee on Finance.

By Mrs. GILLIBRAND:

S. 1796. A bill to increase the participation of women, girls, and underrepresented minorities in STEM fields, to encourage and support students from all economic backgrounds to pursue STEM career opportunities, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REED:

S. 1797. A bill to provide for the extension of certain unemployment benefits, and for other purposes; read the first time.

By Mr. WARNER (for himself, Mr. MANCHIN, Mr. TOOMEY, Mr. KING, Ms. COLLINS, and Mr. BEGICH):

S. 1798. A bill to ensure that emergency services volunteers are not counted as full-time employees under the shared responsibility requirements contained in the Patient

Protection and Affordable Care Act; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. COONS (for himself and Mr. ISAKSON):

S. Res. 314. A resolution commemorating and supporting the goals of World AIDS Day; to the Committee on Foreign Relations.

By Mr. REID (for himself and Mr. MCCONNELL):

S. Res. 315. A resolution to authorize the production of records by the Committee on Homeland Security and Governmental Affairs; considered and agreed to.

By Mrs. SHAHEEN (for herself and Ms. COLLINS):

S. Res. 316. A resolution supporting the goals and ideals of American Diabetes Month; to the Committee on Health, Education, Labor, and Pensions.

ADDITIONAL COSPONSORS

S. 135

At the request of Mr. THUNE, his name was added as a cosponsor of S. 135, a bill to amend title X of the Public Health Service Act to prohibit family planning grants from being awarded to any entity that performs abortions, and for other purposes.

S. 226

At the request of Mr. TESTER, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 226, a bill to amend the Family and Medical Leave Act of 1993 to provide leave because of the death of a son or daughter.

S. 236

At the request of Ms. MURKOWSKI, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 236, a bill to amend title XVIII of the Social Security Act to establish a Medicare payment option for patients and physicians or practitioners to freely contract, without penalty, for Medicare fee-for-service items and services, while allowing Medicare beneficiaries to use their Medicare benefits.

S. 367

At the request of Mr. CARDIN, the names of the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Montana (Mr. TESTER) were added as cosponsors of S. 367, a bill to amend title XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps.

S. 411

At the request of Mr. ROCKEFELLER, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 411, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 415

At the request of Ms. LANDRIEU, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 415, a bill to clarify the collateral requirement for certain loans under section 7(d) of the Small Business Act, to address assistance to out-of-State small business concerns, and for other purposes.

S. 577

At the request of Mr. NELSON, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 577, a bill to amend title XVIII of the Social Security Act to provide for the distribution of additional residency positions, and for other purposes.

S. 917

At the request of Mr. CARDIN, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 917, a bill to amend the Internal Revenue Code of 1986 to provide a reduced rate of excise tax on beer produced domestically by certain qualifying producers.

S. 948

At the request of Mr. SCHUMER, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 948, a bill to amend title XVIII of the Social Security Act to provide for coverage and payment for complex rehabilitation technology items under the Medicare program.

S. 958

At the request of Mr. UDALL of Colorado, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 958, a bill to amend the Internal Revenue Code of 1986 to reduce the tax on beer to its pre-1991 level, and for other purposes.

S. 973

At the request of Mr. UDALL of New Mexico, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 973, a bill to improve the integrity and safety of interstate horseracing, and for other purposes.

S. 994

At the request of Mr. WARNER, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 994, a bill to expand the Federal Funding Accountability and Transparency Act of 2006 to increase accountability and transparency in Federal spending, and for other purposes.

S. 1096

At the request of Mr. BAUCUS, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 1096, a bill to establish an Office of Rural Education Policy in the Department of Education.

S. 1123

At the request of Mr. CARPER, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 1123, a bill to amend titles XVIII and XIX of the Social Security Act to curb waste, fraud, and abuse in the Medicare and Medicaid programs.

S. 1158

At the request of Mr. WARNER, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 1158, a bill to require the Secretary of the Treasury to mint coins commemorating the 100th anniversary of the establishment of the National Park Service, and for other purposes.

S. 1405

At the request of Mr. SCHUMER, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1405, a bill to amend title XVIII of the Social Security Act to provide for an extension of certain ambulance add-on payments under the Medicare program.

S. 1431

At the request of Mr. WYDEN, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 1431, a bill to permanently extend the Internet Tax Freedom Act.

S. 1454

At the request of Ms. LANDRIEU, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 1454, a bill to authorize the Small Business Administrator to establish a grant program to empower encore entrepreneurs.

S. 1487

At the request of Mr. THUNE, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 1487, a bill to limit the availability of tax credits and reductions in cost-sharing under the Patient Protection and Affordable Care Act to individuals who receive health insurance coverage pursuant to the provisions of a Taft-Hartley plan.

S. 1507

At the request of Ms. HEITKAMP, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 1507, a bill to amend the Internal Revenue Code of 1986 to clarify the treatment of general welfare benefits provided by Indian tribes.

S. 1666

At the request of Mr. RUBIO, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 1666, a bill to amend the Patient Protection and Affordable Care Act to improve the patient navigator program.

S. 1697

At the request of Mr. HARKIN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1697, a bill to support early learning.

S. 1719

At the request of Mrs. MURRAY, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1719, a bill to amend the Public Health Service Act to reauthorize the poison center national toll-free number, national media campaign, and grant program, and for other purposes.

S. 1779

At the request of Mr. TOOMEY, the name of the Senator from Arizona (Mr. FLAKE) was added as a cosponsor of S. 1779, a bill to amend the Safe Drinking Water Act to exempt fire hydrants from the prohibition on the use of lead

pipes, fittings, fixtures, solder, and flux.

S. RES. 289

At the request of Mr. BEGICH, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. Res. 289, a resolution expressing the sense of the Senate that ambush marketing adversely affects the United States Olympic and Paralympic teams and should be discouraged.

S. RES. 299

At the request of Mr. SCHUMER, the names of the Senator from Missouri (Mr. BLUNT) and the Senator from Michigan (Mr. LEVIN) were added as cosponsors of S. Res. 299, a resolution congratulating the American Jewish Joint Distribution Committee on the celebration of its 100th anniversary and commending its significant contribution to empower and revitalize developing communities around the world.

AMENDMENT NO. 2031

At the request of Mr. INHOFE, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of amendment No. 2031 intended to be proposed to S. 1197, an original bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2309

At the request of Mr. TOOMEY, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of amendment No. 2309 intended to be proposed to S. 1197, an original bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2400

At the request of Mrs. FEINSTEIN, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of amendment No. 2400 intended to be proposed to S. 1197, an original bill to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. FISCHER (for herself and Mr. MANCHIN):

S. 1792. A bill to close out expired, empty grant accounts; to the Committee on Homeland Security and Governmental Affairs.

Mrs. FISCHER. Mr. President, I rise today to introduce the Grants Oversight and New Efficiency Act or the GONE Act. This legislation would require federal agencies to close out expired grant accounts with an empty balance.

''U.S. government spends $890,000 on nothing''—it sounds like a bad joke, but it is no laughing matter. The Washington Post recently reported, ''This year, the government will spend at least $890,000 on service fees for bank accounts that are empty. At last count, Uncle Sam has 13,712 such accounts with a balance of zero.''

According to an official government report, the Government Accountability Office, GA0, reported last year that the Payment Management System, the largest civilian payment system for grants managed by the Department of Health and Services, was charged $173,000 to maintain the Department of Health and Human Services' 28,000 expired grant accounts with a zero balance. Furthermore, the GAO estimates that if federal agencies were billed for the entire year, maintaining expired grant accounts with a zero balance for the entire year would cost $2 million in fees.

To tackle this problem, I am introducing the GONE Act, a bill with a commonsense goal: to increase accountability. My legislation would require the Council of the Inspectors General on Integrity and Efficiency to submit a report to Congress and the agency head including a list of each expired, empty grant account held by the Federal Government, recommend which grant accounts should be immediately closed, and for those grant accounts that have been expired for more than 90 days, to explain why it has not been closed out. It would also require the agency head to close out the expired, empty grant accounts and to update the Council on whether the grant accounts were closed. Additionally, the bill would require the Council to submit a follow-up report to Congress and the committees of jurisdiction on the status of grant accounts identified for closure.

While the fees currently spent on expired grant accounts may seem like a drop in the bucket, it nonetheless proves there is plenty of fat to trim. At a time when our country faces serious fiscal challenges and a soaring $17 trillion national debt, these fiscal blunders are more than foolish—they are dangerously irresponsible. This example of government waste underscores the critical importance of proper congressional oversight of federal agencies and their funding.

I hope my colleagues on both sides of the aisle will join me in supporting this simple, commonsense legislation to cut wasteful spending and help bring greater accountability to Washington.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 314—COMMEMORATING AND SUPPORTING THE GOALS OF WORLD AIDS DAY

Mr. COONS (for himself and Mr. ISAKSON) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 314

Whereas an estimated 35,000,000 people are living with HIV/AIDS in 2013;

Whereas Target 6a of the United Nations Millennium Development Goals is to halt and begin to reverse the spread of HIV/AIDS by 2015;

Whereas the 2001 United Nations Declaration of Commitment on HIV/AIDS Global mobilized global attention and commitment to the HIV/AIDS epidemic and set out a series of national targets and global actions to reverse the epidemic;

Whereas the 2011 United Nations Political Declaration on HIV and AIDS provided an updated framework for intensified efforts to eliminate HIV and AIDS, including redoubling efforts to achieve by 2015 universal access to HIV prevention, treatment, care, and support, and to eliminate gender inequalities and gender-based abuse and violence and increase the capacity of women and adolescent girls to protect themselves from the risk of HIV infection;

Whereas the Global Fund to Fight AIDS, Tuberculosis and Malaria was launched in 2002 and, as of November 2013, supported programs in more than 140 countries that provided antiretroviral therapy to 6,100,000 people living with HIV/AIDS and antiretrovirals to 2,100,000 pregnant women to prevent transmission of HIV/AIDS to their babies;

Whereas the United States is the largest donor to the Global Fund to Fight AIDS, Tuberculosis and Malaria;

Whereas, for every dollar contributed to the Global Fund to Fight AIDS, Tuberculosis and Malaria by the United States, an additional $2 is leveraged from other donors;

Whereas the United States hosted the Global Fund's Fourth Voluntary Replenishment Conference on December 2-3, 2013;

Whereas the United States President's Emergency Plan for AIDS Relief (PEPFAR), introduced by President George W. Bush in 2003, remains the largest commitment in history by any nation to combat a single disease;

Whereas, as of the end of September 2012, PEPFAR supported treatment for 5,100,000 people, up from 1,700,000 in 2008, and in 2012, PEPFAR supported provision of antiretroviral drugs to 750,000 pregnant women living with HIV to prevent the transmission of HIV from mother to baby during birth;

Whereas PEPFAR directly supported HIV testing and counseling for more than 46,500,000 people in fiscal year 2012;

Whereas considerable progress has been made in the fight against HIV/AIDS, with total new HIV infections estimated at 2,300,000 in 2012, a 33 percent reduction since 2001; new HIV infections among children reduced to 260,000 in 2012, a reduction of 52 percent since 2001; and AIDS-related deaths reduced to 1,600,000 in 2012, a 30 percent reduction since 2005;

Whereas increased access to anti-retroviral drugs is the major contributor to the reduction in deaths from HIV/AIDS, and HIV treatment reinforces prevention because it reduces, by up to 96 percent, the chance the virus can be spread;

Whereas the World Health Organization (WHO) has revised its guidelines for determining whether HIV positive individuals are eligible for treatment, thereby increasing the number of individuals eligible for treatment from about 15,000,000 to 28,000,000;

Whereas 9,700,000 people in low- and middle-income countries had access to antiretroviral therapy by the end of 2012, an increase of nearly 20 percent in a year;

Whereas an estimated 50 percent of those living with HIV do not know their status, according to a 2012 UNAIDS report;

Whereas sub-Saharan Africa remains the epicenter of the epidemic, accounting for 1,200,000 of the 1,600,000 deaths from HIV/AIDS;

Whereas stigma, gender inequality, and lack of respect for the rights of HIV positive individuals remain significant barriers to access to services for those most at risk of HIV infection;

Whereas President Barack Obama voiced commitment to realizing the promise of an AIDS-free generation and his belief that the goal was within reach in his February 2013 State of the Union address;

Whereas the international community is united in pursuit of achieving the goal of an AIDS-free generation by 2015;

Whereas international donor funding has held steady since 2008 and countries affected by the epidemic are increasingly taking responsibility for funding and sustaining programs in their countries, currently accounting for approximately 53 percent of global HIV/AIDS resources;

Whereas December 1 of each year is internationally recognized as World AIDS Day; and

Whereas, in 2013, World AIDS Day commemorations focused on: ''[g]etting to zero: zero new HIV infections, zero discrimination, zero AIDS-related deaths'': Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of World AIDS Day, including getting to zero through zero new HIV infections, zero discrimination, and zero AIDS-related deaths;

(2) applauds the goals and approaches for achieving an AIDS-free generation set forth in the PEPFAR Blueprint: Creating an AIDS-free Generation, as well as the targets set by United Nations member states in the 2011 United Nations Political Declaration on HIV and AIDS;

(3) commends the dramatic progress in global AIDS programs supported through the efforts of PEPFAR, the Global Fund to Fight AIDS, Tuberculosis and Malaria, and UNAIDS;

(4) urges, in order to ensure that an AIDS-free generation is within reach, rapid action towards—

(A) full implementation of the Global Plan Towards the Elimination of New HIV Infections Among Children by 2015 and Keeping Their Mothers Alive to build on progress made to date; and

(B) further expansion and scale-up of antiretroviral treatment programs, including efforts to reduce disparities and improve access for children to life-saving medications;

(5) calls for scaling up treatment to reach all individuals eligible for treatment under WHO guidelines;

(6) calls for greater focus on HIV/AIDS vulnerabilities of women and girls, including more directed efforts to ensure that they are connected to the information, care, and treatment they require;

(7) supports efforts to ensure inclusive access to programs and human rights protections for all those most at risk of HIV/AIDS and hardest to reach;

(8) encourages additional private-public partnerships to research and develop better and more affordable tools for the diagnosis, treatment, vaccination, and cure of HIV;

(9) supports continued leadership by the United States in bilateral, multilateral, and private sector efforts to fight HIV;

(10) encourages and supports greater degrees of ownership and shared responsibility by developing countries in order to ensure sustainability of their domestic responses; and

(11) encourages other members of the international community to sustain and scale up their support for and financial contributions to efforts around the world to combat HIV/AIDS.

SENATE RESOLUTION 315—TO AUTHORIZE THE PRODUCTION OF RECORDS BY THE COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. REID of Nevada (for himself and Mr. MCCONNELL) submitted the following resolution; which was considered and agreed to:

S. RES. 315

Whereas, the Committee on Homeland Security and Governmental Affairs conducted a review of disability claims adjudications made in the Social Security Administration's Huntington, West Virginia Office of Disability Adjudication and Review;

Whereas, the Committee has received a request from a federal agency for access to records of the Committee's review;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate can, by administrative or judicial process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that evidence under the control or in the possession of the Senate is needed for the promotion of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

Resolved, That the Chairman and Ranking Minority Member of the Committee on Homeland Security and Governmental Affairs, acting jointly, are authorized to provide to law enforcement officials, regulatory agencies, and other entities or individuals duly authorized by federal or state governments, records of the Committee's review of the disability claims adjudications made in the Social Security Administration's Huntington, West Virginia Office of Disability Adjudication and Review.

SENATE RESOLUTION 316—SUPPORTING THE GOALS AND IDEALS OF AMERICAN DIABETES MONTH

Mrs. SHAHEEN (for herself and Ms. COLLINS) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 316

Whereas according to the Centers for Disease Control and Prevention (referred to in this preamble as the ''CDC''), nearly 26,000,000 individuals in the United States have diabetes and an estimated 79,000,000 individuals aged 20 years or older in the United States have prediabetes;

Whereas diabetes is a serious chronic condition that affects individuals of every age, race, ethnicity, and income level;

Whereas the CDC reports that Hispanic, African, Asian, and Native Americans are disproportionately affected by diabetes and suffer from the disease at rates that are much higher than the general population of the United States;

Whereas according to the CDC, an individual aged 20 years or older is diagnosed with diabetes every 17 seconds;

Whereas approximately 5,205 individuals aged 20 years and older in the United States are diagnosed with diabetes each day;

Whereas the CDC estimates that approximately 1,900,000 individuals in the United States aged 20 years and older were newly diagnosed with diabetes in 2010;

Whereas a joint National Institutes of Health and CDC study found that each year between 2002 and 2005, approximately 15,600 youth were diagnosed with type 1 diabetes and approximately 3,600 youth were diagnosed with type 2 diabetes in the United States;

Whereas according to the CDC, the prevalence of diabetes in the United States increased by more than 300 percent between 1980 and 2010;

Whereas the CDC reports that more than 27 percent of individuals with diabetes in the United States have not been diagnosed with the disease;

Whereas more than 11 percent of adults and 26.9 percent of individuals age 65 and older in the United States have diabetes;

Whereas as many as 1 in 3 adults in the United States will have diabetes in 2050 if the present trend continues;

Whereas after accounting for the difference of the average age of each population, data surveying individuals age 20 years and older in the United States between 2007 and 2009 indicate that 7.1 percent of non-Hispanic whites, 12.6 percent of non-Hispanic blacks, 11.8 percent of Hispanics, and 8.4 percent of Asian Americans suffered from diagnosed diabetes;

Whereas after accounting for the difference of the average age of each population, data surveying Hispanic individuals age 20 years and older in the United States between 2007 and 2009 indicate that 7.6 percent of individuals of Cuban, Central American, and South American descent, 13.3 percent of individuals of Mexican descent, and 13.8 percent of individuals of Puerto Rican descent suffered from diagnosed diabetes;

Whereas according to the American Diabetes Association, the United States spent an estimated $245,000,000,000 on cases of diagnosed diabetes in 2012;

Whereas the American Diabetes Association reports that 20 percent of the money that the United States spent on health care in 2012 went towards caring for individuals with diabetes;

Whereas a Mathematica Policy Research study found that total expenditures for individuals with diabetes receiving benefits under the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) in fiscal year 2005 comprised 32.7 percent of the budget for such program in such fiscal year;

Whereas according to the CDC, in 2007, diabetes was the seventh leading cause of death in the United States, contributing to the death of more than 230,000 individuals in the United States that year;

Whereas a cure for diabetes does not exist as of November 2013;

Whereas there are successful means to reduce the incidence of and delay the onset of type 2 diabetes;

Whereas with proper management and treatment, individuals with diabetes live healthy, productive lives; and

Whereas individuals in the United States celebrate American Diabetes Month in November: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of American Diabetes Month, including—

(A) encouraging individuals in the United States to fight diabetes through public awareness of prevention and treatment options; and

(B) enhancing diabetes education;

(2) recognizes the importance of early detection, awareness of the symptoms, and understanding the risk factors of diabetes, including—

(A) being over the age of 45;

(B) having a specific racial and ethnic background;

(C) being overweight;

(D) having a low level of physical activity;

(E) having high blood pressure; and

(F) having a family history of diabetes or a history of diabetes during pregnancy; and

(3) supports decreasing the prevalence of type 1, type 2, and gestational diabetes in the United States through increased research, treatment, and prevention.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on December 10, 2013, at 2:30 p.m., to conduct a hearing entitled ''Housing Finance Reform: Fundamentals of Transferring Credit Risk in a Future Housing Finance System.''

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on December 10, 2013, at 2:30 p.m. in room 253 of the Russell Senate Office Building.

The Committee will conduct a hearing entitled ''Crafting a Successful Incentive Auction: Stakeholders' Perspectives.''

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

COMMITTEE ON FOREIGN RELATIONS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on December 10, 2013, at 2:30 p.m., to hold a hearing entitled ''The Transition in Afghanistan.''

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. REID. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on December 10, 2013, at 2:30 p.m.

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

EXTENDING THE AUTHORITY OF THE SUPREME COURT POLICE

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to H.R. 2922.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 2922) to extend the authority of the Supreme Court Police to protect court officials away from the Supreme Court grounds.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. I ask unanimous consent that the bill be read three times and passed and the motion to reconsider be laid upon the table, with no intervening action or debate.

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

The bill (H.R. 2922) was ordered to a third reading, was read the third time, and passed.

MISSISSIPPI REALIGNMENT

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 2871, which was received from the House.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 2871) to amend title 28, United States Code, to modify the composition of the southern judicial district of Mississippi to improve judicial efficiency, and for other purposes.

There being no objection, the Senate proceeded to the measure.

Mr. REID. I ask unanimous consent that the bill be read a third time and passed; that the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

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

The bill (H.R. 2871) was ordered to a third reading, was read the third time, and passed.

Mr. LEAHY. Mr. President, tonight the Senate passed by unanimous consent a clean extension of the authority the Supreme Court Police use to protect Supreme Court Justices, their employees, and guests when they leave the Supreme Court grounds. I have worked with my counterparts in the House for months to move this extension without amendments because that authority is set to expire at the end of this month. Last month, the House voted by an overwhelming majority of 399 to 3 to pass this bipartisan bill, which extends the Supreme Court Police's authority to protect Supreme Court Justices, their staff, and official guests off Supreme Court grounds through 2019. Congress has provided this authority since the 1980s, to ensure the continued safety of our Supreme Court Justices and their employees.

Threats to the safety of Supreme Court Justices are a threat to our democracy. In light of recent attacks of Justices off the grounds of the Supreme Court, it was all the more imperative that we pass this extension without delay. I look forward to President Obama signing this bill into law and thank the chairman and ranking member of the House Judiciary Subcommittee on the Courts, Representatives COBLE and WATT, as well as Representatives CONYERS, MARINO, and HOLDING for working with me to ensure enactment of this extension.

The Senate also passed by unanimous consent a bipartisan bill to reorganize Mississippi's Southern District from five divisions to four divisions, which was recommended by Chief Judge Louis Guirola of the Southern District of Mississippi. This realignment will allow the Southern District to absorb the counties formerly served by a now-closed courthouse in Meridian, and the District will be able to better serve the needs of litigants, jurors, the bar, and the general public.

This commonsense piece of legislation promotes efficiency and saves money in the Southern District of Mississippi. I thank Representatives COBLE and WATT for sponsoring this important improvement and look forward to its swift enaction.

I yield the floor.

AUTHORIZING DOCUMENT PRODUCTION

Mr. REID. Mr. President, I ask unanimous consent the Senate proceed to S. Res. 315.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 315) to authorize production of records by the Committee on Homeland Security and Governmental Affairs.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, the Committee on Homeland Security and Governmental Affairs has received a request from a Federal agency seeking access to records that the Committee obtained during its review of disability claims adjudications made in the Social Security Administration's Huntington, WV Office of Disability Adjudication and Review.

This resolution would authorize the chairman and ranking minority member of the Committee on Homeland Security and Governmental Affairs, acting jointly, to provide records, obtained by the Committee in the course of its review, in response to this request and requests from other government entities and officials with a legitimate need for the records.

I ask unanimous consent the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid on the table, with no intervening action or debate.

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

The resolution (S. Res. 315) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

MEASURE READ THE FIRST TIME—S. 1797

Mr. REID. Mr. President, S. 1797, introduced earlier by Senator REED, I am told, is at the desk and due for a first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The legislative clerk read as follows:

A bill (S. 1797) to provide for the extension of certain unemployment benefits, and for other purposes.

Mr. REID. I now ask for a second reading but object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will receive its second reading on the next legislative day.

ORDERS FOR WEDNESDAY, DECEMBER 11, 2013

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 2 p.m. tomorrow, Wednesday, December 11; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate proceed to executive session and resume consideration of Calendar No. 233, the nomination of Cornelia T.L. Pillard to be U.S. circuit judge for the District of Columbia, postcloture; further, that time during adjournment count postcloture.

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

PROGRAM

Mr. REID. Upon the use or yielding back of postcloture time, the Senate will proceed to vote on the confirmation of the Pillard nomination. If all time is used, the vote will occur around 1 a.m. on Thursday morning, December 12. Senators will be notified when the vote is scheduled.

ADJOURNMENT UNTIL 2 P.M. TOMORROW

Mr. REID. If there is no further business to come before the Senate, I ask unanimous consent it adjourn under the previous order.

There being no objection, the Senate, at 7:20 p.m., adjourned until Wednesday, December 11, 2013, at 2 p.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate December 10, 2013:

FEDERAL HOUSING FINANCE AGENCY

MELVIN L. WATT, OF NORTH CAROLINA, TO BE DIRECTOR OF THE FEDERAL HOUSING FINANCE AGENCY FOR A TERM OF FIVE YEARS.

THE JUDICIARY

PATRICIA ANN MILLETT, OF VIRGINIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE DISTRICT OF COLUMBIA CIRCUIT.