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## Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable EDWARD J. MARKEY, a Senator from the Commonwealth of Massachusetts.

### PRAYER

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

Let us pray.

O divine Master, incline the hearts of our lawmakers to follow in Your way. May they seek to stay within the circle of Your providential plan for their lives, striving to please You as they live for Your glory. Lord, deliver them from crooked thoughts, careless words, and selfish hearts. Forgive them for the things undone that ought to have been done and the things done that ought not to have been done. Spirit of purity and grace, guide our Senators with Your power.

We pray in Your strong Name. Amen.

### PLEDGE OF ALLEGIANCE

The Presiding Officer 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.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The assistant legislative clerk read the following letter.

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, April 30, 2014.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable EDWARD J. MARKEY, a Senator from the Commonwealth of Massachusetts, to perform the duties of the Chair.

PATRICK J. LEAHY,  
President pro tempore.

Mr. MARKEY thereupon assumed the Chair as Acting President pro tempore.

### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

### MINIMUM WAGE FAIRNESS ACT— MOTION TO PROCEED

Mr. REID. Mr. President, I move to proceed to Calendar No. 354, the minimum-wage legislation.

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

The assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 354, S. 2223, a bill to provide for an increase in the Federal minimum wage and to amend the Internal Revenue Code of 1986 to extend increased expensing limitations and the treatment of certain real property as section 179 property.

### SCHEDULE

Mr. REID. Mr. President, following my remarks and those of the Republican leader, the Senate will be in morning business until 10:30 a.m. this morning. The Republicans will control the first half and the majority will control the final half. Following morning business, the time until noon will be equally divided and controlled between the two leaders or their designees prior to a cloture vote on the motion to proceed to the minimum-wage bill at 12 p.m. today. At 4 p.m. there will be additional rollcall votes in relation to nominations.

Mr. President, later today, as I have announced, we are going to have, we hope, the beginning of a debate on the increase of the Federal minimum wage. Millions of American workers will be watching how each Senator votes today. To them it is a matter of survival.

They will be observing to see if we ensure that a full-time worker in America receives a livable wage.

For Republicans, this vote will demonstrate whether they truly care about our economy. Republicans have fashioned themselves over the years as defenders of the economy. Congressional Republicans have told the American people they are the party of jobs and financial prosperity. How illogical then that the Senate Republicans today will not be supportive of legislation to increase the minimum wage.

What is preventing my Republican colleagues from giving the American workers a livable wage—a fair shot—knowing that 75 percent of the American people support increasing the minimum wage? If Americans are searching for an answer as to why they would refuse to raise the minimum wage, they should look no farther than the Republicans' billionaire benefactors—I repeat, billionaire benefactors—the Koch brothers. Absolutely no one was surprised yesterday when Americans for Prosperity, which is only one of the Koch-funded political organizations, instructed Republicans in Congress to vote against a minimum-wage increase. They said: We are going to score this vote.

What does that mean? It means if you vote yes, you are not going to get any help from Charlie and David. They want a “no” vote so they can make Charlie and Dave happy.

In case any of their followers in the Senate were to experience a change of heart and be inclined to vote for an increase, the organizations have warned that they will really go after these people. Again, I repeat, score the vote.

In other words, when it comes time for the Koch brothers to play the role of Santa Claus, Republicans should know that Charles and David are making a list and checking it twice—probably more than that. Even though 75 percent of Americans support this legislation—and our economy stands to profit from a wage increase—the will of the Koch brothers seems to be the top priority for my Republican colleagues.

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



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Former Governor Pawlenty, who was considered by many people in the last election cycle to be the right person for the Republicans to nominate for President, came out today strongly and said words to the effect of: I am not afraid of the Koch brothers. I believe the minimum wage should be increased.

My Republican colleagues should listen to this respected Republican leader.

To add to the Republicans' theater of the absurd, the House of Representatives Budget Committee is holding a hearing today on poverty in America. How about that.

The Presiding Officer will recall that committee chairman PAUL RYAN ran for Vice President. He was part of the ticket that labeled 47 percent of Americans as moochers and not deserving the Republicans' attention—moochers. Representative PAUL RYAN himself has even called struggling Americans "takers." Taking into account his well-documented disdain for hard-working Americans trying to help their families, I am anxious to learn how Representative RYAN plans to eradicate poverty since he considers them takers and moochers. Maybe he will need to check with the Koch brothers first, as it seems he did with his recent budget proposal.

While House Republicans hold hearings and Senate Republicans do nothing, Senate Democrats are doing something. We continue to propose meaningful legislation, such as this minimum-wage bill, that gives American families a fair shot at prosperity. The Republicans filibustered extended unemployment benefits. They filibustered giving women the right to make the same amount of money as men. Why should my daughter get 77 cents when a man doing the same job she does gets \$1? It is unfair, but they filibustered that. We are going to continue to propose meaningful legislation.

Senate Republicans assert that increasing the minimum wage will not help working families. That assertion is not only wrong, it makes no sense. It is illogical. Twenty-eight million Americans stand to benefit from an increase in the minimum wage. I repeat: About 10 percent of all Americans stand to gain from the legislation before this body. We are going to vote to see if we can begin debate at noon today.

Republicans assert that boosting the minimum wage would hurt businesses and slow down our economic recovery. Almost 75 percent of small businesses support raising the minimum wage. Why? It creates more business for them. It is good for the economy. The assertion that boosting the minimum wage would hurt businesses, again, is wrong and it is illogical.

Researchers at the Chicago Federal Reserve Bank have found consumer spending increases—yes, increases—dramatically following a minimum-wage hike and businesses reap the benefits of a minimum-wage increase.

That is what these experts said. This minimum-wage legislation is good for American workers, businesses, and the economy, but Republicans refuse to even allow us to debate the issue. Instead, they have signaled their intention to filibuster the minimum-wage legislation just as they have filibustered virtually everything the President suggested during the past 5 years.

When it comes to helping working-class families, the Republicans in Washington are echoing what the Republican leader declared last week in Kentucky: It is not my job to create jobs.

Well, it is his job. It is the Republicans' job, it is my job, and it is the job of every Member of Congress to do everything we can to help create jobs. That is why in addition to raising the minimum wage, which will create jobs, we believe there should be something done about the infrastructure deficit we have in this country which would help create tens of thousands of jobs. It is so badly needed.

Today we have an opportunity to help our hard-working constituents from sea to shining sea and show them that we are attentive to their needs.

I urge my Republican colleagues to join us and Governor Pawlenty and give American workers a fair shot at the American dream by ensuring they are paid a livable wage. At the end of the day our job is to give every American a fair shot to provide for themselves and their families—no welfare, just a job.

#### RESERVATION OF LEADER TIME

Will the Chair announce the business of the day.

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

#### MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business until 10:30 a.m., with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half.

Mr. REID. I note the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

#### THE MINIMUM WAGE

Mr. MCCONNELL. Mr. President, I would like to start this morning by reading an excerpt from a 1998 memo from Gene Sperling to President Clinton. It relates to a minimum-wage proposal similar to the one we are considering today. Here is what he wrote:

Your entire economic team believes that this approach is too aggressive and are concerned that . . . [it] could prove damaging to employment prospects of low-skilled workers, as well as to the general macroeconomic performance of the economy.

But the memo noted there was a plus side to supporting that proposal. "[It] would unify [the] liberal wing of the Democratic party."

Today feels like déjà vu all over again because even though our constituents keep telling us they expect Washington to focus on jobs, that is clearly not what they are getting from the Senate. Instead, Senate Democrats are pushing legislation today that would cost as many as 1 million jobs in this country—legislation that the left flank of their party demands. That is their response to the pleas of our constituents to do something about jobs—a proposal that nonpartisan analysts tell us could cost jobs.

But then again, these are the same Washington Democrats who have been at the helm of our economy for 5½ years, the same ones who have been bragging about a recovery for the past 4.

We learned this morning the economy grew by just 0.1 percent—0.1 percent. So I can assure you that if this is the Democrats' idea of a recovery, the people in my State at least are not terribly impressed. They are ready for new ideas. They are ready to turn the page from the liberal playbook that just has not worked.

It is clearer every day that the DC liberal establishment is completely out of ideas. They do not even pretend to be serious about jobs anymore. The clearest proof of that is today's vote—on a bill that could cost about 17,000 jobs in Kentucky alone, and potentially as many as a million nationwide.

But Senate Democrats do not seem to care. They do not seem to care that about 6 in 10 Americans oppose a bill like this if—if it means losing hundreds of thousands of American jobs. Washington Democrats' true focus these days seems to be making the far left happy—not helping the middle class.

They seem to think they can coast on talking points and stale ideas and that the American people have not been paying attention to their recent dismal record at actually helping the people they claim to care about.

They seem to think people will not notice that time and time and time again they have ended up making things harder for the people they claim they want to help.

But the American people see through that game. It is crystal clear from new polling that we have seen this week.

People realize the Washington liberal establishment is just out of energy and out of ideas. If they did not realize it before this year, they got confirmation of it when Senate Democrats effectively admitted that their so-called agenda for the rest of the year was drafted by campaign staffers.

In short, Washington Democrats are just not serious about helping the middle class. That helps explain why they would even consider legislation that we all know could cost up to a million jobs at a time when Americans need those jobs more than ever.

It helps explain why satisfying their leftwing patrons has become a more urgent priority than helping to create the kind of well-paying middle-class jobs our country needs.

I think our constituents deserve a lot better than what they have been getting this year from Democrats who control the Senate. They are already struggling under the weight of Washington Democrats' last ideological adventure—ObamaCare.

Washington Democrats promised the Sun and the Moon to sell that law, and then just rammed it through anyway when Americans refused to buy what they were selling.

Washington Democrats told us ObamaCare would lower costs, but polls show that nearly twice as many people believe the government is adding secret mind-control technology to our TVs as believe the law is actually decreasing health care costs.

Washington Democrats promised Americans that they could keep their plans if they liked them too. As we know, that turned out to be the "Lie of the Year."

Washington Democrats downplayed ObamaCare's negative impact on jobs, just as they are doing with this legislation we will consider later today.

Yet the government's own non-partisan analysis shows that ObamaCare will effectively drive 2.5 million people out of the American workforce. We are already seeing the effects in Kentucky, where hospitals are laying off workers and cutting salaries because of the impact of this law.

One of the largest health care systems in the State recently let go nearly 500 employees, and its CEO stated that ObamaCare was a factor in that decision. The head of another community hospital in Glasgow, KY, also said that ObamaCare was a factor in his hospital's recent decision to reduce salaries and cut as many as 49 employees.

It is happening at other businesses too.

As a result of ObamaCare, a company in Kentucky with 8,000 employees was forced to cut part-time workers' hours to below 30 hours a week. That was a difficult decision—one that particular company, like so many others, never wanted to make because of the impact it will have on its own employees, but one that it felt was necessary to comply with ObamaCare.

I recently read a story about Paul Deskins, who runs an auto dealership

in Pikeville with about 50 employees. Paul says that ObamaCare might force him to reduce his workforce or sell his body shop altogether. "We were hoping that Obama thing would go away," he said. Millions of Americans feel the same way.

Washington Democrats promised this law would help the little guy, but it ended up hurting many of the people it purported to help.

We are seeing the same thing with the legislation before us today. Six in 10 Americans do not want a policy like this if—if it costs jobs. No matter how Senate Democrats try to spin their support for this bill, the bottom line is this: It could cost up to 1 million American jobs—17,000 of those jobs in the Commonwealth of Kentucky. That is really the opposite of what Americans expect us to do on jobs.

So it is time for Washington Democrats to drop the tired ideological approach that has failed so miserably the last 5½ years. It is time for them to work with Republicans to boost job creation and start helping the middle class. That has been Republicans' focus all along, and it is about time Washington Democrats joined us in working for the middle class too.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee.

Mr. CORKER. Mr. President, I rise today out of a genuine concern that the foreign policy that our administration is conducting is creating danger for the U.S. citizenry and creating danger throughout the world. Let me speak a little bit about that.

I think all of us have seen what happened in Syria when the administration had an opportunity on the front end of a conflict to put its thumb on the scale to change the dynamic of what was happening inside the country and stated that it would do so. It did not.

This weekend I was at a security conference and people on both sides of the aisle expressed dismay at the way the administration had conducted its operations—or actually had not conducted it operations in Syria, and yet had stated so many times what it was going to do.

Today we find ourselves in a situation where I am absolutely certain that one of the policies we will end up carrying out in Syria will be a counterterrorism policy because of our concern about the fact that because we did not act when we could—not with American boots on the ground; that is not what anybody has proposed—but when the administration could have done something to prevent the disaster that has occurred there, to prevent 60,000 more Syrians from being killed indiscriminately—in many cases by helicopters from the administration dropping barrel bombs on innocent civilians there—when the administration could have acted to keep those types of atrocities from occurring, to keep Al Qaeda and other extremists from coming into the

country—when it said it was going to act and did not, when it could have done that—now we are going to find ourselves, very quickly, in a situation, in my opinion, where we realize this is a threat to our homeland, and we are going to be engaged in counterterrorism activities.

I say that as a predicate to the issue I am going to discuss, which is Ukraine.

So many Members of our body have recently been to Ukraine. As a matter of fact, I count 12 Members—Members on both sides of the aisle—who have spent time visiting Ukraine and going to Maidan and seeing what the people there did. They rose up to hope for a free world, to hope for human rights, to hope for democracy, and to rid the country of corruption.

Today, we have a prime minister who is young, who is taking on the issues of the day, and doing everything he can to usher this country into a new era—a country that is destined to join the West on its current path.

At the same time, we see a country whose greatest threat to that occurring is Russia—a country that, as we know, illegally went into Crimea and annexed it, a country that today has 40,000 troops on the border, a country that has black ops operators inside eastern Ukraine, the industrial part of Ukraine that it hopes over time will, in a sense, become a part of what they are doing in Russia.

We see every day the destabilization occurring. We know the most important next step in Ukraine is for them to go to this May 25 election and have an election that the world community believes was a valid election. Yet we know that daily Putin and Russia do everything they can to destabilize Ukraine and to delegitimize this process of elections and moving forward.

So a number of us, out of grave concern for what is happening—out of concern about where this is going to lead America, where this is going to lead Europe—have come together to write a piece of legislation because what we have seen from the administration is a lot of rhetoric. Unfortunately, what we see is an administration that cannot help itself but to try to be in every 24-hour news circle, talking about what it is going to do, but then when it actually comes to the time of actually doing it, that is not what has occurred.

This week I was very disappointed when the administration unveiled its next round of sanctions. We had all hoped the administration would put in place sectoral sanctions, sanctions that would have an impact on the Russian economy, so that Putin and all those around him who are carrying out these activities would understand they would pay a price for what they are doing illegally in this part of the world, which, by the way, goes against the agreements we all came to around the Budapest Memorandum, where we said we would honor the sovereignty of this country.

For that reason, a number of us have come together to write a piece of legislation. It is legislation that is intended to try to drive an outcome. It is a piece of legislation that moves away from the way the administration has been dealing with this, where they are always a day late and a dollar short. They are always responding to what Russia does. They are always doing something that, in essence, deals with the situation after something bad has already occurred. This legislation is designed to, again, drive an outcome, to show the administration there is a strategic way to deal with this issue.

Let me tell you what this does not do. I was very disappointed to pick up the Wall Street Journal this morning and read on the front page that those of us who are concerned—which, by the way, is strongly bipartisan, strongly bipartisan in this Senate: concern about what is happening in Ukraine and concern about the fact that the administration has not done those things with economic sanctions in a stronger way to cause Russia to pay a price for what it is doing—but I was very disappointed to pick up the paper and read where the President said those people who want to see military action by the United States in Ukraine—that is not what this bill does. As a matter of fact, what the bill does is it lays out a strategy to try to keep that from happening, which I think numbers of us on both sides of the aisle are concerned that under the current policy of saying what we are going to do and not doing it, of basically continuing to allow Russia to do what it is doing inside eastern Ukraine, that this is actually the very policy that could lead to significant problems down the road. We all understand these are how major conflicts unfold, and we all understand we are talking about two countries that are armed with nuclear weapons.

So today at noon a number of us will gather around and introduce a piece of legislation that does three things.

No. 1, it strengthens NATO. I think everyone would agree that the commitment of NATO to its allies, our commitment to NATO, our partners' commitment to NATO, has waned over the last period of time.

By the way, this is not something that has just occurred under this administration. It has been going on for some time. We have only three countries, as a matter of fact—three countries—within the NATO alliance that are actually honoring their commitments relative to the support of NATO.

So the first piece of this is to strengthen NATO. It is to expedite, by the way, this administration's own plan relative to missile defense—the plan they have laid out. It does not change that technology.

The second piece of this legislation is intended to deter Russia from what it is doing.

If my colleagues remember, the Geneva accords said Putin would move the Russian troops who are intimi-

dating people inside Eastern Ukraine away from the border. But I think what we have seen now is that "red line" has changed. Now what the administration is focused on is them actually not going inside the country, but all of us understand that Russia is actually accomplishing what it wishes to accomplish inside Ukraine without even sending troops in because they are able to do it again with black ops.

So this piece of legislation that my friend from Wyoming and so many others were involved in developing lays down clear sanctions first—beginning today, or after passage, beginning with sanctions—sanctions that hit several important entities in the banking sector and in the energy sector, so we actually do something that affects the Russian economy until such time that they pull those troops away from the border and they remove those black ops operators inside the country who are fomenting the problems.

Secondly, in the event Russia does actually cross the border with military troops, this bill again imposes much deeper sanctions on Russia and certainly signifies to them what kind of price they would pay.

Again, earlier this week when the administration put forth its sanctions, it was a marvel to see that the stock market in Russia, several days in a row, continued to go up. It had no affect on Russia, none. Editorial writers and people on both sides of the aisle understand this was nothing more than a slap on the wrist. Putin understands that. Russia understands that. They understand that we as a nation so far have not signified that we are willing to use these economic sanctions in a way—through the President's own Executive order, I might add—to change behavior. So we are very concerned about the direction this is taking.

The third thing this bill will do is harden our non-NATO allies. I think my colleagues know that in the country of Moldavia, from where I just recently returned—and Senator BARRASSO on another trip just recently returned as well—and in Georgia and in Ukraine, there are a number of things we need to do as a nation to help them harden their country and this bill lays objective things out. Let me give one example. In the Russian-speaking area of Eastern Ukraine, the only information the people who are Russian-speaking in that part of the world are receiving is coming from Russia. It is propaganda about actions the United States is taking, which we aren't, and the great lives they will have if Russia is able to annex that part of the world. So at a minimum we need to make sure the information those people are receiving is very different. There are so many actions that we as a nation can be taking to ensure that Ukraine is not destabilized, that Moldavia is not destabilized, that Georgia is not destabilized.

Let me say this in closing because I see my friend is ready to speak on an-

other topic. This bill we are introducing today is a serious piece of legislation. As a matter of fact, I am gratified by the work so many Members have put into making this legislation as it is. It is strategic. It is serious. It tries to accomplish a good outcome. I hope the introduction of this legislation will cause the administration to step away from the microphones and the cameras and to step away from the empty rhetoric that has been shared all across this world, to step back and say wouldn't it be good if we laid out a strategic approach to Europe.

It is time we realized Russia is destabilizing Europe, and that affects our citizens. Our citizens are 4½ percent of the world in population. We benefit from 22 percent of the world's gross domestic product. So the fact of the world being secure is not only important to us because of human rights and democracy and freedom, but it is important to the very livelihoods of the people of our country.

So I thank those involved. I look forward to discussing this more fully at noon today when we unveil this. Again, I hope the White House and those involved in setting foreign policy will step back, they will sit down, and they will begin to do take actions that strengthen NATO more fully. I hope they will take those actions that will certainly cause Russia to understand exactly what will happen if they continue on the path they are on, as well as strengthen our non-NATO allies which, because of the policies we have not put in place, are continually being destabilized.

Mr. CORKER. I yield the floor and I thank the Chair for the time.

The ACTING PRESIDENT pro tempore. The Senator from Wyoming.

Mr. BARRASSO. Mr. President, first, I commend my friend and colleague from Tennessee for his leadership on foreign affairs and his efforts in these areas. I fully support all of his efforts to bring forth a united position on behalf of our country.

#### HEALTH CARE

Mr. BARRASSO. Mr. President, I come to the floor because the American people have just received more horrible news about our economy.

The Commerce Department reported this morning that our economy grew at the smallest rate in 3 years. The exact number is 0.1 percent—much worse than expected. To be specific, investment in business equipment declined, residential home construction declined, U.S. exports fell sharply, and companies increased inventories at a much slower rate.

I wish to read what some of the economists have said about this. Dan North, a chief economist, said:

We've been living in sub-3 percent land, and people have gotten used to that as the new normal. But it's not. It's anemic.

To make matters worse, the Financial Times this morning is reporting

that China is poised this year to pass the United States as the world's leading economic power.

The American people deserve better than this and they shouldn't have to accept that anemic growth as the new normal. They deserve growth, good jobs, and better opportunities. That is not what they are finding from the Obama economy. Instead, the President continues to push an agenda that makes it harder for Americans to find good jobs and to bring home bigger paychecks. So I wish to speak about how the health care law specifically is slowing growth and how it is making American paychecks smaller.

I met earlier today with business leaders from Wyoming. They are here from Casper, Cheyenne, and Jackson, and I have heard input from them regarding how the health care law has impacted their businesses, how it has impacted our State of Wyoming, and how it has impacted our economy not just in Wyoming but nationwide.

It is interesting to watch the White House and the President specifically spike the ball, claiming that 8 million people signed up for health insurance through the government exchanges. At the same time, President Obama has declared that the national debate about his health care law is over. The meaning of the number is highly questionable, and the administration's victory lap is premature. In fact, the ObamaCare debate is far from over.

So I come to the floor to speak about additional side effects of the Obama health care law. I will continue to do this week after week because the side effects on the American people and the American economy and on health care in this country continue to be very damaging.

I will speak about smaller paychecks as one of the ObamaCare side effects, to point out that the debate is not over for the millions of Americans who are experiencing the negative side effects of the President's health care law voted on by Democrats and not by Republicans. One of the worst of these side effects is the smaller paychecks many families are experiencing specifically because of the mandates of the health care law. It is happening all around the country.

Let me tell my colleagues what is happening as reported by the New Hampshire Union Leader. This is just one example. The article was talking about small businesses that have found that paperwork and costs related to the law are threatening the economic platforms on which their companies are built. It quoted a man who runs a ski area saying the law could mean he has to open later in the season and close earlier in the season. That is because people on his payroll for 120 consecutive days or longer have to be offered health insurance under the Democrats' health care law.

Mother Nature might say there is plenty of snow, the skiers and snowboarders are ready to go, the resort

wants to open, restaurants are ready to serve people, hotels are ready to host people, but ObamaCare says the resort can't open without facing enormous costs for Washington-mandated insurance. It is hurting people working at the ski resorts. It is hurting people in businesses in those communities.

Who pays for the negative side effects? It is the seasonal workers who will now be limited to fewer than 120 days of work at ski facilities such as this one in New Hampshire. They will work fewer days with smaller paychecks because of the health care law. The New Hampshire Union Leader summed it up this way: "As snowboarders say: bummer."

It is not just seasonal workers who are being hurt. This column also talks about the ski resorts in Colorado being hurt.

In North Carolina, State government agencies are starting to get very worried about how to deal with the health care law's mandates. The law says employers—including State and local governments—have to cover people who work 30 hours a week or more. That is whom the law considers full-time workers. When I talk to business leaders from Wyoming, most people think of full-time work as 40 hours. Not President Obama. He is a 30-hour man.

According to a story from WTVD in Raleigh, State agencies are looking at cutting the hours of part-time workers to keep them under that 30-hour limit.

The North Carolina Agriculture Department has about 250 part-time employees who are now working more than 30 hours. They have 250 workers in the North Carolina Agriculture Department, and those 250 people are working more than 30 hours, but they are part time. The North Carolina Department of Transportation has almost 600 people in the same situation. So North Carolina is going to have to look very closely at what to do with those people, and that can mean smaller paychecks.

Local governments are having to make these same decisions because of the health care law. WITN, another station in Greenville, NC, did a story last month about how schools are cutting the hours substitute teachers can work—the same 30-hour Obama work-week limit again. The health care law wasn't about substitute teachers, but they are the ones feeling the negative side effects and they are the ones seeing smaller paychecks.

The story quoted a teacher in Pitt County, NC, who said she got a letter from the school district there telling her she wouldn't be able to work as much. Substitute teachers are now limited to 3 days a week. Why? Because of the expensive mandates of ObamaCare.

She told the TV station, "I'm willing and able to work, and now they're telling me I can only work for so long."

This teacher is one of 200 in her North Carolina school district who are going to be limited to 21 hours a week, and she is wondering how she is going

to make ends meet with 21 hours a week. That is a side effect of the health care law that means smaller paychecks for substitute teachers.

President Obama says the debate is over. Is it over for teachers in North Carolina who are seeing their time cut to under 30 hours a week? Is it over in ski resort communities in New Hampshire and in Colorado?

Look what is going on in Iowa. An article just last week in the Ottumwa Courier said that a local school district was cutting the hours on all paraeducators from 37 hours per week to 29 hours. Those extra hours may not mean much to Democrats on the floor of the Senate or the House Members who voted for this health care law, but they are a real big deal for a lot of families struggling in the Obama economy.

In Colorado, the Aspen Daily News reported last month that adjunct professors at Colorado Mountain College are going to have the same limit of 29 hours a week. This school has 112 full-time faculty, but it has 600 part-time professors. Some of them just want to teach a class here or there to make extra money, but some of them are trying to string together enough hours to support themselves, to support their families, and they are getting hammered by the President's health care law that every Democrat in this body voted for.

It is happening all over the country. We have heard stories today about New Hampshire, North Carolina, Colorado. Here is a final example. A borough in Alaska announced earlier this year that it was putting a cap on the hours of firefighters and emergency medical technicians.

According to one technician, some stations are limiting people to just 24 hours a week. So we see teachers, firefighters, professors, seasonal workers all hurt by the side effects of the Obama health care law, and they are all getting hit with smaller paychecks—nothing they have asked for. They want to work. They are ready to work. They are willing to work.

We have a weak economy, an anemic economy, and the President and Democrats do not seem to care. They do not seem to care. They think the debate is over. President Obama says the debate is over.

He says Democrats who voted for this should forcefully defend it and be proud. How can the President forcefully defend these smaller paychecks? How can the President be proud of these smaller paychecks because of his law and what he had Democrats vote for—in North Carolina; Alaska, where you hear these stories; New Hampshire; one after another after another; Colorado.

Well, it is not over for Americans, who are continuing to get hit in their wallets, people in New Hampshire, North Carolina, Iowa, Colorado, Alaska, all over the rest of the country. It is not over for Republicans, who will continue to stand for those Americans

and keep pushing for commonsense reforms that will actually help people get the care and what they wanted all along, which was better access to quality, affordable health care.

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### ORDER OF PROCEDURE

Mr. CASEY. Mr. President, I ask unanimous consent that I be permitted to speak for up to 10 minutes and that following my remarks Senator FRANKEN be permitted to speak for up to 10 minutes and Senator MARKEY be permitted to speak for up to 5 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### THE MINIMUM WAGE

Mr. CASEY. Mr. President, I rise this morning to talk about the matter before us, which is the minimum wage. Today the Senate will vote on cloture on the motion to proceed to the Minimum Wage Fairness Act, the legislation we are considering, which would increase the minimum wage to \$10.10 an hour over the course of 3 years. We do not know what the result will be today, but we are working to get as much support as possible because getting past this first hurdle, of course, is essential to getting the bill passed, to giving Americans who are working very hard a fair shot at some economic security that they may not have right now.

We have a lot of work to do because there are still people out there—especially here in Washington—who are making arguments that do not make a lot of sense and, to me, do not make a lot of sense to the people of Pennsylvania. Where I came from, when someone works a full day and a full week, they should not—most people believe they should have a fair shot at making not just a living but making sure they have enough of a living that they can lift themselves out of poverty. You should not work 40 hours a week and be paid a poverty wage. Unfortunately, that is the case for far too many Americans.

Increasing the minimum wage would help workers make ends meet, and it would offer a lift up the ladder to the middle class and boost the economy by boosting new spending. We know that is the case. All the data shows that. All the studies show that. But we still have to make the case to some folks here in Washington.

Wages for most workers are not keeping up with the cost of living, the cost

of paying a mortgage and raising a family and some of the other middle-class concerns. The pay for minimum-wage workers is not keeping up with inflation.

Six years have passed since the last minimum wage increase was enacted. Pay for the middle class is stagnant, while the gap between the haves and the have-nots has widened substantially.

The chart on my right tells the story of what could happen if we are able to pass an increase in the minimum wage. It is about giving a fair shot to our families and to our workers by raising the minimum wage. Increasing the minimum wage helps a lot of folks across the country more broadly. Of course, it helps working families.

Look at these numbers. Workers who would get a raise: 27.8 million workers across the country. There are very few things the Senate can do today or this week that would provide that kind of direct economic jump-start to so many communities and to 27.8 million people.

Look at the boost to GDP. I mentioned that earlier—a \$22 billion boost to the economy. Again, there are very few things, if any, we could pass in the Senate that would provide that kind of jump-start to the economy when we need it.

The number of jobs created across the country: some 85,000. Some think the number is higher than that. I know this would have a job-increase impact into the thousands in Pennsylvania.

Look at the number for women. There is mostly an issue about women who are working every day trying to support their families. It also has an impact, obviously, on children. Women who would get a raise: 15.3 million women across the country. I would like to hear someone who is on the other side of the aisle demonstrate to women across this country what they will do in place of that if they are going to say that now is not the time for a raise in the minimum wage. What about those women who are shouldering most of the burden to raise their families and to make their way in a tough economy?

Children with a parent who would get a raise: 14 million children have a parent who would get a boost in the minimum wage. Again, I would say: What is your answer or what is your strategy to give a boost but really, more appropriately stated, a measure of security to our children? I am not sure I can name another action this Senate could take to make sure 14 million children have a measure of security that they do not have today even in an economy that—in some parts of the country—is getting a little better.

Americans overall lifted out of poverty: 2 million Americans will be lifted out of poverty if we pass an increase in the minimum wage.

Again, I would ask anyone on the other side, is there an action, is there a bill, is there a vote, is there a step we can take in the Senate this week or

next week that would do the same to help 14 million children, to lift 2 million Americans out of poverty? I do not know of any. I will wait and see what their answer is. I hope they will answer that question because they should. This is a debate. They should answer that question. Tell us what you will do to help 14 million children if you are not going to support lifting or raising the minimum wage.

Less spending on food stamps: \$4.6 billion per year. We hear attacks all the time—unjustified though they are—from the other side about SNAP. We used to call it the food stamp program. They are always saying: We need to reduce spending in that program. Well, instead of cutting people, as so many in this body seem to want to do every day of the week, voting for budgets that would slash support for people who need help just having a measure of food security, being able to feed their families, instead of doing that, why don't we support raising the minimum wage, lifting them out of poverty, lifting them out of the dependence they have to have on an important program such as SNAP? That is the better way to reduce those numbers. It is not just a question of what is right; it is a question of the best economic strategy for that worker, for his or her family, and for the economy overall.

Finally, veterans who would get a raise: 1 million veterans. We hear speeches all the time here in Washington from both sides of the aisle. In most cases—in almost every case—they are heartfelt and they are honest about the support that one Senator or a group of Senators provide to help our veterans. I have no doubt that people are sincere when they say that. But there are some opportunities around here where you can take action. You can cast a vote that has a direct benefit not just for 14 million children but in this case for 1 million veterans.

You have to ask yourself, if you cannot cast that vote, what are you going to do? What are you going to do with the power you have to cast your vote, to stand and say: I support an increase in the minimum wage. If you are not going to do that, if you are not going to vote for this or ever vote for this, then what are you going to do to help those same 1 million veterans or those same 14 million children or those 15.3 million women? If you have an answer for that, if you have a different strategy that will get us to these numbers, let's hear it. I would like to hear the answer to that. I have not heard it yet. Maybe I have not been listening. But I will try to listen closely to what the arguments are on the other side of the aisle.

So the hashtag #raisethewage is a good way to summarize why this is so fundamental but really so simple. This is about giving people a fair shot. It is not about some program people are asking to be created. It is about basic fairness in giving folks a fair shot in an economy that is still very tough for a lot of families.

I think it is critical that we emphasize some of these numbers, but it is also really about the human trauma so many families have been living through. So many of them have lived through the recession and are still climbing out of the hole they are in. They have lost their jobs; they may have run out of unemployment insurance; they may have lost their homes in the course of all of that. There is no question and it is irrefutable that the cascading effect of that trauma hits not only the worker and maybe, if they have a spouse or a partner, the person standing next to them, but it also has a cascading effect on the children as well and the family and then on all of us.

We all have a stake in this. The idea of raising the minimum wage is about some other group of people out there who are far away from us makes no sense. If we raise the minimum wage, the economy for everyone gets better. Folks don't have to take my word for it. Over 600 economists—600, not 6 or 10 but 600 economists—including 7 Nobel laureates, have signed a letter stating their support for raising the minimum wage to \$10.10 because it would be good for workers and it would not have a negative effect on jobs and would even provide a boost to economic activity.

I am not going to read the whole January letter from the 600 economists, but I will read a statement from it and then I will conclude.

At a time when persistent high unemployment is putting enormous downward pressure on wages, such a minimum-wage increase would provide a much-needed boost to the earnings of low-wage workers.

In recent years there have been important developments in the academic literature on the effect of increases in the minimum wage on unemployment, with the weight of evidence now showing that increases in the minimum wage have had little or no—

Let me say it again, “little or no”—negative effect on the unemployment of minimum-wage workers, even during times of weakness in the labor market. Research suggests that a minimum-wage increase could have a small stimulative effect on the economy as low-wage workers spend their additional earnings, raising demand and job growth, and providing some help on the jobs front.

That is a long statement by 600 economists. It is very measured. It is not inflating numbers and saying this is going to cure all of our economic challenges or all of our economic woes, but it is a clear and unequivocal endorsement of raising the minimum wage. I would add to that, with all due respect to those smart economists, the data on this chart.

Let me make one more point and then I will conclude. I don't have it in front of me, but one of the organizations that has endorsed the increase in the minimum wage is the American Academy of Pediatrics. Why? Because they know a lot about taking care of kids. They know a lot about providing the best health care for kids. They know a lot about the traumas and the

difficulties that a lot of children face, especially if they are poor or if they are in a family getting low wages. That child is impacted. There is no doubt about that. All the science tells us that. All the literature tells us that. But if the American Academy of Pediatrics is saying we should raise the minimum wage because it is good for kids and these 600 economists are saying it is good for the economy and so much other information is saying it will help our veterans, 1 million veterans and 14 million kids, what is the argument on the other side against it?

I have heard some of the arguments, but I have not heard an argument yet that says they have a strategy on the other side of this debate that will help 15.3 million women, that will directly help 14 million children and that will help 1 million veterans and boost our economy on top of it. I would be for this even if there wasn't a boost to the economy because we could help people individually, but that is an added reason to be supportive of this bill.

This is long overdue. We shouldn't be having this debate every 5, 6 or 8 years. We should raise the minimum wage appropriately, to a reasonable number that makes sense, and then index it so we can take this issue off the table, so it would increase appropriately, as it should, over time.

If we had done that in the 1960s or 1970s, the minimum wage would be not just higher than it is today, \$7.25, it would be more than \$10.50 an hour, something higher than that.

If you are unalterably opposed to raising the minimum wage, I would hope you would have a strategy to make sure that 14 million kids are benefited by your action, by your bill—not over 20 years but by some other legislative vehicle—and you should have a strategy to make sure 1 million veterans have some measure of economic security they don't have, and you should be able to answer what the American Academy of Pediatrics said is good for children. If you can answer those kinds of questions, then I would love to take a look at your bill, but if you can't, you have some explaining to do.

I yield the floor.

The PRESIDING OFFICER (Ms. HEITKAMP). The Senator from Minnesota.

Mr. FRANKEN. I thank my colleague for his words on the minimum wage. There were very important points raised in terms of that letter from those economists and the American Academy of Pediatrics. It adds wonderfully to the debate.

I rise to support, similar to my colleague from Pennsylvania, an increase in the Federal minimum wage. I am a proud cosponsor of the Minimum Wage Fairness Act, which would give 16.5 million Americans a much deserved raise.

I am incredibly proud of the important step Minnesota took to raise the minimum wage earlier this week. Just

a few weeks ago or earlier this month the Governor and the Minnesota State legislature took this big step for workers and families. Because of this, hundreds of thousands of hard-working Minnesotans will themselves receive a raise.

This is a big deal. Before this increase, the Minnesota State minimum wage was actually lower than the Federal minimum wage.

I would like to talk a little bit about why Minnesota has taken this important step. Minnesotans believe that if someone works full time, 52 weeks a year, they should be able to put food on the table and a roof over their family's head. They believe that if someone works in America, they should have a chance to work their way up into the middle class. As I have traveled around Minnesota, I have heard from people all over the State who have been working long hours and yet still struggle to support their families, to work their way to the middle class and provide a brighter future for their children.

As a State, we recognized that there were too many people working very hard at one, two, and sometimes three jobs and were still struggling to get by. Parents have been wondering how they are going to be able to pay for their kids' college or even how to make the next car payment. Instead, they have been working 60-hour weeks and missing out on spending precious time with their children.

That is why I am proud that Minnesota has now joined 21 other States with minimum wages higher than the Federal minimum. In Washington, I am going to keep doing my part to help Minnesota workers.

Recent research confirms that what we see in Minnesota is happening across America. In a survey last year of workers earning less than \$10 an hour, two-thirds of these workers said they are not meeting or are just meeting their basic living expenses. Two-thirds of these workers report needing public assistance. Two in five said they can't afford additional education and training. With wages too low, these workers are trapped. They are trapped in poverty.

The economy is getting better, but raising the minimum wage is about doing everything we can to make sure it gets better for everyone. Last year our Nation's largest businesses saw record profits. The market finished last year up over 26 percent, its best return since the 1990s. Raising the minimum wage is about making sure Minnesotans and workers across the country get to be a part of this improving economy.

That is why Minnesota has taken this important step. We know a strong minimum wage and a strong middle class go hand in hand. That is why I support raising the Federal minimum wage to a level that allows people to work their way to a better life.

For decades the Federal minimum wage has lost its value. If the Federal

minimum wage had kept pace with inflation since its peak value in the 1960s, today it would be worth over \$10.50 an hour. Today the Federal minimum wage is just \$7.25 an hour.

When families have had to pay more for food, rent, utilities, childcare, and education, the minimum wage not only hasn't kept up, it has gone down. It is not only minimum wage workers who haven't seen an increase in wages. Since the 1970s we have seen worker productivity grow by 135 percent while the average wages for middle-class workers have not changed. Americans are working harder than ever but average wages are stuck and the minimum wage actually has been declining.

Let me tell you about what raising the minimum wage would mean to one Minnesotan. Her name is Misrak. She is the mother of two and works at the airport as a cleaner, where she makes a low wage. Because she couldn't make ends meet, she had to take a second job assisting passengers in wheelchairs who need help. She has been doing this for 4 years, and during that time she has received only one raise worth just 80 cents an hour. She doesn't get vacation days or sick days or time off with her children. She wants to help her children finish college, and they want to finish college so they can be sure that if they work hard, that will be a path out of poverty and into the middle class. For Misrak, even though she works over 60 hours per week, she and her family are just barely scraping by.

Bringing the minimum wage back to a level that can support a family is the first step in restoring the promise that if someone works hard, they can build a better life for themselves and their family. Sometimes people ask why raise the minimum wage to \$9.50 an hour as we did in Minnesota or \$10.10 as we want to do. They say why not leave minimum wage workers alone to figure out things for themselves.

I don't believe raising the minimum wage is going to solve all the problems working families face. They need more than a minimum wage. They need good jobs, good schools, and good roads to provide a better future for themselves and for their children, but I support raising the minimum wage to \$10.10 an hour because it is a wage that says Americans value work. It is a minimum guarantee that anyone who shows up 40 hours a week and ready to work should be able to provide food and shelter for themselves and their children and should not live in poverty.

Other people say we don't need to raise the minimum wage because it is not working families who earn the minimum wage. Instead they say it is mainly teenagers in their first job who earn the minimum wage. In fact, the vast majority of workers who would get a raise under this bill are working adults, including approximately 350,000 adults in Minnesota. One-quarter are parents, including over 85,000 parents in our State. Parents who would see a raise from the bill we are considering

are the parents of 14 million children, an estimated 150,000 of them in Minnesota. These are kids. The American Academy of Pediatrics says do this. We know that kids who have deprivation have trauma. There are different kinds of deprivation, and we know it makes it harder for them to learn. It changes their brain chemistry to be under that much stress, so let's do it for these kids.

The majority—56 percent—of Minnesotans who would be affected by an increase are women. Nationwide, one in five working mothers would see a raise under this bill, and 6.8 million workers and their families would be lifted out of poverty.

Raising the minimum wage is good for working families and it is good for the economy. It boosts economic activity and helps local businesses. A study from the Federal Reserve Bank of Chicago found that increasing the Federal minimum wage to \$10 an hour could boost GDP by up to 0.3 percentage points. In a recent analysis of State employment data, Goldman Sachs noted that based on their analysis of States that increased their minimum wage at the start of 2014, the employment impact, if any, from a higher Federal minimum wage would be small relative to the normal volatility in the market. A higher minimum wage—

Madam President, I ask unanimous consent for an additional 2 minutes or 1½ minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. FRANKEN. In that case, 2 minutes.

A higher minimum wage also helps our economy because increasing the minimum wage boosts the purchasing power of consumers and creates more customers for local businesses. People earning minimum wage spend the money they are earning. The Economic Policy Institute estimates that the increased economic activity from an increase to \$10.10 could create 85,000 new jobs and boost GDP by \$22.2 billion over the 3 years of implementation. Increasing the minimum wage helps businesses in another way too. Workers who are better paid are also more productive and less likely to quit. That means businesses save on recruiting and training costs. It also means they have better, more loyal, and harder working employees.

Businesses in Minnesota understand this. I spoke with Danny Schwartzman, the owner of Common Roots Cafe and Catering in Minneapolis. Danny pays his employees a minimum of \$11 per hour, plus benefits, such as paid time off and health insurance. Danny has written:

Over time, other businesses will see what I have seen—that paying people more yields more for the bottom line. It's easier to recruit and retain people. Happier employees are more likely to provide better customer service. Lower turnover means dramatically lower training costs and better employee performance.

Danny understands that his business will do better if his workers are doing better.

It is time that Congress follow Minnesota's example. The minimum wage is about making sure that work pays. It is about the American dream. If you work hard and take responsibility, you can put a roof over your head, provide a decent life for your children, and help them get ready for the future. It has been too long since the Federal minimum wage kept that promise to America's workers and their children, and that is why we need to raise it today.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. MARKEY. Madam President, I am proud to stand here today to support raising the minimum wage. No person in America should work full time and not earn enough to be above the poverty level. The poverty level in the United States in 2014 is about \$23,000 for a family of four. Today, if someone works under the minimum wage for 40 hours a week they are still in poverty. No one should work 40 hours a week and be given a salary that does not lift them and their families out of poverty. That is absolutely wrong.

Millions of people in our country have been trying to climb into the middle class. But no matter how hard they work, they are stuck in the same place.

In America today, nearly half of those who grow up in families in the bottom fifth of income earners will stay there as adults. Tens of millions of Americans labor tirelessly for years to scale the economic ladder but they can never get off the ground. That is unacceptable, it is immoral, and that needs to change.

Raising the minimum wage is a first step to fighting income inequality in our country. We must help restore the dignity and the value of work and help millions of families escape poverty by increasing the national minimum wage.

Today, more than 46 million Americans are living in poverty. The average American household made less in 2012 than it did in 1989. That is wrong. It is plain wrong. Over these last 20 years, the top 1 percent of wage earners in America has seen their income skyrocket by 86 percent. In the years ahead it is going to get worse for those making the minimum wage. Over the next 5 years the real value of the minimum wage is projected to decline by 10 percent or over \$1,400 of purchasing power for a full-time worker, unless we increase the minimum wage.

What does that mean? It means Americans will be able to buy less if we don't do it, and it will be harder for families to get by. The poor will effectively get even more impoverished. Even as they are working 40 hours a week, they get poorer and poorer and poorer because that minimum wage does not buy as much as it did the year

before and the year before and the year before. So the rich get richer and the poor get poorer. That is the system we have right now unless we take action to make sure those who earn the minimum wage are keeping pace with what it takes to buy the food, to pay the rent, to pay for the schools for the children in their family. If we don't do this, they get poorer and poorer while continuing to work 40 hours a week.

We know low-income Americans would benefit from raising the minimum wage, but they are not the only ones. Hundreds of small businesses in my home State of Massachusetts have signed on to a petition for a fair minimum wage of \$10.50 per hour. That petition says that raising the minimum wage makes good business sense. That same small business petition says workers are also customers.

They are right. Increasing the purchasing power of minimum-wage workers helps stimulate the economy. Research has shown time and time again that minimum-wage workers spend the additional income they receive when the minimum wage is increased. If we increase the minimum wage to \$10.10 per hour, 28 million workers would receive about \$35 billion in additional wages.

Raising the minimum wage does not cause job losses, even during periods of recession. Most minimum-wage workers need the income to make ends meet and spend it quickly. It goes right into the economy. So economists believe it will actually boost the economy by creating about 85,000 new jobs and increasing economic activity by about \$22 billion. That means everyone in our economy should be on board.

Raising the minimum wage is about giving families security, opportunity, and dignity—the security to know they can make ends meet, the opportunity to climb out of poverty and into the middle class, and the dignity to know they are getting paid a fair wage for a hard day's work. That is why I am proud to stand here today to urge my colleagues to increase the minimum wage so that we give America the raise it needs for those who are working so hard for our economy.

I yield the floor.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### MINIMUM WAGE FAIRNESS ACT—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. Under the previous order, the time until 12 noon will be equally divided and controlled between the two leaders or their designees.

The minority whip.

Mr. CORNYN. Madam President, I think people listening to the debate on the minimum wage issue may be a little bit confused, because we all want to

see hard-working American families work their way toward the American dream, but we are not going to be able to do that with the Federal Government setting wages for restaurants, small businesses, and other people across the country.

I have no objection, obviously, if Massachusetts or Minnesota or some other State wants to raise the minimum wage. That is their choice. But what my colleagues are now asking for is the Federal Government, or the Nation, to set a minimum wage at a level which will destroy between ½ and 1 million jobs. That is not just me talking, that is the Congressional Budget Office, which is the official scorecard for the Congress.

Think about this: You are a small business and your biggest expense is wages for the people who work there. Now the Federal Government comes in and says: Forget about your local conditions in North Dakota or in Texas. We are going to say, from Washington, DC, that everybody has to raise wages by 40 percent. I can't imagine there will be many businesses, small businesses in particular, that can absorb a 40-percent increase in their overhead.

This is going to hurt low-wage earners who are currently employed. That is what the Congressional Budget Office has said. And it is going to hurt the economy.

I heard the distinguished Senator from Minnesota say the economy is doing great. Well, I guess he must have missed the latest report on the first quarter of 2014. Because of the bad weather—we had an unseasonably cold first quarter—the economy grew at .1 percent. In other words, it almost went into what would be a negative growth or a recession. Of course, recession is defined as two quarters of negative growth, but my point is this strong growth he is talking about in the economy is a figment, it is not the fact, and we need to deal with the facts on the ground.

I wonder sometimes why public opinion holds Congress and Washington in such low esteem. Actually, I don't wonder why. My conclusion is they think we are out of touch. We are out of touch with regular American families—people who are working hard to make ends meet, getting the kids ready for school and living their version of the American dream. The latest statistic I saw says that 27 percent of the American people think we are on the right track. That is a shocking number. That means 73 percent think we are on the wrong track.

What is the old saying, that the definition of insanity is doing the same thing over and over again and expecting a different outcome? Well, let's not do the same thing over and over again—keep America on the wrong track and engage in a policy decision here on this minimum wage, this 40-percent increase in the minimum wage, which will actually hurt more people than it helps.

This is not just my view. There was a poll that came out yesterday which said, basically, once people understood that people would be put out of work by increasing the minimum wage, 58 percent said it is not worth it. So 58 percent of the respondents said it is not worth it.

You know, it would be nice—it would be great—if we lived in a world where Washington could dictate what wages will be and all of a sudden peace, love, and happiness would break out—the age of Aquarius—because Washington is somehow distributing free money that didn't come from somewhere, that didn't come out of somebody's pocket or as part of someone's overhead or it didn't have any negative impact. But that is not the world we live in.

Again, this is not just public opinion, it is not just my opinion, it is not just the opinion of the Congressional Budget Office about the job-killing nature of this dramatic 40-percent increase proposed in the minimum wage. Back in 1998, President Clinton's economic adviser Gene Sperling—who just left the Obama administration—wrote a memo to President Clinton when a similar proposal was being made to raise the minimum wage 41 percent at that time. The Harkin bill we will vote on here shortly proposes to raise the minimum wage 40 percent. This was back in 1998 that Gene Sperling is writing to President Clinton on a proposed increase of the minimum wage by 41 percent, but for all practical purposes it is the same sort of proposal. This is what Mr. Sperling wrote to President Clinton:

Your entire economic team believes that this approach is too aggressive and are concerned that Senator Kennedy's proposal could prove damaging to the employment prospects of low-skilled workers . . .

This was Senator Ted Kennedy's proposal back in 1998. Again, that is what the Congressional Budget Office has said about this bill. He goes on to say, "as well as to the general macroeconomic performance of the economy."

So what are our friends across the aisle proposing we do when the economy grew at .1 percent this last quarter? Well, administer a body blow to this anemic economic growth. And this is not just my opinion. It is *deja vu* all over again, as they say. I guess if you are around Washington long enough, you are going to see this movie replayed over and over.

The fact is that our economy is weaker today than it was in 1998. Sure, unemployment is coming down slowly, but the economy is growing too slowly and the number of people in the workforce is the lowest it has been for the last 30 years, the so-called labor participation rate.

So what did President Clinton do when his economic advisers said: Don't do it, Mr. President. While it is good politics, perhaps, it really will hurt the economy, and it will put people out of work.

President Clinton, to his credit, decided not to pursue that particular 41-percent increase in the minimum wage.

I mention that as a sad contrast with the current situation where President Obama, seeing his favorability ratings at the lowest they have been since he became President, is trying to change the subject and basically make a political point when the fact is that making the political point will actually hurt a lot of hard-working Americans.

So the majority leader has decided that rather than spend the week debating legislation that would actually create jobs, we should spend it debating a proposal that would destroy jobs.

We all know that a massive minimum wage increase such as this can be a job killer. So it really wasn't surprising when we saw that quantification by the Congressional Budget Office saying this proposal could destroy up to 1 million jobs. Yet, when I was listening here, I didn't hear the distinguished Senators from Massachusetts or from Minnesota talk at all about the Congressional Budget Office report. They want to ignore that. They want us to believe that this increase in the minimum wage would have little or no effect on employment and that maybe it would have a positive effect. I heard the Senator from Massachusetts make that claim, but the people who actually run America's businesses know better.

I had dinner the other night with some folks in the restaurant business, and I will mention some examples in a moment. Most of these folks I happened to have dinner with are pretty successful, but they started out washing dishes or bussing tables or waiting on tables. They started at the bottom and worked their way up because they could find a job, get their hand on the first rung of the economic ladder and then put the other hand on the next one and work their way up to where now they are very successful businesspeople. But they understand how businesses work. They understand the negative consequences of this bad policy coming from Washington, DC.

Just ask Robert Mayfield from Austin, TX, where I live. Mr. Mayfield has been in business for 35 years now, and he is pretty successful. He also knows a thing or two about the consequences of rising labor costs. This is what we are talking about. For a business, this is the overhead. This is the labor costs they have to pay out of their income.

Mr. Mayfield wants Members of Congress to know that he strongly opposes this proposal because it will cost people jobs. Here is how he describes it:

What's most devastating about an increase in the minimum wage is that costs go up, and as a business owner, I have to raise prices—

So if we think we can pay somebody \$10.10 an hour to work in a McDonalds and it won't have an impact on the cost of a Big Mac, well, we are living in a fantasy world. And that is what Mr. Mayfield says.

I have to raise prices, and sometimes the market [won't bear it]. In the end, jobs will

be lost and service will suffer . . . The people in Congress wanting to pass a minimum wage bill don't know any more about how a business works than a hog knows about Sunday School. What makes it worse is Obamacare hanging over our heads. It's a job killer.

I heard this again today from a friend of mine from San Antonio. Louis Barrios, whose family has run Mexican restaurants in San Antonio for many years, talked about the combination of ObamaCare and now this proposed minimum wage increase.

He said: Right now, we would like to pay a single mom who is working in our restaurants to take orders. If Congress lifts the minimum wage to \$10.10 an hour, we will have no choice but to replace that server, that waitress, with an iPad.

That is what is happening in a lot of fast food restaurants these days.

Again, Congress shouldn't operate in a vacuum without knowledge or an awareness of what the consequences might be.

I am not suggesting that any of our friends who are advocating this minimum wage increase want to put that single mom out of work, but if we embrace that policy, that is what Louis Barrios told me this morning would likely happen. And people like Robert Mayfield and Louis Barrios are supported by countless economists.

So we have folks who are actually doing the work, and then we have the big thinkers like the economists who studied this issue and concluded that this size minimum wage increase is a really bad idea in terms of the economy. More than 500 of those economists, including several Nobel Laureates, recently signed an open letter to several policymakers expressing their opposition to this 40-percent minimum wage hike. Their letter said:

Many of the businesses that pay their workers minimum wage operate on extremely tight profit margins, with any increase in the cost of labor threatening this delicate balance.

That is also what Robert Mayfield said: I can't absorb it without passing it along to customers, increasing the prices they have to pay or I may have to lay some people off or I may just have to close my business altogether.

They are operating on tight profit margins.

When so many economists and so many folks who are working across America are telling us the same thing—and the truth is that it makes perfect common sense—it would be the height of arrogance for us to ignore their concerns. But that is what President Obama and Majority Leader REID are asking us to do today.

I made this point at the beginning. I fully share our colleagues' concerns about the stagnant wages being earned by American workers all across America. Indeed, since the Obama economic recovery—that was after the recession of 2008, but after the Obama economic recovery started kicking in in June 2009, the median household income in

this country has gone down by \$1,800. So I understand the concern, but I find it a little depressing that Congress's only answer is to raise the minimum wage by 40 percent, which will put people out of work and shut down small businesses, when there are a lot better ways for us to address it, and I will talk about that in a moment. Raising the minimum wage by 40 percent will not grow the economy and it will not create jobs. It will do the opposite.

Of course, the truth is—and we read this in newspapers a couple of weeks ago—we all know what is happening here, so let's talk about the 800-pound gorilla here in the Senate Chamber. The truth is that the President and Majority Leader REID don't expect this bill to pass because they actually are very intelligent people and they know the facts as I have just described them here on the floor of the Senate. This is all about politics. This is about trying to make this side of the aisle look bad and hard-hearted to try to rescue this midterm election coming up in November. They see the President's approval rating going down, they see a number of midterm races for the Senate in play, and they have to do something. They are desperate. ObamaCare didn't work out the way they thought it would. You can't keep what you have if you like it. Your premiums didn't go down \$2,500 if you are an average family of four. And, no, you can't keep your doctor in too many cases under the health insurance exchanges. So they are desperate.

We know from reporting in the New York Times and elsewhere that this minimum wage bill—this show vote we are going to have here shortly—is part of a larger messaging package created in collaboration with the Democratic Senatorial Campaign Committee. That is not me talking; that is the admission by the leadership on the other side of the aisle. This is not about actually solving the problem; this is about political theater, courtesy of Majority Leader REID.

The real tragedy is that millions of Americans don't have any time or any patience for this sort of political theater and partisan gamesmanship because the numbers are very troubling. The Obama recovery is 5 years old. Yet 10.5 million people are still unemployed—including 3.7 million people who have been unemployed for more than 6 months—with an additional 7.4 million people working part-time because they can't find full-time work or, because of ObamaCare, their employers have taken them off full-time work and put them on part-time work in order to avoid the employer penalties.

It is true that the hard-working American family needs some help, but the truth is that this remedy being offered today—this medicine—to try to supposedly solve the problem will just make things worse. So I have a proposition to make to our friends across the aisle. If they would work with us, if they would leave these games by the

wayside, and if they would focus for a minute on trying to work with us to engage in solutions that would help grow the economy and help reduce unemployment and help raise wages across the Nation, then we would gladly embrace that, and we have introduced a number of bills that would do exactly that.

I know the distinguished Senator who is presiding comes from an energy-producing State like mine, and this is no mystery to her, but in Texas, like North Dakota, there are a lot of really good jobs, but people don't have the skills necessary to qualify for those good jobs.

I was in Fredericksburg, TX, recently, where they are training welders at the community college. A welder can make \$100,000 or more a year. In the Permian Basin in Midland and Odessa, TX, truckdrivers can make \$100,000 a year. It is unbelievable what this renaissance in American energy has done to our economy and job creation.

One thing we could do that would be a heck of a lot more constructive than this kind of show vote and partisan gamesmanship would be to improve our workforce training programs, the Pell grant program, and try to find ways to get people the training they need in order to qualify for these good, high-paying jobs being created by this wonderful renaissance in American energy.

We could do some other things. We could try to rein in some of the regulations that I hear about day in and day out from my constituents are constraining businesses. We could approve the Keystone XL Pipeline, which makes a lot of sense and would create about 42,000 jobs. It would give us a safe source of energy from a friendly country such as Canada. We could do something else constructive. We could provide some relief for those people who have had full-time jobs turned into part-time jobs because of ObamaCare. Senator COLLINS from Maine and Senator SCOTT from South Carolina have a bill that would do exactly that.

Unfortunately, while I am an optimistic person, I am not particularly optimistic about the majority leader and the President changing their tactics in this election year. So that is why, tragically, under these circumstances we find ourselves here today debating a jobs bill that will actually kill jobs rather than one that would create jobs. What a terrible lost opportunity that is.

I see my friend from Maryland is here ready to speak.

I ask unanimous consent that several letters that have been provided to us by organizations such as the American Hotel & Lodging Association, the Wholesale Marketers Association, among other business organizations, including the U.S. Chamber of Commerce, be printed in the RECORD at the conclusion of my comments. All of these letters are opposing this 40-percent minimum wage increase.

I would finally ask unanimous consent to make as part of the record a column written by a gentleman by the name of Michael Saltsman in the IndyStar newspaper entitled "Wage hike cost is no myth." This is the source for the information we got about the Clinton archives and this memo that Gene Sperling wrote to President Clinton advising him that even though it might be good temporary politics, it would actually hurt a lot of low-wage workers. I ask unanimous consent that they be made part of the RECORD.

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

[From the Indy Star, Apr. 26, 2014]

WAGE HIKE COST IS NO MYTH

(By Michael Saltsman)

President Obama and Democrats in Congress have made a 40 percent increase in the minimum wage their signature election-year initiative. Supporters of the policy have dismissed concerns that the policy will hurt jobs as a "myth" (Indiana University's Fran Quigley made the claim in his April 15 column). But the "myth" argument has become increasingly difficult to defend. Not only has the nonpartisan Congressional Budget Office validated opponents' worst fears about a higher minimum wage and job loss, but the release of new papers from President Clinton's archives shows that his own economic team had misgivings about a 40 percent wage hike.

In 1998, the U.S. economy was relatively strong: Business was booming, unemployment was at 4.6 percent, and just under 14 percent of teens were unemployed. (That's a relatively low figure for this demographic group.) The late Democratic Sen. Ted Kennedy had proposed a 40 percent increase in the federal minimum wage, from \$5.15 an hour to \$7.25.

But in a memo to President Clinton, chief economic adviser Gene Sperling warned against supporting the senator's plans: "Your entire economic team believes that this [40 percent increase] approach is too aggressive . . . and could prove damaging to the employment prospects of low-skilled workers." Clinton took his team's advice. Flash forward 16 years: The U.S. economy today is dramatically weaker than it was in the late 1990s. Unemployment stands at 6.8 percent, and the unemployment rate for young adults is 20.6 percent. (The jobless rate for this young age group has been above 20 percent for 66 months, a historical record.) If President Clinton's economic team was concerned about enacting a 40 percent wage hike in 1998, they'd be scared to death of doing it now.

And with good reason: The CBO analyzed the minimum wage proposal on the table, and estimated that as many as 1 million jobs would be lost if it was passed. A recent national survey of affected employers indicates that nearly 40 percent would be forced to cut staff to adapt to the higher labor costs. Even the Obama White House, in private conversations in 2013, was uneasy with a dramatic wage increase in this environment: According to the Washington Post, the president's team "rejected a figure so high, worried that it could destroy jobs."

What explains this year's lapse of economic judgment, then? One explanation, supported by reporting in The New York Times, is that the push for \$10.10 is an election-year ploy to boost enthusiasm among the party's base. It's also a useful tactic to change the

conversation away from the deeply unpopular health-care law—even if it comes with collateral damage for the least skilled in America. We won't know for certain if President Obama endorsed this cynical strategy until his own records and papers are released—perhaps 10 or 15 years from now. What we can say for certain today is that supporters of a higher minimum wage are flat-out wrong when they dismiss the employment consequences of a 40 percent hike. If claiming that a minimum wage hike will harm jobs truly is a "right-wing myth," it's the only such myth that both the Obama and Clinton White Houses believed in.

APRIL 28, 2014.

DEAR SENATOR: The undersigned associations, representing a broad cross section of the U.S. economy, urge you to reject current proposals to raise the Federal minimum wage. One such proposal is S. 2223, the Minimum Wage Fairness Act, which will increase the minimum wage to \$10.10 per hour for non-tipped employees and tie future minimum wage increases to inflation.

For many businesses, this 39 percent increase could truly be the difference between continuing to operate and going out of business. For the employees it attempts to help, it may be the difference between a job and unemployment.

As the Congressional Budget Office recently confirmed, raising the minimum wage will be detrimental to job creation and low-skilled workers trying to get started on the economic ladder. Traditional economic theory and modeling holds that the more expensive something is, the less of it one can afford. This is exactly what will happen if the minimum wage is increased—there will be fewer low-skilled workers hired, other workers will lose hours, and employers will have more incentive to find other ways to be productive, such as using technology or automation where they would previously have hired someone. When Congress' own economists say increasing the minimum wage will reduce employment, Congress should listen.

Any discussion about raising the minimum wage needs to recognize that many businesses run under very slim operating margins and will have the hardest time absorbing these higher labor costs. They will have to find more revenues or trim costs to make up the difference. Furthermore, indexing the minimum wage to inflation means that employers will likely be faced with automatically increasing labor costs without an automatic increase in revenues or profits.

Further, while the legislative package may contain benefits intended to help small businesses, these are insufficient to mitigate the negative impact the wage increase will surely have on businesses.

We respectfully ask that you oppose S. 1737 and other similar proposals to raise the minimum wage. The best way to help low-skilled and low-income workers is to favor more comprehensive, pro-growth solutions to our nation's most pressing economic issues.

Sincerely,

American Hotel and Lodging Association, American Wholesale Marketers Association, Asian American Hotel Owners Association, Association of Kentucky Fried Chicken Franchisees, International Franchise Association, International Warehouse Logistics Association, National Association of Manufacturers, National Association of Theatre Owners, National Association of Wholesaler-Distributors, National Council of Chain Restaurants, National Federation of Independent Business, National Franchisee Association, National Grocers Association, National Office Products Alliance, National Restaurant Association, National Retail Federation, NATSO, representing America's

Travel Plazas and Truckstops, Petroleum Marketers Association of America, Professional Landcare Network, Society of American Florists, U.S. Chamber of Commerce.

AMERICAN FARM BUREAU FEDERATION,  
Washington, DC, April 29, 2014.

Re: American Farm Bureau Federation Opposition of S. 2223

U.S. SENATE,  
Washington DC.

DEAR SENATOR: For agricultural producers across America, remaining economically competitive on fruits, vegetables and other commodities that are labor intensive is a continual struggle. Particularly over the last few decades, the American market has seen tremendous increases in the importation of foreign-grown produce, especially from nations where labor costs are substantially lower than those in the United States. Nevertheless, hired labor (including contract labor) remains an important input to U.S. agricultural production, accounting for about 17 percent of variable production expenses and about 40 percent of such expenses for fruits, vegetables, and nursery products.

As the Congressional Budget Office recently confirmed, raising the minimum wage will be detrimental to job creation and low-skilled workers trying to get started on the economic ladder. As the minimum wage is increased, workers risk losing hours and employers will have more incentive to invest in technology rather than hiring the low-skilled worker. Additionally, in the agricultural sector, where margins are historically slim, any proposal that escalates labor costs can put growers in a precarious position. S. 2223, the Minimum Wage Fairness Act, proposes to increase the federal minimum wage by nearly 40 percent, making it even more difficult for growers to remain competitive. Growers will have to find more revenues or trim costs to make up the difference. The increased pressure from higher labor costs would only make it harder for farmers, particularly small- and medium-sized growers, to compete or even stay in business.

S. 2223 threatens the economic well-being of many agricultural producers in labor-intensive crops. Farm Bureau urges you to vote "no" on this bill when it is taken up on the Senate floor.

Sincerely,

BOB STALLMAN,  
President.

CHAMBER OF COMMERCE OF THE  
UNITED STATES OF AMERICA,  
Washington, DC, April 29, 2014.

TO THE MEMBERS OF THE UNITED STATES SENATE: The U.S. Chamber of Commerce, the world's largest business federation representing the interests of more than three million businesses of all sizes, sectors, and regions, as well as state and local chambers and industry associations, and dedicated to promoting, protecting, and defending America's free enterprise system, urges you to vote against S. 2223, the "Minimum Wage Fairness Act," which would ultimately increase the federal minimum wage by \$2.85 per hour, and index it to inflation.

The proposed increase—almost 40 %—would cause small business employers who have very tight operating margins and are least able to absorb higher costs to eliminate entry-level jobs, reduce hours and benefits for current employees, and possibly dismiss current employees. Furthermore, indexing the minimum wage to inflation means labor costs would continue to increase even though employer revenues and profits may not.

Many economists, including those used by Congress, have concluded that raising the

minimum wage would be detrimental to job creation and low-skilled workers trying to get started on the economic ladder. The Congressional Budget Office recently determined that as many as 500,000 jobs could be lost by late 2016 if this increase is passed. This determination was later endorsed by Chairman of the Federal Reserve Janet Yellen—if the minimum wage is increased there would be fewer low skilled workers hired, other workers would lose hours, and employers would have more incentive to replace employees with technology or automation.

The economics columnist Robert Samuelson summed it up well: "Many studies find negative job effects. The CBO didn't make them up. Hiking the minimum wage is more compelling as politics than as social policy . . . weak labor markets still reflect the Great Recession's hangover."

Additionally, the temporary tax breaks included in this bill to soften the impact would not offset the harm of the additional labor costs. The push for this increase in the minimum wage comes against the backdrop of employers struggling to recover from the recession and to figure out the impact of Obamacare on their operations. The last thing they need is for the cost of their labor to go up as well.

Increasing the minimum wage would be a further drag on the economy and Chamber members trying to be part of the recovery, both big and small. The Chamber strongly opposes S. 2223, the "Minimum Wage Fairness Act." The Chamber may consider including votes on, or in relation to, S. 2223—including votes on the motion to proceed—in our annual How They Voted scorecard.

Sincerely,

R. BRUCE JOSTEN,  
Executive Vice President,  
Government Affairs.

INTERNATIONAL FOODSERVICE  
DISTRIBUTORS ASSOCIATION,  
McLean, VA, April 29, 2014.

DEAR SENATOR: On behalf of the International Foodservice Distributors Association, I am writing to urge you to oppose legislation to raise the minimum wage. As our economy continues to struggle amid uncertainty around issues such as healthcare, now is not the time for government to impose additional new costs on American businesses.

IFDA is the non-profit trade association that represents businesses in the foodservice distribution industry throughout the United States and internationally. IFDA members include broadline, systems, and specialty foodservice distributors that supply food and related products to professional kitchens from restaurants, colleges and universities, to hospitals and care facilities, hotels and resorts, and other foodservice operations. Our members operate more than 800 distribution facilities with more than \$125 billion in annual sales.

Increasing the minimum wage at this time makes little sense, especially with our foodservice operator customers continuing to face tremendous headwinds from a wide variety of factors. As employers struggle to create jobs, the nation's job participation rate remains at historically low levels. This has resulted in severe reductions in consumer's disposable income, a critical element in the growth of food away from home.

Other challenges have come from additional government requirements. The employer mandate in the Affordable Care Act will result in dramatic cost increases as operators must provide healthcare for their employees or move their workforce away from full time employment. The continued diversion of corn to the fuel supply created by the Renewable Fuel Standard has increased costs by as much as \$18,000 per year to individual restaurant operators.

Increasing the minimum wage now will do nothing to solve what continues to be the most critical issue facing our nation today, the stagnant economy and continuing high unemployment rate. I strongly urge you to oppose any effort to increase the minimum wage.

With best wishes,

JONATHAN EISEN,  
Senior Vice President,  
Government Relations.

INTERNATIONAL FRANCHISE  
ASSOCIATION,

Washington, DC, April 29, 2014.

DEAR SENATOR: On behalf of the nation's 825,000 franchise small businesses and the nearly 18 million workers they support, I write today to urge you to vote against legislation to raise the federal minimum wage. One such proposal is S. 2223, the Minimum Wage Fairness Act, which will increase the minimum wage to \$10.10 per hour and tie future minimum wage increases to inflation. For the many franchise businesses that are labor-intensive and already operate on thin profit margins, this legislation could be the difference between continuing to operate and going out of business—between maintaining employees or shedding more jobs.

Businesses should be able to determine the most competitive starting wage and subsequent raises for their employees within their industry and local economy. A drastic minimum wage increase would ripple throughout the fragile American economy and undermine employer's desires to reward hard work with wage increases. This effect will be even more pronounced when combined with the full implementation of the Affordable Care Act's employer mandate. According to the Congressional Budget Office, raising the minimum wage will be detrimental to job creation and low-skilled workers trying to get started on the economic ladder. When Congress' own economists say increasing the minimum wage will reduce employment, Congress should listen.

Although this legislation contains other benefits for small businesses that the International Franchise Association (IFA) fully supports, they are insufficient to mitigate the negative impact of a drastic increase in the minimum wage. On their own, tax incentives for purchasing or hiring are a significant boon for franchise business owners, and they should be considered along with other business tax extenders that will help the nation's small businesses grow and thrive. Including important pro-growth initiatives as a sweetener for the bitter pill of an artificial wage floor that disrupts the labor market is the type of public policy that holds our nation's franchise owners back from fully contributing to the nation's economic recovery.

I urge you to vote "NO" on this measure. The IFA will consider all votes on, or in relation to, this issue among our annual list of "Key Votes."

Sincerely,

STEPHEN J. CALDEIRA,  
President & Chief Executive Officer,  
International Franchise Association.

NATIONAL COUNCIL OF  
CHAIN RESTAURANTS,  
Washington, DC, April 28, 2014.

Hon. LAMAR ALEXANDER,  
U.S. Senate,  
Washington, DC.

DEAR SENATOR ALEXANDER: The U.S. Senate is expected to consider S. 2223, legislation seeking to increase the federal minimum wage from its current level of \$7.25 an hour to \$10.10 an hour, an increase of 40 percent. On behalf of the National Council of Chain Restaurants, I am writing to express our strong opposition to this ill-timed and flawed proposal.

At this key juncture in the country's economic recovery, the last thing that the Senate should be considering is a scheme to raise labor costs on many local businesses across the United States. As you may know, the vast majority of workers earning the minimum wage are teens living with their parents, adults living alone, or second household earners. Moreover, as minimum wage workers gain important skills, they receive significant raises. As such, the legislation before the Senate fails to recognize that the federal minimum wage is a starting wage, and that most employees don't stay on this starting wage for very long.

In addition, S. 2223 would increase the cash wage for tipped employees by almost 240 percent. This provision is included even though current law already requires employers to pay eligible employees the statutory wage rate in the uncommon instance that tipped income doesn't reach the starting wage rate (on a national level, the median hourly wage for tipped employees is \$16-\$22/hour). Finally, the proposal links future wage hikes to the consumer price index, injecting an unnecessary degree of uncertainty and volatility into labor cost calculations for chain restaurant businesses.

Chain restaurants are employers of opportunity in local communities around the country, whether it is a first job for individuals with limited work skills to long-term careers in a fast-paced, competitive and innovative industry. Rather than considering legislation which raises the cost of staying in business for labor-intensive small establishments while limiting needed job opportunities, the Senate should advance policies proven to foster broad-based economic growth and to address the historically low labor participation rate and the nation's persistently high unemployment rate (including a teen unemployment rate of over 20 percent).

We urge you to oppose S. 2223, or related legislation, when it is considered by the U.S. Senate.

Sincerely,

ROBERT J. GREEN,  
*Executive Director.*

NATIONAL FEDERATION OF  
INDEPENDENT BUSINESS,  
*Washington, DC, April 29, 2014.*

DEAR SENATOR: On behalf of the National Federation of Independent Business (NFIB), the nation's leading small business advocacy organization, I am writing in strong opposition to S. 2223, the Minimum Wage Fairness Act, a bill to increase the minimum wage to \$10.10 and permanently index it to inflation. NFIB opposes any effort to increase the federal minimum wage, and a vote on S. 2223 will be considered an NFIB KEY VOTE for the 113th Congress.

Like most government mandates on business, raising the minimum wage will have a deep and disproportionate impact on the small-business sector because small businesses are the least able to absorb such a dramatic increase in their labor costs. The small-business sector has historically created two-thirds of net new private jobs in the U.S. economy, but has failed to recover in recent years because of a series of policies that increase the burden on small-business owners—increases to healthcare costs, higher taxes, more costly regulations, and now the minimum wage increase proposal.

The minimum wage directly affects small businesses because a large amount of their earnings go directly to pay for operating expenses, such as equipment, supplies, property costs, inventory and employee wages and benefits. Increasing labor costs does not incentivize growth or hiring—they make it nearly impossible. Permanently indexing the

minimum wage, like S. 2223 proposes, would ensure that it would rise every year, further adding to the burden placed on employers and placing them at a competitive disadvantage. S. 2223 also increases the minimum cash wage for tipped employees until it reaches 70 percent of the federal minimum wage. Raising the cost of labor creates incentives for employers to find ways to use less labor.

The latest Congressional Budget Office (CBO) report supports NFIB's Research Foundation findings: significant job loss as a result of increasing the minimum wage. NFIB's Research Foundation analyzed the potential economic impact of raising the California, Illinois, New Jersey and New York minimum wages, and the results were telling. An increase of California's minimum wage to \$9.25 per hour would cost the state 68,000 jobs—63 percent of which are in the small business sector—and a \$5.7 billion reduction in real economic output. Illinois would lose 21,000 jobs (67 percent in small businesses) and \$4.5 billion in economic output from an increase to \$10.65 per hour. A New Jersey proposal to increase the minimum wage to \$8.25 would cut 31,000 jobs from the state (59 percent in small businesses) and \$17.4 billion in lost economic output. The New York study concluded a loss of 68,000 jobs (more than 70 percent in small businesses) and \$2.5 billion in lost economic output.

The job killing effects of this minimum wage hike are obvious. Small business cannot afford another economically devastating mandate from the federal government. NFIB urges you to vote NO on S. 2223 and will consider it an NFIB KEY VOTE for the 113th Congress.

Sincerely,

SUSAN ECKERLY,  
*Senior Vice President,  
Public Policy.*

NATIONAL GROCERS ASSOCIATION,  
*April 28, 2014.*

HON. SENATOR HARRY REID,  
*Senate Majority Leader, Hart Senate Office Building, Washington, DC.*

HON. SENATOR MITCH MCCONNELL,  
*Senate Republican Leader, Russell Senate Office Building, Washington, DC.*

DEAR SENATOR REID AND SENATOR MCCONNELL: The National Grocers Association (NGA) strongly urges a NO VOTE on the Minimum Wage Fairness Act (S. 2223) as it comes to the floor for a vote. NGA Independent retail and wholesale grocers have a significant economic impact across nearly every community in America. Our industry is accountable for close to 1 percent of the nation's overall economy and is responsible for generating \$131 billion in sales, 944,000 jobs, \$30 billion in wages, and \$27 billion in tax revenue. We are proud that the communities we serve are also the neighborhoods we live in.

The Minimum Wage Fairness Act, if enacted would increase the federal minimum wage to \$10.10 per hour over a 2 year period and tie future minimum wage increases to inflation. While the independent grocery industry welcomes any focus on the improving economy and creating jobs, a minimum wage increase during a time when our economy continues to recover runs counter to that goal. A recent Congressional Budget Office (CBO) supports this claim noting that increasing the minimum wage to \$10.10 an hour could reduce total employment by 500,000 workers by the second half of 2016.

According to the U.S. Bureau of Labor Statistics in 2012, cashiers in the grocery industry made an hourly mean wage of \$10.24, nearly 2 dollars more than the current federal minimum wage and higher than any of

the other retail industries including department stores, convenience stores, and restaurants. Grocers are proud of the jobs that we provide and the wide array of career opportunities we offer to our employees. We are often the first job for many teens and offer diverse opportunities for employees of many skill sets, some of which have age restrictions such as meat cutters, bakers, and fork lift operators who must be at least 18 years of age.

Because this is a critical issue to our member companies, NGA will be key voting the Minimum Wage Fairness Act (S. 2223) and including it on our 2014 Legislative Scorecard. Thank you for your consideration. Independent grocers look forward to your support on this very important issue by VOTING NO on S. 2223.

Sincerely,

PETER J. LARKIN,  
*President and CEO.*

NATIONAL ASSOCIATION  
OF MANUFACTURERS,  
*Washington, DC, April 29, 2014.*

U.S. SENATE,  
*Washington, DC.*

DEAR SENATORS: The National Association of Manufacturers (NAM), the largest manufacturing association in the United States, representing manufacturers in every industrial sector and in all 50 states, urges you to oppose the Motion to Proceed to S. 2223, the Minimum Wage Fairness Act introduced by Senator Tom Harkin (D-IA).

The NAM supports labor policies promoting job creation and manufacturers are committed to compensating employees at a competitive wage for their work. High levels of job performance and employee satisfaction are encouraged by relating compensation that is both internally equitable and externally competitive to performance on the job.

The Congressional Budget Office (CBO) recently reported raising the minimum wage from \$7.25 to \$10.10 an hour will be detrimental to job creation. In fact, CBO estimates that an increase in the minimum wage to \$10.10 an hour could result in a loss of employment of 500,000 by the second half of 2016.

The NAM's Key Vote Advisory Committee has indicated that votes on S. 2223, including procedural motions such as a Motion to Proceed, may be considered for designation as Key Manufacturing Votes in the 113th Congress. Thank you for your consideration.

Sincerely,

ARIC NEWHOUSE,  
*Senior Vice President,  
Policy and Government Relations.*

NATIONAL RESTAURANT ASSOCIATION,  
*Washington, DC, April 28, 2014.*

DEAR SENATOR: On behalf of the nation's restaurant and foodservice industry, we urge you to oppose the Minimum Wage Fairness Act (S. 2223). The National Restaurant Association may consider any votes on, or related to, this legislation in our annual "How They Voted" legislative scorecard.

The Minimum Wage Fairness Act, would increase the federal minimum wage to \$10.10 an hour and raise the minimum cash wage for tipped employees to 70 percent of the minimum wage for non-tipped employees. This represents a nearly 40 percent increase in the current federal wage, and a tripling of the cash wage for employees who receive tips.

With over 13.5 million employees, the restaurant and foodservice industry is the second-largest private employer in the United States. As average pre-tax profit margins in the restaurant industry range from 4 to 6 percent, restaurateurs have little ability to absorb or offset higher labor costs, especially

at this time of economic and operational uncertainty. Roughly 90 percent of the industry consists of small business owners, with only 1 out of 10 restaurants in the U.S. owned and operated by chain corporations.

The nonpartisan Congressional Budget Office (CBO) officially concluded that raising the federal minimum wage to \$10.10 would result in 500,000 job losses. Moreover, that's a conservative estimate, as CBO recognized in its analysis that the job losses could be as high as 1 million.

As the continued fiscal battles at the federal level have negatively affected consumer confidence, the unknown factors associated with potentially significant cost increases from implementation of the 2010 health care law have created an increasingly difficult business environment for Main Street businesses. While we understand the legislation is intended to help low-income families, U.S. Census data reveals that the average household income of restaurant employees who earn the federal minimum wage is \$62,507. Moreover, according to U.S. Bureau of Labor Statistics, 71 percent of minimum wage restaurant workers are individuals under the age of 25, most of whom work part-time. These are critical positions for bringing people into the labor force.

Mandating such a dramatic increase in the starting wage at this time, when many businesses are already struggling in a difficult economic climate, will limit employment opportunities and slow economic growth in a sector of the economy that is undergoing a tremendous amount of change. We welcome a discussion about wages and economic factors, but we ask you to oppose this proposed wage increase and similar proposals and work with the small business community on a plan to strengthen the economy and create some sense of certainty going forward.

Sincerely,

SCOTT DEFIFE,  
*Executive Vice President,  
Policy and Government Affairs.*

NATIONAL RETAIL FEDERATION,  
*Washington, DC, April 29, 2014.*

Hon. MITCH MCCONNELL,  
*Republican Leader,  
U.S. Senate, Washington, DC.*

DEAR REPUBLICAN LEADER MCCONNELL: On behalf of the National Retail Federation (NRF) and the nation's retail industry, I am writing to urge you to oppose the proposed forty percent increase in the federal minimum wage that the Senate plans to consider this week. Our nation's economy is continuing to struggle to create jobs, and this legislation will likely make it worse, particularly among younger workers. Please note that we will consider votes on this measure among the Key Retail Votes for our annual voting scorecard.

NRF is the world's largest retail trade association, representing discount and department stores, home goods and specialty stores, Main Street merchants, grocers, wholesalers, chain restaurants and Internet retailers from the United States and more than 45 countries. Retail is the nation's largest private sector employer, supporting one in four U.S. jobs—42 million working Americans. Contributing \$2.5 trillion to annual GDP, retail is a daily barometer for the nation's economy. NRF's This is Retail campaign highlights the industry's opportunities for life-long careers, how retailers strengthen communities, and the critical role that retail plays in driving innovation.

Raising the standard of living for low-skill, low-wage workers is a valid goal, but there is clear evidence that mandated wage hikes undermine the job prospects for less skilled and part-time workers. Policymakers have other tools, such as increasing the earned income

tax credit, fixing the tax code, education improvements, immigration reform, transportation funding, and strong trade alliances that will aid in achieving that goal without creating more unemployment. Finding more opportunities for those trying to start out is a better economic approach than restricting the amount of jobs for those seeking employment.

What we should be doing is talking about how we improve people's chances to move up. The minimum wage was designed to have young people get into the marketplace to get started. With a workforce of 155 million, a approximately 2 million are on minimum wage. To talk about raising the entry, or starting, wage is to admit we have failed on education and training.

Slow job growth is the most pressing issue facing the U.S. economy and our focus should be on the creation of jobs and increasing opportunities for the under-employed. For many businesses, particularly smaller employers, uncertainty is the dominant mood. Higher labor costs also loom in the future with the pending implementation of the Affordable Care Act. All of these factors suggest that now is the least opportune moment to engage in what is essentially an opportunity tax by raising the minimum wage.

Employers respond to higher labor costs by hiring fewer workers. A higher minimum wage eliminates entry-level positions that provide unskilled employees the opportunity to gain experience. Less experience makes it harder for workers to become more productive and earn higher wages. There is a domino effect: such an increase creates wage inflation by putting upward pressure on existing wages of those making more than the minimum. It would limit job growth and stunt that group of workers ability to advance. There would be a contraction of jobs instead of an increase in positions available. Lost jobs as a consequence of a higher minimum wage will inevitably make it harder for these individuals to learn new job skills than can create a path to a brighter future.

The retail sector has been a leading job creator throughout the recession and the recovery. For many Americans, the retail industry provides the chance to learn new job skills, to earn a living, to find a career, or to earn some extra money. Retail offers a wide range of career opportunities, the vast majority of which are above minimum wage, and supports one out of four U.S. jobs.

NRF encourages Congress to forgo soundbite politics and instead focus on economic policies that find ways of putting people to work. This is not the time for yet another anti-job mandate for those employees that are looking for jobs and those companies who want to help grow the economy.

NRF looks forward to working with Congress as you seek to increase economic growth in this country.

Sincerely,

DAVID FRENCH,  
*Senior Vice President,  
Government Relations.*

Mr. CORNYN. Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Thank you, Madam President.

I have been on the floor several times, and many of my colleagues, particularly on this side of the aisle, have been here to talk about a growing trend in America; that we see a concentration of wealth and a shrinking middle class. If you are a business owner, you should be very concerned about that. The growing middle class is

what buys the products that go to the restaurants that keep our economy going. Time and time again we have asked to proceed on legislation that would allow us to help the growing middle class. This is not our first effort with the minimum wage. Many States have passed increases in the minimum wage. It is time for our Federal Government to do the same, to help a growing middle class.

The last effort was on behalf of gender equity, paycheck fairness, where we sought to have a fair shot for women in the workplace, so they don't have to work extra time to make the same income as a man for equal work. A woman receives on average about 77 percent of what a man does in the same job. So we tried to move forward with a fair shot for women with paycheck fairness. But, no, the Republicans said, no, we are not even going to consider it. We are not even going to take that up.

We are hearing some of the same arguments now in regard to proceeding on the debate on the minimum wage. My friend from Texas talked about the Affordable Care Act. We are proud the Affordable Care Act gives a fair shot for all Americans to have access to quality, affordable health care. Millions of Americans today have quality health insurance coverage they didn't have before the passage of the Affordable Care Act. It is working. We now know that insurance companies cannot discriminate against women or anyone based upon preexisting conditions. Those days are over. There is now a fair shot for health care access—access for all Americans. We know small business owners now can get competitive plans and they can choose among a lot of different types of plans, a fair shot for small business owners to be treated equally with larger companies in regard to the insurance marketplace. We have done that.

We have expanded Medicaid to close that coverage gap known as the doughnut hole for prescription drug coverage, and there are no longer any copayments on preventive health care. We extended Medicare because we want a fair shot for our seniors for their security, and that is why our caucus defends the Social Security system, knowing how important it is for our seniors. Yes, we do fight for our children. A fair shot for our children means we support Head Start and we support help for higher education because we know that is the ticket to economic growth.

In a few moments—in a few moments—we will have a chance for a fair shot for working families in this country by moving to consider the minimum wage law. We haven't adjusted the minimum wage law for a long time. I heard my friend from Texas talk about job issues. Every time we have increased the minimum wage our economy has grown, and there is a reason for that. This legislation will put \$34 billion into the economy, will help

grow the economy, and will lift 2 million Americans out of poverty.

Think about this. If someone works 40 hours a week and they receive the minimum wage, there is not a State in this country where they can get affordable housing. People cannot support their family on the minimum wage in the United States of America. By passing the Minimum Wage Act, we give 28 million Americans a raise. This is a fair shot for all workers in this country.

Let me dispel some of the rumors that are out there. The average age of a person on minimum wage is 35 years old. We are not talking about college students. We are talking about people trying to support a family on the minimum wage, and they cannot do it. Many have children. The majority are women. It is time we answer this inequity in our system. We haven't had an increase in the minimum wage—in fact, if we look at what it was in 1968, this increase will basically get us back to where we were in 1968. It will help our economy.

We have heard these projections before; that every time we do this it will kill jobs. It doesn't do that. Look at the history. Look at what has happened with the previous increases in the minimum wage: Our economy has gotten stronger. It has grown stronger.

So it is time to give a raise to American workers. It is time to help a growing middle class. It is time we give a fair shot to working families in America. I urge my colleagues to vote to proceed on this debate. Don't continue a filibuster. Let's give America a fair shot, and I urge my colleagues to support the motion to proceed.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Thank you, Madam President.

I rise to offer rebuttal to the claims my colleagues on the other side of the aisle are making about their proposals to enact an unprecedented increase in the Federal minimum wage. I come at this issue as a former small business owner and an employee who once worked for the minimum wage. I started as a stock boy. Another time I was a window washer. I learned some important things while I was doing that: I learned work ethic, I learned to show up on time, I learned to do the job well, and learned other skills so I could advance. Eventually I got the schooling, skills and the work ethic to own my own business.

My colleagues gloss over the fact that minimum wage is for entry-level employees. Unskilled workers, young people, and those new to the workforce are those who typically earn the minimum wage because it is their first job or opportunity to gain career skills. This is evidenced by the fact that a majority of minimum wage earners are between the ages of 16 and 24. These are the jobs where the workers learn to be dependable, how to work with other

employees, and how to obtain that work ethic. A lot of them don't know how to run a cash register. They don't know how to make change. They don't know how to greet a customer. They don't know how to interrupt their texting in order to wait on the customer. This is why two-thirds of the employees who start at the minimum wage are earning more than the minimum wage within 1 year. They learn how to do those things. They pick up skills.

Somebody was talking to me about how people who are getting the minimum wage are in dead-end jobs such as fast food. I happened to be standing next to a guy who was working at Burger King. He said: Wait a minute. I started 6 months ago. I started at minimum wage. I learned the job. I am dependable. I show up. I know what the other work is. I am a supervisor now. In 6 months, I am a supervisor. I am making a lot more than the minimum wage, and in another year I might have my own store.

That might have some validity because I have a friend in Cheyenne who owns a McDonald's, and he points out to me the other people in Wyoming who now own a McDonald's who used to work for him who all started at a minimum wage. You have to start somewhere.

A lot of people think when they graduate from college they are supposed to move into an executive position. Chances are they will get a job and they will start at the bottom of the company. If they do their work well, learn the skills and become dependable, they will work their way up and they will make more money.

Even more troubling are the claims my colleagues are making to justify this particular increase. Increasing the Federal minimum wage by nearly 40 percent represents an arbitrary and unprecedented increase which is largely unsupported by economic analysis. Both in the Health, Education, Labor & Pensions Committee and on the Senate floor advocates for this bill have declared that an increase to \$10.10 an hour would restore the minimum wage to the purchasing power it had in 1968. They make this claim because they use the Consumer Price Index to justify their point of view. What they are doing is starting an inflation cycle.

Look at this. If somebody is making \$7 and they get moved to \$10, the person who is working for \$9 has to go to \$12 and the person at \$11 has to go to \$14 and so on up. You cannot put on a new guy with no skills at a wage higher than they were before unless everybody gets a pay raise. That is wonderful. It goes all the way up the ladder. It just doesn't stop at the \$14 level. In fact, it even affects seniors. The seniors' cost of living is based on wages, not on what it costs a senior to buy something. So everybody in America is going to get a raise, and that is wonderful, except—and here is the catch—in order to pay for those raises the money has to come from somewhere.

So if you like the dollar deal at your fast-food place, get ready for a dollar and a half at your fast-food place. Yes, right, it is only a 40-percent increase, but a buck and a half sounds better than \$1.40, so they are going to raise it to the next level where they can pick up the customers, where it will sound good. Yes, you get a 30-percent increase, but the cost of what you buy goes up 30 percent. Did you get ahead? I don't think so.

The only one that gains in that is the Federal Government. You have moved into a higher tax bracket. That is how we raise taxes in America. We cause an inflation cycle. We give people more money and we make them pay more taxes and all they get to buy is whatever they bought before. So that purchasing power of 1968 will go up to the purchasing power of 2009 and beyond because the prices will have to go up.

My colleagues are quick to deny the CBO estimates that we have all seen which suggest their proposed plan would result in a loss of low-wage jobs. The minimum wage does not have to go up for minimum wage employees to get a raise. The proposal before the Senate throws cold water on job creation and adds to the burden businesses are already facing under the President's failed health care program.

Instead, the Senate should be considering proposals which promote job growth. The Workforce Investment Act has been out there for 8 years. It would train millions of people to jobs that are available in their community right now. It would give them skills beyond the minimum wage. Let's consider tax reform, growing U.S. exports, approving the Keystone XL Pipeline, as several of my colleagues and I recently highlighted.

But let me also speak on a personal level about the minimum wage. I have noted many times that I was a small business owner. My wife and I operated our own shoe stores in Wyoming and Montana. I know that all small business owners have families, their own and the families who work with them. One cannot credibly claim to be helping workers while at the same time hurting the businesses that employ them, especially under the guise of helping working families.

At our shoe store we hired people who didn't have basic skills. Some of them had never run a cash register. They never sold anything. They weren't sure how you dressed in the business community. We put them through courses. Each course resulted in a pay raise. For several people after several months they were actually able to earn what they were paid. Yes, it costs money to train people, especially those who have little or no skills, and those are the ones whom we need to help.

By increasing the minimum wage Congress would shut the employment door on the very individuals they are trying to help. Small business is the driver of our economy. They take these

unskilled workers and they train them. The simple fact is that an increase of minimum wage is of no benefit to a worker without a job or a job seeker without a prospect of getting a job.

I want to cover that tax problem again—the inflation issue. Minimum wage increases also start an inflation cycle. When some people get a wage increase, then everyone has to get a wage increase to recognize those who know more, do more, are more reliable, and have more skills. To pay everyone more, prices have to go up. When this happens, people will make more, but they have to spend more so they actually don't get ahead. The only one who benefits is the Federal Government because they get a tax increase.

At some point someone actually has to produce more to get more, and that can be done with new skills or a new idea with training. The problem we face is one of minimum skills, not minimum wages. The effect may be low wages, but the cause is low skills. We need to address those workers who have few, if any, of the skills they need to compete for a better job and command higher wages.

We need to start thinking in terms of skills, the kind of skills that will help students support themselves and their families in the future, that will empower our current workforce to pursue higher-paying jobs and those without a job to become self-sustaining. I sincerely hope my colleagues on the other side of the aisle reconsider their plans to continue to push this effort. There are a number of bills this Senate can consider that would promote job creation over an arbitrary increase in the Federal minimum wage. Our focus should be on small businesses and creating a business environment that is friendly for growth, builds and gives people jobs that pay more than the minimum wage. Higher prices, higher taxes, and fewer jobs is not what Wyoming and the rest of the country needs in these fragile times.

I yield the floor and reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. BENNET. Madam President, I say to my colleague from Wyoming that I disagree with him on this issue, but I do agree wholeheartedly with his observation about the importance of training people for this 21st century economy, and I have enjoyed working with him so much on the HELP Committee.

I am on the floor today to talk about the minimum wage bill that is before us this week, and once again to have the opportunity to come here and say that Washington, DC, is absolutely decoupled with the conversations people are having in Colorado, whether they are Republicans, Democrats or Independents. We had another example of that here today during this debate—if you can call it a debate—because once again there are people in the Senate who are using their prerogatives as

Senators to keep us from debating a bill fully and to keep us from actually having an up-or-down vote on a bill that the vast majority of Americans support whether they are Democrats, Republicans, or Independents.

There is a reason why America supports this legislation. If you work 40 hours a week in the United States of America—the greatest country in the world—at a Federal minimum wage, you barely make over \$15,000 a year. If you work 40 hours a week—week after week after week—you make \$15,000 a year. A worker in this country with a spouse and two kids, a family of four—a typical family in this country—depending on the single minimum wage paycheck is in deep trouble. They are not just below the minimum wage, that family makes two-thirds of the poverty level.

A breadwinner in a family of four working at the minimum wage is more than \$8,000 below the poverty line. That family with a full-time breadwinner is impoverished in the United States of America to the tune of \$8,000. If you have a family who depends on you to keep a roof over their heads and put food on the table, that is not enough to get by. It is not even close.

It may be hard for people here who are paid \$174,000 a year to understand what it would be like to live on \$15,000, but let's think a little bit about what that family's life is like. The U.S. Department of Agriculture says that even under the cheapest plan possible—the thrickest plan possible—where the family cuts every single corner, spending as little as can be spent, it costs over \$7,000 a year to feed a family of four with growing kids. It costs \$7,000 under the most difficult circumstances possible. At least half of that family's \$15,000 paycheck goes just to groceries—just to feeding a family and keeping them nourished. After payroll taxes, that leaves a family with less than \$7,000 to cover every other cost—that is it. Food is half of what you bring home and you are left with \$7,000.

In Denver, where my family lives, the average rental unit costs over \$12,000 a year. That is an average. That includes tiny studio apartments. In Denver, this family of four would have to squeeze into a rental unit well under half that cost. They would need to live in a space woefully inadequate for their needs, their family, and their children. That family would have to stretch their pocket change—and whatever is left after they spend the money they barely have to feed and house their children—to cover utilities, medicine, health, clothes, transportation, school supplies, and the countless other expenses that life throws at us. It cannot be done. It is simple arithmetic.

A family such as the one I just described needs thousands of additional dollars from the Federal and local government just to get by. We don't want to have a minimum wage that is so low that people who are working 40 hours a week have to be on public assistance

just to support their families. Think about how crazy that is. Someone working full time, 40 hours a week in a minimum wage job today, needs thousands of dollars in support from the Government to provide for their family. That is not what we want in America.

The situation is a lot worse than it used to be because the minimum wage is not indexed to inflation. So as costs rise, the minimum wage loses its purchasing power and stays the same until Congress raises it, which is why we are trying to have this debate here. There is no one else who can do this in America. Democratic and Republican Congresses that have dealt with this over the years have found ways to do it. Congress has raised the minimum wage over and over for precisely that reason.

Even so, today, as we stand on this floor with the responsibility to the American people, our minimum wage is down substantially from where it used to be. The Federal minimum wage stands at \$7.25 an hour. That is \$3.44 an hour and more than \$7,000 a year below what it was in 1968 in real inflation-adjusted dollars. It is a \$7,000 gap, which makes a huge difference to the family of four we just considered trying to survive on the minimum wage.

In 1968, a minimum wage job kept a family of three out of poverty. That is what the Congress did in 1968. They said if you work 40 hours a week, your family ought to live above the poverty line. A full-time worker with two children was 20 percent above the poverty line. Today that same family is 19 percent below the poverty line all because the minimum wage has not kept pace with inflation. It also has not kept pace with average earnings.

In 1968, the minimum wage was 54 percent of the average hourly pay for a U.S. worker; today it is just 36 percent. At the same time, even when you account for inflation, college costs are three times what they were four decades ago. It is no wonder that the working families I hear from in Colorado feel they are working harder than ever before but falling farther behind.

The bill we are talking about today raises the Federal minimum wage by 39 percent to \$10.10 an hour. That is actually less than the 47-percent increase that is required to get back to the 1968 level. So we are still not going to be back where we were in 1968, but we will make progress in the sense that the people who are earning minimum wage will no longer be living in poverty.

Consider what this bill does for a family's ability to provide for itself. Look at just one major Federal safety net program, the Supplemental Nutrition Assistance Program or SNAP. Food stamps is what that is. The reason the House of Representatives held up the farm bill for so long was over the issue of food stamps. As we think about what we are doing here and the debate we are having, I think that is important to keep in context. This is a program that millions of low-income families depend on in order to eat.

This minimum wage bill would reduce SNAP enrollments by over 7½ percent because people would now be making a living wage. That is over 3.1 million Americans who would no longer have to depend on a program to feed their kids. If you vote for this legislation, you are voting to reduce the roles of those who depend on food stamps by 3 million Americans. It is not a virtue that we have those 3 million Americans on food stamps. They ought to be earning a living wage. We would save \$46 billion in SNAP payments over the next decade if we pass this bill.

It applies to other programs as well. Two-thirds of Americans who earn under \$10 an hour use public assistance in some form—two-thirds, two-thirds, two-thirds. Working families—Americans who actually have a job who are working 40 hours a week—cost the Government about \$243 million a year through programs such as SNAP, Medicaid, and other safety-net programs. Raising the minimum wage makes American workers less dependent on these programs to support their families.

There are many compelling reasons to raise the minimum wage. There is a compelling reason why all the surveys show that the American people, no matter what party they are in, think we ought to raise the minimum wage. Yet in a few hours, if nothing changes, a minority of Senators will most likely not even come to the floor to vote on this but will use their powers in the Senate to block an honest up-or-down vote about whether we ought to raise the minimum wage in this country. They don't even want us to have a proper debate on this bill much less pass it.

What is so radical about what we are trying to do that they won't even let us have an up or down vote? Is this somehow unprecedented? Is what we are talking about unknown in the annals of the Senate? Actually, it is not. Since the minimum wage was enacted by the Congress in the 1930s, we have managed to raise the minimum wage on 10 different occasions over 70 years. We have raised the minimum wage very routinely to try—not always successfully—to keep pace with inflation. We have done it many times.

Democratic and Republican Congresses have raised the minimum wage. Democratic Presidents have signed minimum wage increases into law and Republican Presidents have signed minimum wage increases into law. President Eisenhower signed a 33-percent increase in the minimum wage in 1955. President Nixon signed a 44-percent minimum wage increase into law in 1974. George H. W. Bush signed a 27-percent minimum wage increase into law in 1989. In 1996, a Republican-controlled Congress enacted a 21-percent minimum wage increase which President Clinton signed into law. Most recently in 2007, President George W. Bush signed a 41-percent increase into law.

You can see on this chart all the different times the minimum wage has been raised and by how much. If you look at the 10 different times we have increased the minimum wage, the average increase has been about 41 percent. This increase increases it by 39 percent, and that is below average. But to hear some people talk, you would think this bill is an unprecedented assault on American capitalism.

Tom Delay described the minimum wage earlier this year as unconstitutional. Others have said it doesn't affect a lot of workers. Several years ago the Speaker—before he was Speaker—said he would “commit suicide before [he voted] on a clean minimum-wage bill.” This makes no sense. It is at war with our history.

I see my colleagues are here.

I ask and beg my colleagues on the other side of the aisle who are not allowing us to have an up-or-down vote on something that the American people want—whether they are Democrats, Republicans or Independents—to allow us to have that vote.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Madam President, I believe our side has 38 seconds left, and I ask unanimous consent for an additional 60 seconds.

The PRESIDING OFFICER. Is there objection?

Mr. HARKIN. Reserving the right to object.

What was the request?

Mr. VITTER. For an additional 60 seconds to the 38 seconds remaining.

Mr. HARKIN. That is fine.

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

#### HEALTH CARE AMENDMENT

Mr. VITTER. Madam President, I come to the floor to address what I consider to be a very important issue which we have never voted on, and that is the basic principle that Washington should be treated as all other Americans with regard to whatever law we pass, including ObamaCare. Specifically, my “no-Washington-exemptions” proposal regarding ObamaCare has yet to get a vote, so I will be filing that proposal as an amendment to the Portman-Shaheen bill.

As we can remember, late last year it was filed as an amendment to that bill when it was on the floor. There was general agreement at that time, after some back and forth, that it should and would get a vote. It was reported in The Hill on September 17 that Senator REID agreed to a vote on the amendment in the context of that bill. Senator PORTMAN agreed to this concept at the same time—September 18—on the Senate floor, and Senator SHAHEEN did as well on September 18. So I am refiling as an amendment to the same bill.

I look forward to this important debate. I look forward to a vote. Obviously, if an alternative in the near future, such as a stand-alone vote, is pre-

sented, I will be happy to accept that as well. I look forward to coming back to the floor to debate this important issue.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. VITTER. I thank the Chair.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Madam President, we believe that every American who works 40 hours a week deserves a fair shot at getting out of poverty. Under the present minimum-wage law, that doesn't happen. A person can work hard, with pride, as Americans do, and work that 40 hours and still be below the poverty line. That is basically not part of what America is all about, because America says to everybody, if you work hard, you can provide a decent life for yourself and your family. Since the minimum wage has stagnated, that doesn't happen.

Since 1968, the minimum wage has failed to keep up with inflation and has lost a third of its value. That is not a fair shot for Americans. A full-time minimum-wage worker makes only about \$15,000 a year—not a fair shot for Americans. It is wrong. It flies in the face of the American dream.

Each Senator is allowed one guest at the State of the Union Address. I brought a young woman named Shareeka Elliott. Let me tell my colleagues about her. Shareeka is a cleaner at Kennedy Airport. She scrubs toilets and floors from 10 at night until 6 in the morning. After the overnight shift, she hops on multiple buses each day to take her two daughters to school. They are in different parts of the borough of Brooklyn. Only then is she able to get home and take care of her household. For her hard work, Shareeka is paid \$8 an hour—not enough.

When we talk to Shareeka, we find she is a beautiful woman. She is not angry. But do my colleagues know what raising the minimum wage to \$10.10 would do for her? Eighty dollars a week. It would allow her to provide her children with the barest of necessities—when kids can't get clothes and can't get a decent meal when they are not in school; when they can't get any toys for Christmas. That is not America.

This woman isn't a freeloader. She is getting on the bus, traveling 2 hours to Kennedy Airport, working many 8 hours from 10 at night until 6 in the morning, getting back on the bus, and then finding two more buses to take care of her children, and she can't make enough money to get out of poverty. What kind of country is this? It is hard to believe, on both the economics issue and the moral issue, that we have opposition from the other side of the aisle to even let this come to a debate.

We know what raising the minimum wage will do for the millions of Shareekas: It gives them a life with some degree of dignity. It gives their children a little more—not a lot—for

basic necessities. It pumps money into the economy. I bet most Americans would say that even if it costs me a little more—a nickel more on my hamburger to give people such as Shareeka a decent living—most Americans are generous people and they would say that is fair.

Here are our colleagues. They are back in the 19th century, saying we shouldn't do this. It is hard to believe, when we think of the 1890s and the 1930s, how people struggled to get a decent life, and they didn't think of the beauty of the 1940s and 1950s and 1960s and 1970s and 1980s when people knew if they worked hard, they could at least achieve a decent life. That American dream, symbolized by the lady who holds the statue in the harbor of the city I represent, is flickering out. We have a chance now to have it at least lit up a little more. We say no? What is going on in America?

Our colleagues are saying the economy isn't growing as fast as it should. Yet they don't want to pump money into the economy. Our bill is a win/win. Seventy-three percent of all Americans, including a majority of Republicans, support a \$10.10 minimum wage. Tim Pawlenty, former Governor of Minnesota, told his colleagues to support the wage increase. When we have a few small interest groups holding this back, it is a shame.

I urge my Republican colleagues to look at our economy and then look into their hearts, and I am confident that if they did, they would have a change of heart and let us pass this bill.

I will say one final thing. If we don't succeed this time—we believe strongly in a fair shot for everybody, including those who are paid minimum wage and work hard and long—we will bring this bill to the floor again and again and again, and just as with unemployment insurance, sooner or later we will get it done. We will get it done. The American dream, a fair shot for everyone, demands no less.

Ms. MIKULSKI. Mr. President, I wish to express my strong support for increasing the minimum wage. It is outrageous that this Congress will not help middle-class workers.

This Congress needs to do two things to make sure we give a fair shot to everyone and build a stronger middle class: Raise the minimum wage and pass the Paycheck Fairness Act.

I am on the side of economic fairness and building a stronger middle class to bring opportunities to families across the Nation. What is economic fairness? It means that if you work hard and play by the rules, you deserve a fair shot at the American dream.

The minimum wage is at a historic all-time low. It has lost 30 percent of its buying power compared to its peak buying power in 1968. The minimum wage only pays \$15,000 a year. That is \$4,000 below the poverty line for a family of three. Increasing the minimum wage to \$10.10 per hour would pay

\$20,200 a year—lifting that family of three out of poverty.

What does increasing the minimum wage mean for Maryland? Increasing the minimum wage will give 450,000 workers in Maryland a raise. Increasing the minimum wage will improve the lives of 210,000 Maryland children because their parent just got a raise. When we raise the minimum wage, we all move a rung up on the opportunity ladder.

Congress needs to raise the minimum wage so that hard work is worth it—because a full-time job shouldn't mean full-time poverty!

That is why I am an enthusiastic co-sponsor of the Fair Minimum Wage Act. This bill raises minimum wage from \$7.25 per hour to \$10.10 an hour over 3 years and indexes minimum wage to inflation in the future.

Minimum wage is a women's issue. Women make up two-thirds of minimum wage workers nationwide. Congress needs to raise their wages and make sure they are not being redlined or sidelined by outdated policies or harassed and intimidated when seeking justice for pay discrimination.

Being a woman costs more, and women pay more for everything. Women pay more in medical costs than men—an estimated \$10,000 over a lifetime. Women are often responsible for childcare. Women even get charged more for dry cleaning! We are charged more for our blouses than men's shirts, and we are tired of being taken to the cleaners! When we earn less, we are asked to pay more.

Women are almost half of the workforce and 40 percent of them are the sole breadwinners in their families—they are tired of being paid crumbs!

Women continue to make less. Women are still making only 77 cents for every dollar a man makes. Women of color suffer even greater injustice. If you are African American, you earn 62 cents for every dollar a man makes. If you are Hispanic, you earn 54 cents for every dollar a man makes.

Everybody likes to say to us—"Oh, you've come a long way." But I don't think we've come a long way. We've only gained 18 cents in 50 years!

By the time she retires, the average woman will lose more than \$431,000 over her lifetime because of the wage gap. That affects your Social Security and pension. It weakens your retirement security.

Not only do women make up two-thirds of minimum wage workers, women are nearly three-quarters of workers earning tips at their jobs. The minimum wage for employees who earn tips is barely over \$2 per hour. The Fair Minimum Wage Act will slowly increase that base wage by less than \$1 a year until it reaches 70 percent of the regular minimum wage. Increasing this wage will make a huge difference for women breadwinners who have so much to fear from a slow week in an off-peak season.

But this is not about men vs. women. It's about building a middle class.

Wages have been flat for everyone. Men need a pay raise too. When they get it, we'll stand shoulder to shoulder with them—because we all need a raise to raise our families!

The Fair Minimum Wage Act is about putting change in the lawbooks and change in family checkbooks. I'm glad that Maryland is leading the way by passing legislation to raise the minimum wage to \$10.10 per hour by 2018. I will keep fighting to raise the wage nationwide, and I hope Congress will follow Maryland's good example.

Mr. LEVIN. Mr. President, we should raise the minimum wage.

It is indisputable that the minimum wage now lags far behind the cost of living. We last acted to raise the minimum wage in 2009, when we set the current rate of \$7.25 an hour. Adjusted for inflation, that is just \$6.62 in current dollars. And it is far lower than the rate in 1980, which was nearly \$9 an hour when adjusted for inflation.

The CBO estimates that nearly 1 million Americans would rise from poverty under this legislation. And earlier this year, economists who surveyed the empirical research on this subject estimated that the impact would be far greater: roughly 4.6 million people immediately lifted above the poverty line, and 6.8 million over time.

And it is indisputable that failure to raise the minimum wage—among the lowest in the developed world—has contributed to growing income inequality. Here is what *The Economist*, a generally conservative publication, said in December:

Skepticism about the merits of minimum wages remains this newspaper's starting-point. But as income inequality widens and workers' share of national income shrinks, the case for action to help the low-paid grows.

The *Economist* and others recognize that we should consider this issue in the context of a large issue: Increasingly, working hard is not the path it used to be to get ahead in this country. Increasingly, income goes not to working families, but to investors, to the owners of capital. The share of our national income that flows to those who work for a living has, by every measure, fallen. That is enormously troubling. This is a Nation built on the idea that hard work is the path to success, the path to a better future for our families. That breakdown of the relationship between one's labor and one's prosperity threatens to fracture the understandings that have fed our growth and success for more than two centuries.

None of the statements I have made so far are particularly controversial; they represent mainstream economic thinking. Republicans so far have one response to these facts: They say raising the minimum wage will destroy jobs. They cite this as an unassailable fact. But this position is disproved by history, and refuted by economists. When the University of Chicago surveyed leading economists last year,

they said by a four-to-one margin that the benefits of a minimum wage increase outweighed the potential costs.

Republicans have opposed minimum wage increases at any time, under any economic circumstances. Republicans are wedded to a policy of tax cuts for the wealthy, reduced protections for workers and consumers and reduced protection for the environment as the answer to any and all economic problems. Corporate profits are at an all-time high, as are income and wealth for the most fortunate Americans. But for average working families, the last 30 years have been an exercise in running to stand still, or even losing ground.

We can and must raise the minimum wage. Empirical evidence supports it, and fairness demands it.

I yield the floor.

Mr. HARKIN. Madam President, how much time remains?

The PRESIDING OFFICER. There is 8 minutes remaining on the Democratic side.

The Senator from Iowa.

Mr. HARKIN. Madam President, in a few moments we are going to vote here in the Senate on whether we are going to bring the minimum-wage bill to the floor for debate and a vote. In a few minutes, it will be clear where each Senator stands. Who in this Chamber is going to stand with millions of Americans who work full time for a living but who are left in poverty or on the brink of poverty, struggling to make ends meet? Who is going to vote to give these good people a fair shot at the American dream, and who is going to vote against them? We are going to find out in a few minutes.

There is no question that working families need a raise. Fourteen million children in America—that is one in every five—are in a family that would get a raise under our minimum-wage bill.

Businesses need a raise. Over 600 economists—7 Nobel Prize-winning economists—have said the lack of demand is what is hurting businesses in America, because people don't have enough money to go into their stores on Main Street and buy what they need. Businesses need customers. If we raise the minimum wage, the people who are getting the raise aren't going to go to Paris, France, and spend that money. They will spend it on Main Street. That is what our businesses need.

Our economy needs a raise, because when businesses do better, they hire more workers, they add jobs, and it generates more economic growth.

People in poverty definitely need a raise. This bill, our minimum-wage bill, will lift an estimated 7 million people out of poverty. All working families need a raise.

Some of my friends on the Republican side say not all of this goes to people who are in poverty. That is absolutely true, because 12 million people who have family incomes between

\$20,000 and \$60,000 a year will also get a raise. What is wrong with that? These hard-working families need to be able to put some money aside for a rainy day, provide for their kids' education, maybe buy a new car, buy a new home, upgrade. What is wrong with that? So, yes, this helps a lot of American families get a fair shot at the American dream.

I might add, taxpayers need a raise in the minimum wage. Right now, we are spending about one-third of \$1 trillion—\$243 billion a year—on social programs to help families who are struggling to make ends meet, who are low income or who are in poverty. It has been estimated that the minimum-wage bill will save \$4.6 billion a year in money we won't have to pay for food stamps—\$46 billion over 10 years taxpayers will save when we increase the minimum wage, because people will have the money. They will be able to go out and buy their own food and they won't need food stamps.

Again, any way we look at it, we need to raise the minimum wage.

I wish to pick up where Senator SCHUMER left off. This is about real people. This is not abstract.

This is Alicia McCrary of Northwood, IA, a wonderful woman who came to testify before our committee. She has four boys. She moved to Northwood from another State. She was in a very abusive relationship. She wanted to get her kids to a safe place, so she moved there with her four boys. She testified. She works at a fast-food restaurant. She makes \$7.65 an hour. She has four boys, as I said. She is an amazing woman, working very hard. She rides a bus 20 miles each day, every day, to get to work. She wants to work full time, but the bus, which costs her \$10 a day, by the way, only runs until 3 p.m., so she has to leave by then. Her wages are so low that every day she has to tell her children they can't have things their friends have. They can't play a certain sport. They can't get a haircut at the same time. They can't even buy shoes at the same time, because she can't afford it.

Alicia does not want to be on public assistance, but she has to be. She is participating in a program run by the North Iowa Community Action Agency to help her achieve self-sufficiency and get off the system because she wants to support herself through her own work. Here are her own words:

If the minimum wage is increased, it would be very helpful to my family. . . . I would see more reductions in TANF—

That is her public assistance and food assistance—

and would see another increase in my rent, but that would be OK. I will have more money overall and it would come from my own hard work and my family will be better off. I want to work and stand on my own two feet. . . . I work very hard doing my job and I believe I am worth \$10.10 an hour. . . . If you can move forward with increasing the minimum wage, my family will be more successful in reaching our goal of a better life.

This is the real people who will be helped by increasing the minimum wage.

I have listened to a lot of the debate on the floor and I have heard the objections from my friends on the Republican side. I have heard a lot of talk about the Keystone Pipeline and the high-paying jobs it would create. I don't doubt that it probably would. But unless Alicia is ready to pick up and move her four kids to Texas and become a petroleum engineer, it is not going to help her one bit. I haven't heard one offer from the other side that will be a single solution that would help Alicia's life be better. So the Keystone Pipeline isn't going to help Alicia, a fast-food worker who works hard every day. It is not going to put food on her table or help her boys get a haircut or get a pair of shoes or buy a computer so they can do their homework. A minimum-wage increase will do that. A minimum-wage increase will give Alicia a raise.

The American people are desperately calling for us to pass this bill. The time has come. In fact, it is past time to do the right thing, the morally correct thing, to raise the minimum wage. The time has come to give realistic hope—realistic hope, not false hope—to people such as Alicia McCrary and so many people in our country who work hard every day—millions of working Americans—to give them a realistic hope that our economic system is not going to continue to leave them further and further behind. It is time to say yes to giving a fair shot to the American dream, to being a part of the middle class, to Alicia McCrary and millions of hard-working but low-paid Americans. The time has come to raise the minimum wage.

Madam President, I yield back any remaining time.

#### CLOTURE MOTION

The PRESIDING OFFICER. 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 motion to proceed to calendar No. 354, S. 2223, a bill to provide for an increase in the Federal minimum wage and to amend the Internal Revenue Code of 1986 to extend increased expensing limitations and the treatment of certain real property as section 179 property.

Harry Reid, Tom Harkin, Jeff Merkley, Patrick J. Leahy, Cory A. Booker, Elizabeth Warren, Jack Reed, Richard J. Durbin, Benjamin L. Cardin, Thomas R. Carper, Christopher A. Coons, Bill Nelson, Al Franken, Kirsten E. Gillibrand, Sheldon Whitehouse, Robert P. Casey, Jr., Bernard Sanders.

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 motion to proceed to S. 2223, a bill to provide for

an increase in the Federal minimum wage and to amend the Internal Revenue Code of 1986 to extend increased expensing limitations and the treatment of certain real property as section 179 property, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Arkansas (Mr. PRYOR) is necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Arkansas (Mr. BOOZMAN), the Senator from Mississippi (Mr. COCHRAN) and the Senator from Mississippi (Mr. WICKER).

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

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

The yeas and nays resulted—yeas 54, nays 42, as follows:

[Rollcall Vote No. 117 Leg.]

YEAS—54

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

NAYS—42

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

NOT VOTING—4

Boozman	Pryor
Cochran	Wicker

The PRESIDING OFFICER. On this vote the yeas are 54 and the nays are 42. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The majority leader.

Mr. REID. I enter a motion to reconsider the vote on which cloture was not invoked on the motion to proceed to S. 2223.

The PRESIDING OFFICER. The motion is entered.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

225TH ANNIVERSARY OF GEORGE WASHINGTON'S INAUGURAL ADDRESS

Mr. INHOFE. Mr. President, today marks the 225th anniversary of George Washington's inaugural address to the Nation. I don't think anyone has said anything about it. That is a major thing for us to think about each year. It is the 225th anniversary.

It is reported that more than 10,000 people—this is way back 225 years ago—gathered on this day in 1789 to hear from a man who won a war and who is now ushering in an era of peace and freedom in our new Nation.

Peter Lillback is a historian, and he pointed out in his book, which I read recently, that our first President, Washington, knew that everything he was to say in the first inaugural address would set a precedent for all that was to come after him in establishing our Nation. It is why Americans should take note at how Washington weaved in with intentionality his belief in the Omnipotent.

Washington said:

It would be peculiarly improper to omit in this first official Act, my fervent supplications to that Almighty Being who rules over the Universe.

Washington went on to say:

No people can be bound to acknowledge and adore the invisible hand, which conducts the Affairs of men more than the People of the United States. Every step, by which they have advanced to the character of an independent nation, seems to have been distinguished by some token of providential agency.

We are here because of the hand of God. Washington's leadership was grounded in his belief in God, His law, and that liberty is God's gift. As we reflect on the anniversary of Washington's speech it is important we are reminded as a nation what our Founding Fathers sought to establish.

In this same inaugural speech Washington said:

The destiny of the Republic model of Government, are justly considered as deeply, perhaps as finally staked, on the experiment entrusted to the hands of the American people.

Washington's conviction was that we as Americans are entrusted by God to preserve basic freedoms established in the Constitution, such as the freedom of speech and the freedom of religion. The secular culture we see our Nation embracing today would seek to censor such words from a leader such as Washington. Their intolerance fails to acknowledge it was Washington's convictions and our Founding Fathers' faith values that gave us the public square.

On September 27 last year, I talked about this issue on the Senate floor—about how Oklahomans regularly ask me—and I don't think this is unique to Oklahoma; it can be true in any State—why we have an administration

that suppresses our Judeo-Christian values while praising Islam. As I said then, I find it sad that our Nation does not have the same belief today that we had back when Washington was President. We have become arrogant, inward-focused individuals. Rather than submitting to God's authority, we define truth, justice, and morality by what feels good at the time.

Today, instead of having leaders who protect the church from government, we have leaders who believe it is the government's job to impose on churches what should be universally upheld as truth. As leaders, we should be protecting all Americans' freedom to practice their religion.

It is only appropriate that on this anniversary we also consider the words of Washington's Farewell Address in 1796 where he pointed out that the pillars supporting our Republic are morality and religion. In his address he said:

Let us with caution indulge the supposition that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of particular structure, reason and experience both forbid us to expect that national morality can prevail in exclusion of religious principle.

We have to restore the morality of our Nation given to us by the Founding Fathers, as President Washington articulated 225 years ago. That morality is found in the Judeo-Christian values articulated not just by Washington but by all of our Founding Fathers.

As my son likes to say: Without God, the Constitution is nothing but a piece of paper.

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.

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

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

Ms. WARREN. Mr. President, it has been 7 years since Congress increased the minimum wage, 7 years since Congress stood up for our working families, 7 years since Congress gave America a raise.

Earlier today the Senate had a chance to do something about that when we voted on whether to increase the minimum wage. Earlier today we had a chance to give a raise to the parents of at least 14 million children, a chance to lift nearly 1 million full-time workers out of poverty. A majority of Senators tried to do that today. Fifty-five Senators supported raising the minimum wage, but Republicans filibustered the bill, so it didn't pass. This is outrageous.

For nearly half a century, as we came out of the Great Depression, the people of this country lived by the basic principle that we all do better when we work together and build opportunities for everyone. For nearly

half a century, as our country got richer, our people got richer, and as our people got richer, our country got richer. The basic idea was that as the pie gets bigger, we all get a little more—even those who only make the minimum wage.

I know this story because it is my story. Like a lot of folks, I grew up in a family who had ups and downs. When I was 12, my daddy had a heart attack and was out of work for a long time. The bills piled up. We lost our car, and we were right on the edge of losing our home. My mom was 50 years old when she pulled on her best dress and walked to the Sears to get a job. It paid minimum wage, but back then a minimum wage job was enough to keep a family of three above water, and that is how it was for us. That is one of the ways our country built and protected America's great middle class. But that is not how it works anymore.

In 1968 the minimum wage was high enough to keep a working parent with a family of three out of poverty. In 1980 the minimum wage was at least high enough to keep a working parent with a family of two out of poverty. Today the minimum wage is not even enough to keep a fully employed mother and a baby out of poverty.

Something is fundamentally wrong when millions of Americans can work full time and still live in poverty, and something is fundamentally wrong when big companies can get away with paying poverty-level wages and then stick taxpayers with the cost when their full-time workers end up on food stamps and Medicaid.

I understand that some big businesses might like to keep things the way they are, but I really don't understand this Republican filibuster. There is nothing conservative about leaving millions of working people in poverty. There is nothing conservative about expanding enrollment in government-assistance programs. There is nothing conservative about preserving a sweetheart deal for companies that would rather milk the taxpayers for more corporate welfare than compete on a level playing field.

I am disappointed about what happened today, but I am also hopeful. A majority of the Senate—Democrats in the Senate—voted to honor work, to honor the people who get up every day and bust their tails to try to build a better life for themselves and their children. This is an uphill fight, but it is not over yet. It took us 4 months and many Republican filibusters before we finally convinced a handful of our Republican colleagues to support an extension of emergency unemployment benefits, but we passed that bill in the Senate, and we will pass this bill too, because after 7 years, with millions of our working families struggling to get by, with millions of children depending on a mom or dad who works long hours for low pay, it is long past time to increase the minimum wage.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Maine.

Mr. KING. I ask unanimous consent that the order for the quorum call be rescinded.

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

#### LEVY NOMINATION

Mr. KING. Mr. President, I rise today to take a few moments to talk about Jon David Levy, who is a nominee for the Federal district court in Maine who will be voted on this afternoon. Senator COLLINS and I have come to the floor together to talk about this nominee and his extraordinary qualifications for this position.

My history with Jon Levy is kind of interesting. He was one of my very first appointments to the bench when I was Governor of Maine in 1995. The important thing I wish to get across is I didn't know him. He wasn't a contributor, a supporter or a political ally in any way, shape or form. At that time he was a really smart lawyer with a judicial demeanor. He was recommended to me—he was discovered, if you will—by a nonpartisan judicial selection committee. I interviewed him, met him, liked him, and appointed him to the Maine District Court, which is our lower court of general jurisdiction, where it is really the people's court. He excelled in that court in terms of his decisionmaking skills as well as in his demeanor and his ability to interpret and apply the law in very real and practical circumstances.

He was so good, as a matter of fact, that as I was leaving the governorship in the last year or so, I had the opportunity to appoint him to Maine's Supreme Court. In fact, I believe he is the only person to have gone directly from our district court to the supreme court in our State without stopping in the middle at our superior court, the court of general jurisdiction, because he was so outstanding. He has proven himself as an appellate judge to be exactly what we all hoped and expected would be the case: thoughtful, deliberative, very much sensitive to the real needs of the people who are appearing before the court. He has never forgotten that the law is about serving the public.

So I think he is uniquely qualified—perhaps not uniquely but especially well qualified—for this position because he has been a trial-level judge and an appellate judge, and now he is being considered for a Federal trial-level court where I think he will be an outstanding judge. I don't think he will be; I know he will be.

The other thing I think is so important—and it happened that just a few years ago I was in our supreme judicial courtroom watching a ceremony where young lawyers were being admitted to the bar. It is a ceremony that happens every year. Of course, to the judges, it is fairly routine. To the young lawyers,

it is the biggest deal in their lives thus far. It happened that the day I was there to move the admission of a young friend of mine, Justice Levy was presiding. It was an opportunity for me to watch him interact with the members of the bar and the public. Of course, a lot of members of the public are in the courtroom on that day. His whole demeanor was so thoughtful, dignified, and yet warm and not intimidating.

Having practiced law myself, my least favorite judges were those who tried to intimidate members of the bar. I remember vividly at one point being in a trial and making an argument to a judge in Maine that wasn't really going very far, and I said: Judge, I really feel as though I am batting my head against a brick wall here. After a slight pause the judge said: Mr. KING, I know of no one in Maine better equipped for that venture. I wasn't all that thrilled by that response, although he was probably right.

Justice Levy has a wonderful demeanor. He has that wonderful combination of high intelligence and yet at the same time a warm and thoughtful demeanor that is not intimidating but allows the litigants, the lawyers, and the witnesses to get their stories out, to get the record complete so that he or the jury can make the best decision.

I think he is a judge's judge. In fact, in seeking comments about his appointment to this position, I think one of the most telling comments came from the chief justice of our supreme court where he has been now for some 10 years, and her comment was, "You tell Angus I am going to get him for this," which meant she doesn't want to lose him. I think that is pretty high praise—that he has been such a valuable member of that court that his colleagues thought that highly of him.

Jon Levy is, as I say, a judge's judge, really a model of what we should want on our Federal bench. I am delighted that he went through the cloture process yesterday. Thanks, in part, to my senior colleague, he received more than 60 votes. In other words, he enjoys a significant amount of bipartisan support. He was reported out of the Judiciary Committee on a strong bipartisan basis.

I am just delighted to be able to rise today and urge my colleagues to support this really extraordinary gentleman who will grace the Federal bench in Maine and will, I believe, make us all proud for having supported such an outstanding jurist who has yet many years of service to his State and his country. I believe this is a great appointment by the President, and I look forward to Jon Levy's performance on the bench.

With that, I yield the floor for my esteemed senior colleague.

The PRESIDING OFFICER. (Ms. BALDWIN). The Senator from Maine.

Ms. COLLINS. Madam President, I am very pleased to join my colleague from Maine, Senator KING, in supporting the nomination of Justice Jon

Levy to the U.S. District Court for the State of Maine.

As Senator KING has pointed out, Justice Levy has had a long career as an attorney and as a judge in our great State. His experience makes him well qualified for Maine's Federal district court. He was appointed to the bench by my colleague, Senator KING, when he was Governor, and Justice Levy currently serves as an associate justice on the Maine Supreme Judicial Court, a position he has held for more than a decade.

Justice Levy's legal skills have been evident for many years. After his graduation from law school where he was an editor of the law review, he clerked in the Southern District of West Virginia. Later, he was appointed to the position of special monitor in the U.S. district court for southern Texas.

In 1982, Jon and his wife had the good sense to relocate to Maine, and Jon entered private practice in York. Although his practice spanned a range of civil and criminal matters, he quickly distinguished himself in the area of family law. Jon literally wrote the book on family law. He is the author of "Maine Family Law," which is a key resource on the subject for Maine's attorneys.

As both an attorney and a judge, Jon has remained very active with the local bar association and several State committees, working to improve the administration of justice in Maine. He has served as president of the York County Bar Association and received its Outstanding Member Award in 2006. He was also honored with the Maine State Bar Association's Family Law Achievement Award in 2001.

Justice Levy has been an advocate for advancing access to civil justice in Maine. He has championed initiatives to improve pro bono representation for Maine's elderly and low-income people and affordable representation for other Mainers in need of legal assistance. In the same vein, he helped to launch the Katahdin Counsel Recognition Program, an annual statewide program that honors Maine attorneys who provide more than 50 hours of pro bono service per year.

Justice Levy has also advocated for these efforts nationally, and recently joined the American Bar Association's Standing Committee on Legal Aid and Indigent Defendants. He has worked with Maine's Juvenile Drug Treatment Court in Maine's York County, which has seen numerous successes over the years.

This combination of experiences that Justice Levy brings to the court—his experience as a private attorney I think is so important; his experience as a State judge is so critical, as is his experience in family law, in pro bono representation—makes him a well-rounded individual to serve on our courts. Many times our judges are chosen just from the ranks of either academia or because they have previously served on the bench.

Judge Levy brings both private sector and judicial experience to this important post. I believe he will serve the people of Maine and the Nation with distinction, intelligence, and integrity. So I urge my colleagues to support this nomination when we vote later today.

Again, I commend my colleague from Maine for having the good sense to start Justice Levy on this path which, I believe later today, will lead to his confirmation as a Federal judge.

Thank you, Madam President. Seeing no one seeking recognition, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Ms. COLLINS. Madam President, I wish to comment on the vote we took earlier today on whether to proceed to a bill that would increase the minimum wage to \$10.10 an hour.

It has been several years since we increased the minimum wage, and I support an increase in the minimum wage. But I do not believe at a time when our economy is so fragile, as is indicated by the very slow increase in GDP that was reported this morning, we can afford to increase the minimum wage by some 39 percent.

I would note that just a year ago President Obama was suggesting we should increase the minimum wage to \$9 an hour. I do not see any change in the economic conditions that would have caused him to abruptly change his position and now be advocating \$10.10 an hour.

I know there are many low-income families who are really struggling in this country, and I believe our economy could accommodate an increase in the minimum wage. But the Congressional Budget Office, a nonpartisan entity, has told us the consequences of going to \$10.10 an hour would be a loss of some 500,000 jobs—at a time when our economy simply cannot afford that kind of loss.

I have talked with numerous employers in Maine. They care deeply about their employees. They, in most cases, are willing and able to pay more. In fact, many of them do pay more. In fact, all of them pay more than the Federal minimum wage because Maine's minimum wage is \$7.50 an hour rather than \$7.25 an hour. So we are already above the Federal minimum wage.

But what they told me is that if there is too much of an increase too rapidly, they will be forced to shrink their workforces or not bring on those summer part-time employees, those high school students, those college students, those individuals who do not have the training and experience that are necessary to be productive in the job for which they are hired at that time.

There is a huge area of compromise available here between \$7.25 and \$10.10. I think it speaks to what is wrong with Washington today that we were placed in a situation where it was take it or leave it rather than our trying to come together and offer amendments and debate the level that might be acceptable to Members of this body and our colleagues in the House—a level that would not cause dramatic job losses, which would hurt the very people we are trying to help, and yet would recognize we do need to increase the minimum wage by a reasonable amount to help struggling low-income families.

So I have to express my disappointment and frustration that we cannot seem to have a normal legislative process, where ideas could be offered as amendments, as compromises between \$7.25 and \$10.10, where Members could bring other ideas to the Senate floor on how we might spur job creation, on how we could improve job training programs, which is a huge issue in this country.

I have talked to so many employers in Maine, particularly in the trades, who have jobs available but cannot find the skilled workers to fill those jobs. I had a terrific and enlightening meeting with union representatives from Bath Iron Works, who told me we need to do a better job at our community colleges in training workers for the great jobs—far above minimum wage—that exist at Bath Iron Works in my State.

So there are so many ideas out there that would help us improve the financial condition of our low-income families—from increasing the minimum wage by an amount that does not cause massive job losses, to improving our job training programs so we can fix this mismatch between the jobs that are available and the skills that our workers have.

I would note that the Department of Commerce Secretary testified there are 4 million jobs that are unfilled nationwide because of that mismatch in available jobs to the skills needed to fill them.

There are other proposals to give tax incentives to small businesses. We have allowed a very important tax incentive that encouraged hiring to expire at the end of last year. The Work Opportunity Tax Credit expired. Why not extend that—not only to those groups who qualify now, but also to people who have been unemployed for a long time, to encourage employers to take a chance on them, to bring them back into the workforce, where they want to be.

We could also include other provisions. For example, I have a bipartisan bill with Senator DONNELLY and Senator MANCHIN and Members on my side of the aisle that would fix the definition of full-time work under ObamaCare so it would be 40 hours a week and not 30 hours a week. We would go back to the standard definition of 40 hours a week.

There are tax incentives having to do with bonus depreciation and small

business expensing that would encourage small businesses to make the investments so they can hire more employees.

We ought to have a full debate on all of these options, not just stop with one vote on whether to proceed to one bill to raise the minimum wage to \$10.10 an hour, with no amendments allowed, with no alternative proposals being permitted.

I so believe if we could get back to the normal way of doing business, we would so much better serve the people of this country, including low-income workers who are struggling to get by. I believe we could come up with a compromise that would enjoy bipartisan support. I am not saying it would be easy, but we ought to at least try. I have talked with colleagues on both sides of the aisle who are willing to try, and we need to be given that opportunity.

Each and every Member in this body cares about individuals who are working two jobs, who may have two minimum-wage jobs because they are trying to support their families. I think we could come together. But we cannot come together unless we are allowed to offer alternatives, to fully debate the issues, and to bring forth ideas to improve our job training programs and to encourage the creation of more jobs, as well as better-paying jobs, in what, unfortunately, remains a very anemic economy.

I thank the Presiding Officer.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

DONALD STERLING AND DANIEL SNYDER

Mr. REID. Madam President, yesterday, all America watched while Commissioner Adam Silver and the National Basketball Association acted justly in punishing Donald Sterling for his harmful racist behavior.

Commissioner Silver banned Mr. Sterling from the NBA for life, and there was a \$2.5 million fine.

I, along with most all of America, applaud the NBA's work in swiftly moving to stamp out bigotry from its ranks.

Commissioner Silver and the NBA leadership have set the standard for how professional sports organizations should act in the face of racism.

I wonder today how the leadership in the National Football League, the NFL—that money-making machine—I wonder if they have taken notice of the NBA's decisive action?

How long will the NFL continue to do nothing—zero—as one of its teams bears a name that inflicts so much pain on Native Americans?

I have 22 tribal organizations in Nevada. All over America, especially in

the western part of the United States—but not only in the western part of the United States—we have large numbers of Native Americans.

It is untoward of Daniel Snyder to try and hide behind “tradition”—tradition? That is what he says—in refusing to change the name of the team.

Tradition? What tradition? A tradition of racism is all that name leaves in its wake.

Mr. Snyder knows that in sports the only tradition that matters is winning.

So I urge Daniel Snyder to do what is morally right and remove this degrading term from the league by changing his team's name.

It has been done before—right here in Washington, DC.

Seventeen years ago, the owner of the Washington Bullets, the late Abe Pollin—a wonderful man—saw all the gun violence and murders taking place in the DC area. And what did he do? He voluntarily decided that name—the Washington Bullets—was not any good and changed it. He did not want his team to be associated with bullets. So he changed the name of the organization from the Washington Bullets to the Washington Wizards.

We have all followed the Washington Wizards over the last couple weeks. They are now in the second round of the playoffs. We are all happy about that. They have struggled for a long time. We support—the American people support—the Wizards, as do the people in the DC metropolitan area. Wizards is a good name.

Don't you think Daniel Snyder can come up with a name? It should be easy. He could invite the fans to choose a name. He could ask high school kids to come up with a name. Anything they came up with, with rare exception, would be better than the Washington team name they have now.

But since Snyder fails to show any leadership, the National Football League should take an assist from the NBA and pick up the slack. It would be a slam dunk, Madam President.

For far too long, the NFL has been sitting on its hands, doing nothing, while an entire population of Americans has been denigrated.

So I say to Commissioner Roger Goodell—I believe Roger Goodell is a good man—it is time to act. Remove this hateful term from your league's vocabulary. Follow the NBA's example and rid the league of bigotry and racism. I am sure your fans will support it.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

EXECUTIVE OVERREACH

Mr. HATCH. Madam President, I rise today in defense of the U.S. Constitu-

tion, the separation of government powers it established, the rule of law it enshrined, and the legitimate prerogatives of the legislative branch—and this body in particular—under our constitutional system of government.

I am very concerned about what has been going on. Last week the Justice Department announced their plan to extend clemency consideration to a large new class of drug offenders.

Both the New York Times and the Washington Post estimate that the Department's new guidelines will potentially apply to tens of thousands of cases, with clemency likely to be granted to perhaps thousands of current Federal inmates.

This surprise announcement by the administration marks a worrying shift away from the longstanding norm requiring individualized determinations based on the particularly compelling circumstances of specific cases. Instead, the Justice Department has laid the groundwork for mass clemency based on a few widely shared and broad criteria.

Of course, the Constitution gives the President the power to grant clemency in individual cases. No one disputes this authority. It has been exercised by Presidents throughout our Nation's history, and it is properly used on a limited, case-by-case basis to ameliorate specific instances of injustice experienced by particular individuals.

By contrast, it is the rightful province of the legislative branch to establish broader sentencing policy through duly enacted Federal statute.

There is sentencing law on the books and Congress periodically revisits and revises this sentencing policy. But in our constitutional system, changing the law requires legislative action by Congress.

In the face of this most basic constitutional requirement, the President has apparently instead decided to use—or, rather, abuse—the clemency power in an attempt to rewrite sentencing law unilaterally. His invocation of clemency is merely a fig leaf to disguise a blatant effort to usurp legislative authority.

The President's clemency power is not a vehicle by which the executive branch may effectively revise or discard lawful statutes with which the President disagrees. But that is precisely what President Obama and his Justice Department have promised to do.

The amount of time that entire classes of drug offenders spend in jail will no longer be based on uniform sentencing law passed by Congress and administered by the Federal court and Judiciary. Instead, it will be determined by the President's personal views of “justice,” by the Attorney General's subjective notions of what he considers “fair,” and by some Justice Department bureaucrat's sense of “proportionality.”

Such a result turns our system of government on its head, and it represents an abdication of the President's core constitutional duty.

Instead of faithfully executing the law, President Obama is simply seeking to enforce his personal ideological preferences. It is precisely this sort of unchecked and unaccountable rule that our Nation's Founders sought to prevent.

The Obama administration's unilateral action on drug sentencing is especially troubling since Congress is actively considering a number of potential sentencing reforms. Indeed, an ideologically diverse, bipartisan group of Senators has demonstrated they are eager to legislate on this issue. Several sentencing reform bills have been drafted and introduced. Legislation has been considered and reported by the Judiciary Committee.

Although a President should never expect to get every single idea he wants through the legislative process, bipartisan agreement here seems well within reach—especially if the administration chose to focus on working with Congress to change the law rather than acting alone to undermine it.

Yet even in an area where constructive action is achievable, the President has decided to go it alone, and in doing so he violates the most basic constitutional principles he once taught to his law school students.

Examples of such executive abuse have become all too common under this administration, especially since President Obama announced his new "pen and phone" strategy of unilateral action specifically designed to bypass Congress and evade constitutional restraints.

Just last week the Associated Press reported that, under orders from the White House, the Department of Homeland Security is considering limiting deportations to only criminal aliens with felony convictions.

Using the excuse of prosecutorial discretion—another executive tool limited to individual cases and particular circumstances—the administration is seeking to frustrate duly enacted immigration law and instead implement its own broad immigration policies.

Whatever our thoughts on the sensitive questions of immigration policy, everyone can agree that such an act requires legislative action and should not be brought into effect through executive fiat.

I am struck by how far this approach contrasts with the President's own judgment as recently as last fall. If the administration continued broadening enforcement carve-outs, he said, "then essentially I'll be ignoring the law in a way that I think would be very difficult to defend legally."

Given the lawlessness of broad enforcement carve-outs, the President stated flatly, "that's not an option."

President Obama went on to acknowledge that he does not in fact have the authority to halt most deportations. In his own words:

If in fact I could pass all these laws without Congress, I would do so. But we're also a nation of laws, that's part of our tradition. The easy way out is to . . . pretend that I can do something by violating our laws, but what I'm proposing is the harder path, which is to use our democratic process to achieve the same goals.

I wish to associate myself wholeheartedly with President Obama's exhortation last fall that we are a nation of laws, and that substantive changes to the law must come about through the democratic process.

As public servants, our common allegiance must first be to the rule of law under the Constitution, as it—more than anything else—is what secures the blessings of liberty to ourselves and our posterity.

I fear that President Obama's frustration with an inability to win broad support for every aspect of his legislative agenda has caused him to ignore clear legal and constitutional obligations. He now seems to view the long-standing rules, requirements, and traditions central to our system of republican self-government as irritants—mere suggestions that he is willing to bend past their breaking point in order to advance his controversial agenda.

Concern about the potential for executive overreach has animated American political life from the very beginning. Indeed, it predates our Republic, and shaped its founding.

Centuries ago, absolutist monarchs such as the Stuart dynasty of England, seizing on the powers of the medieval popes as a model, claimed a "royal provocative" to suspend the application of the laws, and used this power to justify their oppressive rule.

The Stuarts' unchecked reign in England—the nation that pioneered the modern conception of the rule of law—ignited a long and bloody struggle that eventually brought about the Glorious Revolution. Thereafter, the 1689 English Bill of Rights confirmed the "ancient rights" of Englishmen and enshrined the notion that the monarch had no "dispensing power" to waive the application of the laws of the realm.

As many noted historians and legal scholars have observed, the American Founders were well versed in these 17th century English constitutional struggles. Viewing themselves as heirs to the English political tradition, the Framers of our new Nation set out to establish a system of government with an eye toward preventing similar abuses.

With the old monarchy's abuse of the claimed dispensing power fresh in their minds, the Founders' initial plan of government in the Articles of Confederation did not even include an executive. When that framework proved unworkable, the Framers drafted and the States ratified a constitution that avoided either historical extreme: an all-powerful executive that claimed the power to dispense with the bounds of law or a powerless executive lacking the capacity to govern effectively.

The structural features of our Constitution navigate between these two poles, creating an energetic executive but carefully cabining his power. It vests legislative authority in Congress, not the President.

While the precise line between enforcement discretion and lawmaking may sometimes seem blurry, the Constitution makes clear that changes to the law are the province of the legislative rather than the executive branch, and that when Congress and the President have enacted statutory laws, the executive cannot unilaterally displace it.

The Constitution also requires the President to "take Care that the Laws be faithfully executed." This clause does not suggest or invite the President to enforce the law—it obligates him to do so. And he is bound by the text of the Constitution to do so "faithfully."

To execute the laws faithfully, as defined by the great Samuel Johnson, author of the most definitive dictionary of that age, is to do so "honestly, . . . [w]ith strict adherence to duty and allegiance, . . . and [w]ithout failure of performance."

As a diverse array of legal scholars have noted, it is "implausible and unnatural" to read this clause to allow the President authority to deviate from the loyal enforcement of Federal statutes.

James Wilson, the original proponent of the take care clause, put it this way:

[The President has] authority, not to make, or alter, or dispense with the laws, but to execute and enact the laws, which [are] established.

He continued:

To contend that the obligation imposed on the President to see the laws faithfully executed, implies a power to forbid their execution, is a novel construction of the constitution, and entirely inadmissible.

There are certain situations in which the Executive may in fact legitimately ignore or even contravene a duly enacted Federal statute. But such circumstances are few and far between.

The Presidents of both parties have long claimed authority not to enforce unconstitutional statutes.

According to this view, if the considered view of the executive branch determines that a statute clearly violates the Constitution, the highest law, then that statute is no law at all and does not warrant enforcement.

Presidents have also sought to justify partial nonenforcement based on a lack of sufficient resources. As the Supreme Court has explained:

The President performs his full constitutional duty, if, with the means and instruments provided by Congress and within the limitations prescribed by it, he uses his best endeavors to secure the faithful execution of the laws enacted.

In other words, the Constitution still obligates the President to do his best to ensure that duly enacted laws are faithfully executed, even when he and his subordinates are working with limited resources. In such cases he is obligated to ensure that those resources

are optimally allocated to achieve as faithful execution as is possible.

Sadly, political expedience and ideological fervor has led our current President to disregard his fundamental obligations to “. . . take care that the laws be faithfully executed.”

Take, for example, the Nation’s drug laws, an area where the Obama administration has decided it disagrees with the criminal statutes on the books and wants to implement a different policy, no matter the governing Federal law.

As I noted earlier, the administration’s massive clemency push seems to employ the President’s specific constitutional power—one limited to relieve individual instances of injustice—to provide relief to large swaths of criminals who fit a few broad criteria.

The President also directed major changes over which Federal drug crimes are charged and at what level, citing prosecutorial discretion, a limited authority derived from the power to adapt enforcement to an individual’s specific circumstances, to implement broad criteria affecting thousands of prosecutions. Given the scope of this Executive action, compared to its narrowly tailored authority, the administration’s invocation of prosecutorial discretion has become a transparent excuse used to try to justify flouting existing Federal law.

Much of the same is true in the context of immigration. The administration has advanced a growing number of enforcement carve-outs to increasingly expansive classes of illegal immigrants. First, the administration exempted those brought here as children, then veterans, then their families. Now the administration may seek to exclude from application of duly enacted immigration law anyone who has not committed serious felonies.

While, of course, no one disagrees that violent criminals should be our highest priority, the administration has come much further and essentially made current immigration law a dead letter for virtually everyone else. Last week I joined 21 of my colleagues in a letter to the White House highlighting this Executive abuse. How can the administration even claim it was attempting to faithfully execute immigration law when almost all deportations last year were limited to convicted criminals and recent border crossers, when ICE agents were forced to release 68,000 potentially deportable aliens last year alone? Think about that. When the administration took disciplinary action for ICE officers for making lawful arrests, when the President of the National ICE Council felt compelled to testify before Congress that although “. . . most Americans assume that ICE agents and officers are empowered by the Government to enforce the law, nothing could be further from the truth.”

Another egregious example of this administration’s willful failure to faithfully execute the law involves education. The Department of Education

has given 42 of the 50 States waivers from application of No Child Left Behind. Rather than seek a legislative reauthorization of the statute to set realistic goals going forward, the administration has chosen simply to establish their preferred education policy by attaching their own conditions to the waivers that the States need to receive Federal money.

Recently, the State of Washington became the first to lose its waiver, primarily because it did not meet the administration’s mandate for teacher and principal evaluation—a mandate that has no grounding in the actual statute. When the vast majority of States receive waivers by meeting conditions that bear little resemblance to provisions of the law itself, is the administration faithfully executing the law as required under our beloved Constitution? To the contrary, the President is using waiver conditions to bring about an entirely different set of education policies, and he is doing so to avoid spending his energies and political capital on a legislative process that might expose divisions within his own party or force his administration to compromise with those who do not share all of his policy preferences.

Of course any discussion of Executive overreach by this administration must include ObamaCare. Back when the administration was writing that 2,700-plus page monstrosity, the bill’s proponents argued that its length and complexity were necessary evils, that its many intricate parts were essential to achieve the bill’s promised objectives. The individual mandate, the employer mandate, the minimum coverage requirements, the cuts to Medicare Advantage, and the limits for subsidies to State-run exchanges—we were promised that these provisions and others were both critical and carefully timed to expand coverage and rein in costs. Yet when the time came to implement the law, the administration’s tune changed.

To justify violating a number of clear statutory mandates, the administration has mustered a weak and unconvincing hodgepodge of legal acrobatics all for the purpose of allowing the administration to avoid enforcing the central provisions of its own signature law. When we in Congress adopted legitimate legislative fixes to provide hard-working Americans relief from ObamaCare’s disruptive effects, the White House displayed shocking audacity in threatening to veto lawful delays to some of these cuts and mandates.

I don’t know if anyone could imagine a better example of an administration allowing political expediency and ideological commitments to trump the President’s constitutional obligations to take care that the laws be faithfully executed. Equally troubling, where the President’s legislative efforts have failed, he has decided simply to regulate, seemingly undeterred from stretching his existing statutory authorities past their breaking point.

Again, this is the very definition of Executive abuse.

For example, a hallmark of the President’s so-called pen-and-phone strategy was to sign an Executive order forcing Federal contractors to raise their minimum wage. He issued this directive despite the fact that there is already a Federal statute that governs the minimum wage for Federal contractors.

Although a different statute gives the President some discretion in the area of Federal procurement, its plain language demands—as courts have long held—that there be a sufficient nexus between the President’s orders and the statute’s stated goal of efficiency and economy in Federal procurement. Increasing a contractor’s labor costs by hiking their minimum wage is wholly inconsistent with this statutory goal, demonstrating there is no legal basis for the administration’s Executive order.

Yet another area of grave concern is the effort by this White House to establish new institutional arrangements that fail to respect the separation of government powers and the basic principle of checks and balances enshrined in our Constitution. Take the Dodd-Frank bill, another signature piece of the President’s agenda.

All Americans should be concerned with the unchecked institutional form of the newly created Consumer Financial Protection Bureau. This administration’s unwaivering devotion to expanding the scope and reach of Federal regulation was made manifest in efforts to place the CFPB beyond Congress’s constitutional power of the purse. The CFPB Director is empowered to collect a certain percentage of the Federal Reserve’s operating expenses, indexed to inflation, thereby denying Congress its rightful authority to allocate Federal spending and keep the agency in check with respect to its overweening regulatory ambitions. What the White House sought was unaccountable Executive power, a CFPB that could regulate with virtually no meaningful restraint.

When a number of my colleagues and I expressed a desire to address the serious objections to the CFPB structure before confirming the President’s choice to lead the agency, the White House decided that abiding by the appointments process established by the Constitution was too inconvenient. Determined to press forward with the administration’s agenda at all costs, the President simply installed his choice for CFPB Director as well as other key Federal officers without the advice or consent of the Senate—again, the height of Executive arrogance.

The administration sought to justify this move by citing the President’s power under the Recess Appointments Clause, but all the relevant legal authority suggested otherwise. The original public meaning of the clause, well-established historical practice, the constitutional requirement for the

House of Representatives to consent before the Senate may adjourn for more than 3 days, the Senate's constitutional authority to set its own rules, and the Senate's own determination that it was not in recess at the time, all of this made clear that the President had no authority to make the appointments unilaterally. Yet as an indication of its willingness to simply ignore the law and Constitution, that is precisely what the President did.

This brazen lawlessness cannot stand, and it will not. Already several Federal appeals courts have ruled that these appointments were unconstitutional, and most observers expect the Supreme Court to agree.

Yet the Obama administration remains undeterred. Having decided to bypass Congress and go it alone, the White House has likewise sought to remove meaningful accountability by means of the Federal judiciary. As in the recess appointments cases, Federal courts have rejected a variety of this administration's lawless actions and vindicated critical constitutional rights. No court has served as a greater check on Executive overreach than the DC Circuit Court of Appeals, which oversees most Federal regulatory actions. So the White House has sought to remove even this modest restraint.

After the DC Circuit rightfully invalidated several key administration actions as outside the bounds of Federal law, the President then sought to pack that court with compliant judges in order to obtain more favorable decisions.

The President's allies in this body, in their own words, "focused very intently on the D.C. Circuit" determined to "switch the majority" on the court, and were willing to "fill up the D.C. Circuit one way or another."

In the rush to eliminate any possible judicial obstacle to unilateral progressive advances, they ran roughshod over the rules and traditions of this body, working untold and permanent damage to two venerated institutions of our constitutional system.

This whole episode demonstrates a brazen willingness on the part of this administration to ignore virtually any legal or constitutional constraints and even tamper with the judiciary simply for the sake of advancing its own ideological goals or objectives.

I have only had time today to scratch the surface of the pattern of Executive abuses in areas as diverse as EPA, and NLRB regulatory actions, inappropriate IRS targeting, net neutrality rulemaking, and the refusal to defend the Defense of Marriage Act. Such executive lawlessness should be troubling to all Americans regardless of political stripe or partisan affiliation.

It is the Constitution, the political institutions it established, the legal framework it enshrined, the checks and balances it requires, that ensures we remain a government of laws and not of men. Absent these essential re-

straints, we will all become subject to increasingly arbitrary rule, a government that knows no bounds and seeks to regulate and control virtually every aspect of our lives.

President Obama once spoke of the necessity for such restraint. He warned of the dangers associated with unilateral executive action, and he highlighted the critical importance of adhering to constitutional procedures.

While campaigning for President in 2008, he said:

I taught constitutional law for ten years. I take the Constitution very seriously. The biggest problems we're facing right now have to do with [the President] trying to bring more and more power into the executive branch and not go through Congress at all, and that's what I intend to reverse when I am President of the United States.

How far we have come since Candidate Obama made those empty promises.

I have been a Member of this body for nearly four decades. I have worked with half a dozen Presidents. On many occasions we have been able—working together—to accomplish great good for the American people. My concern today is not partisan. My criticisms are not ideological, nor is my interest as a Member of the Senate simply institutional. Throughout my years as a Member of this body, I have acknowledged and defended the power of the President when he acts lawfully—he or she. In the national security context in particular, where the President is at the height of his constitutional and statutory authorities, I have defended the prerogatives of the President no matter the party occupying the White House and no matter the political unpopularity of doing so.

The concerns I have expressed today are about legitimacy. What authority to govern does the President or any of us have except that which we derive from our Constitution? My criticisms are about restoring accountability. How are we going to keep this or any administration honest when it seeks to cut out Congress's legitimate role in the governing process?

Above all, my observations today are about liberty. Yes, that is right—liberty. If we are to maintain our freedoms, which so many of our fellow citizens have fought and died to preserve—including my own brother and two brothers-in-law—we must always remember to heed James Madison's warning in *Federalist 47*:

The accumulation of all powers, legislative, executive, and judiciary, in the same hands, whether of one, a few, or many, and whether hereditary, self-appointed, or elective, may justly be pronounced the very definition of tyranny.

It is essential to the continued well-being of our Nation, to the legitimacy of our government, and to the liberties of our citizens that the exercise of Executive power is kept within lawful bounds. Doing so requires continual vigilance by the court, by Congress, and by the American people to uphold the standards of the Constitution, and that includes the President as well.

I will close with a word of warning from President George Washington which is perhaps even more true today than when President Washington spoke it way back when.

If, in the opinion of the people, the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the Constitution designates. But let there be no change by usurpation; for though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed.

I thank the Presiding Officer and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The majority whip.

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

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

#### WORLD IMMUNIZATION WEEK

Mr. DURBIN. Madam President, the World Health Organization has deemed this week "World Immunization Week." Every year the WHO designates a whole week to promote the world's most powerful tools in public health—the use of vaccines to protect people of all ages against disease.

Immunization is one of the most successful and cost-effective health interventions ever introduced, preventing up to 3 million deaths a year from diseases such as diphtheria, tetanus, polio, and measles. Thanks to decades of research, there are 25 diseases that can be prevented by vaccines, including some forms of influenza, meningitis, and even certain types of liver and cervical cancer.

The theme this year is "Are you up-to-date?" This year one in five children worldwide will not receive the vaccinations they need, some because their parents choose not to and others because it is just not available. Through the Global Vaccine Action Plan, the WHO and other members of the World Health Assembly are working to close this gap and promote equitable access to vaccines for every adult and child in the world. The aim—their goal—is to have all people vaccinated against preventable diseases by 2020.

One of the diseases the WHO is targeting is polio. I have a few years on the Presiding Officer, but I can recall growing up in the 1950s. When you grew up in that era, polio was a real concern. In some years 60,000 kids would come down with polio, and at that time nobody knew why. They could not figure out where it was coming from or how to stop it.

Parents—my mom included—had their theories. Some of those theories were based loosely on health and others on legend. My mother used to say: Don't you go play in that rainwater outside in the street after it rains; you could get polio. I can remember hearing that.

When we were kids, I remember the earliest television shows showed people in iron lungs and surviving in that machine that kept them alive and looking at the world through a mirror that was perched above their heads. Many people were afflicted by polio. Some of my closest friends growing up had polio. Our Republican leader, Senator McCONNELL, suffered from polio as a child. It was not uncommon. It was way too common.

Then came the day in 1955 when Jonas Salk came up with the Salk vaccine. It was such an amazing piece of news. It was shared in every classroom across the country. They had a vaccine. It involved a shot, and none of us were excited about that, but the idea of being protected for life from polio was worth it.

Then came along the Sabin oral vaccine, which we were even happier to hear about.

It was an indication to a lot of people that with hard work and research cures could be found.

It was April 12, 1955, when Dr. Thomas Francis, Jr., an epidemiologist at the University of Michigan and a mentor to Salk, announced that Salk discovered a polio vaccine that was safe and effective. When that announcement was made, families across America celebrated. We couldn't wait to get in line. April 12 was deliberately chosen for the announcement because it marked the 10th anniversary of the death of the most famous polio survivor of all—President Franklin Delano Roosevelt. Roosevelt also founded the March of Dimes Foundation in 1938, without which Salk may not have had the resources to complete his research. A massive field trial led to the release of the vaccine, the first of its kind. It was conducted on 1.8 million children in America, and it was proven 80 to 90 percent effective. We achieved this victory over polio. It really was a big deal. As a result, polio was eradicated in the United States of America in 1979.

In February the Senate passed a resolution I cosponsored with Senator KIRK of Illinois supporting World Polio Day. This resolution commended not only the work of Jonas Salk but also the Rotary Club, WHO, the Bill and Melinda Gates Foundation, and UNICEF for their work to eradicate polio. These organizations have joined with the United States and other national governments to successfully reduce cases of polio by more than 99 percent. We now believe there are only three nations on Earth where there is evidence of polio: Nigeria, Afghanistan, and Pakistan. The success of the polio vaccine showed the public what medical research could accomplish and encourage.

Yesterday Chairman MIKULSKI of the Senate Appropriations Committee had a hearing on research, and we had some great witnesses. Among them was Dr. Francis Collins, who is the head of the National Institutes of Health. They came to talk about America's invest-

ment in research and innovation. You would think that with the success of the Salk polio vaccine and all the other things that have followed, that America would have learned a valuable lesson about this investment. Sadly, today, some 60 years after the discovery of the Salk polio vaccine, we are not making progress as we should. In fact, in some respects we are falling behind.

Because of our failure to adequately fund the National Institutes of Health over the last 10 or 12 years, we have seen a 20-percent decline in the awards for medical research.

I talked to Dr. Francis Collins about this 2 or 3 months ago. He heads up the NIH. He is a brilliant, wonderful man who was in charge of mapping the Human Genome Project. He did it ahead of time and on budget and produced a wealth of information that is now being used to find cures for diseases.

A month or so ago, the National Institutes of Health introduced their AMP Program where they engaged the 10 largest pharmaceutical companies in America to join with the NIH to use the human genome to find cures for the following diseases: Alzheimer's, type 2 diabetes, and rheumatoid arthritis. Those are the first three targets they are going to go after. We need to go after more, and we need to encourage them for several reasons:

First, if we don't make an investment in medical research that future generations of researchers can count on, young people will not dedicate their lives to medical research.

Think of this for a moment: 30 years ago 18 percent of all the NIH medical researchers were under the age of 36. Now it is 3 percent. Younger people are not moving toward medical research because they are uncertain of our national commitment in this area. Shame on us. At a time when we should be enticing the best and brightest in the world to get involved in biomedical research, our indecision and lack of leadership at the governmental level is failing to fund these entities and this effort.

I asked Dr. Collins: What is the kind of commitment we should make as a nation in medical research that can make a dramatic difference?

He said: Senator, if you could give us 5 percent real growth a year beyond inflation, 5 percent a year for 10 years, I will promise you we will make dramatic progress.

So I did a calculation. I asked my staff what it would cost us as a nation to increase medical research 5 percent a year for 10 years. Well, they added the National Institutes of Health, the Centers for Disease Control, the Department of Defense medical research, and the Veterans' Administration medical research. They said: All right. Put them all together. If we gave them a 5-percent raise each year, how much would it cost over 10 years? The answer: \$150 billion.

That is a huge sum of money, but in that same period of time we are likely to budget over \$18 trillion in spending for the government. It is a very tiny piece of the overall spending of our government.

Some people who are budget hawks will step back and say: Great idea, Senator, but we just can't afford it. We can't afford to commit to coming up with \$150 billion over 10 years.

I would ask them to consider two things:

First, last year in the United States of America, the Federal Government spent, through the Medicare and Medicaid Programs, over \$200 billion treating one disease: Alzheimer's. If through our medical research we could find some blessed cure for this terrible disease or even delay its onset, it would more than pay for the amount of money we would have to invest in medical research. It is that important.

Secondly, there are things we can do which I will stand up and say I am prepared to do which would fund a major part of this research. If we increased the Federal tax on tobacco products by 95 cents a package, it would pay for more than half of the medical research I just suggested. Over a 10-year period of time, 900,000 American lives would be saved because children wouldn't be able to afford to buy these tobacco products.

So this medical research commitment is not only a good one in terms of reducing our costs of medical care, but it also is something we ought to achieve in order to make sure there will be breakthroughs in the years ahead to eliminate and treat many of the diseases which haunt us and our families across America.

The American Cures Act is a bill I have introduced. I am happy to have a number of my colleagues cosponsoring it. It has the support of virtually all of the major medical research organizations. It should be bipartisan, and I hope those on the other side of the aisle who share my commitment to medical research will join me.

Discovering the polio vaccine won Jonas Salk the Nobel Prize and allowed him to create the Salk Institute for Biological Studies, one of the premier institutes for biomedical research. If he had done nothing else, Salk's place in history would have been honored and assured. But Jonas Salk wasn't content to rest on past achievement. After all, he was an American. In the last years of his life, he spent his time searching for a cure for AIDS. When his early efforts failed, he was undeterred. When asked why, he said: You can only fail if you stop too soon. This is a decisive moment in the history of our Nation. We have to continue to invest in order to reap the immense rewards of decades of work by the best scientific and medical minds in the world. The only way we can fail is by stopping too soon.

SHAH NOMINATION

Mr. DURBIN. Madam President, I rise to speak in support of Manish

Shah, who has been nominated to serve as a Federal district court judge in the Northern District of Illinois. Mr. Shah is an outstanding nominee. He has the experience, qualifications and integrity to serve with distinction on the Federal bench.

Mr. Shah was nominated to fill the seat that became vacant when Judge Joan Lefkowitz took senior status. He has been reviewed by my judicial screening committee, and he was chosen by Senator KIRK's committee to serve and I supported the selection.

He is a Federal prosecutor in the Northern District of Illinois. He is currently chief of the criminal division of that office and he has a lengthy resume of achievements in this field.

Mr. Shaw has won numerous awards and recognitions for his work in the U.S. attorney's office, including the FBI Director's Award for Outstanding Criminal Investigation. He graduated from Stanford University and the University of Chicago Law School. He clerked for 2 years for Judge Jim Zagel of the Northern District of Illinois.

Incidentally, his nomination in the Northern District of Illinois is historic. Upon confirmation, he will be the first article III judge of South Asian descent to serve in the State of Illinois. He appeared before the Judiciary Committee last November in a hearing that I chaired. He was reported out unanimously from that committee.

I am sorry it has taken so long for us to get to his nomination on the calendar, but I am certain he will be an excellent addition to the bench for the Northern District of Illinois.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

#### BASTIAN NOMINATION

Ms. CANTWELL. Madam President, I rise today to express my support for the nomination of Stanley Bastian to be a district judge for the Eastern District of Washington. Stan Bastian is exactly the kind of highly qualified Federal judge eastern Washington needs.

The Eastern District of Washington represents a wide swath of Washington that includes 20 counties that cover 63 percent of our State. Yet the court has been operating with two vacancies. So it is time for the Senate to move forward on filling this position, and I hope we confirm Mr. Bastian today. I also hope we can move forward on a vote on Salvador Mendoza in the coming weeks as well.

Mr. Bastian has been called an "outstanding choice" for the Eastern District bench, and I want to make sure we understand why. He was born in Washington and is well versed in Pacific Northwest issues. As my colleagues Mr. WYDEN and Mr. MERKLEY will note, he is a graduate of the University of Oregon, but he also went to law school at the University of Washington. Mr. Bastian has handled a diverse portfolio of legal matters, including representing counties, public util-

ity districts, fruit growers, medical clinics, brokers, and individuals, and he brings more than 30 years of experience to the Federal bench, including 25 years in private practice.

He has well rounded experience from all sides of the legal process, from civil and criminal trials to mediation, arbitration, and negotiations between various parties. Throughout his career, Mr. Bastian has shown a dedication to justice and equal access to the law. As an experienced trial attorney, he has earned the support and recognition of his peers.

When I interviewed Mr. Bastian, I was impressed by his respect for legal precedent and his commitment to the rule of law, his work to improve access to justice, and his local knowledge that has been very important in serving eastern Washington and all of Washington.

Mr. Bastian also served as a judicial pro tem in municipal courts, and recently he had the opportunity to lead the Washington State Bar Association. As the president of that organization, Mr. Bastian focused on ethics, professionalism, and civility in the legal profession. He has a long and wide-ranging background in the law and in the legal community, and that is exactly why we should put him on the Federal bench.

His legal career exemplifies public service, a commitment to access to justice, and a stellar legal intellect. I am confident he will serve the Eastern District well.

So I hope we move forward on these nominees this afternoon and confirm Mr. Bastian.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

#### UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. Madam President, I ask unanimous consent that following disposition of the Levy nomination, the Senate proceed to the consideration of Calendar No. 711, that there be 2 minutes for debate, equally divided between the two leaders or their designees, prior to a vote on confirmation of that nomination; further, that notwithstanding rule XXII, on Thursday, May 1, 2014, at 11 a.m., the Senate proceed to executive session and vote on the cloture motions for Calendar Nos. 591, 592, and 575; further, that if cloture is invoked on any of these nominations, all postcloture time be expired and at 1:45 p.m., the Senate proceed to vote on confirmation of Calendar Nos. 591, 592, 730, and 701; further, that on Monday, May 5, at 5:30 p.m., the Senate proceed to executive session and vote on confirmation of Calendar Nos. 575

and 703; further, that there be 2 minutes for debate prior to each vote, equally divided in the usual form, that any rollcall votes following the first in each series be 10 minutes in length and, if confirmed, the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nominations; that any statements related to the nominations be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

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

Mr. REID. With this agreement, we will have up to seven rollcall votes this afternoon and as many as three rollcall votes beginning at 11 a.m. tomorrow, and as many as four rollcall votes tomorrow afternoon beginning at about a quarter of 2.

Madam President, I ask unanimous consent that even though we are a minute or so short, we start the votes.

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

#### EXECUTIVE SESSION

NOMINATION OF SHERYL H. LIPMAN TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF TENNESSEE

NOMINATION OF STANLEY ALLEN BASTIAN TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF WASHINGTON

NOMINATION OF MANISH S. SHAH TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF ILLINOIS

NOMINATION OF DANIEL D. CRABTREE TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF KANSAS

NOMINATION OF CYNTHIA ANN BASHANT TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF CALIFORNIA

NOMINATION OF JON DAVID LEVY TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF MAINE

NOMINATION OF ROBERT O. WORK TO BE DEPUTY SECRETARY OF DEFENSE

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

The bill clerk read the nominations of Sheryl H. Lipman, of Tennessee, to be United States District Judge for the Western District of Tennessee; Stanley Allen Bastian, of Washington, to be United States District Judge for the Eastern District of Washington; Manish S. Shah, of Illinois, to be United States District Judge for the Northern District of Illinois; Daniel D. Crabtree, of Kansas, to be United States District Judge for the District of Kansas; Cynthia Ann Bashant, of California, to be United States District Judge for the Southern District of California; Jon David Levy, of Maine, to be United States District Judge for the District of Maine; and Robert O. Work, of Virginia, to be Deputy Secretary of Defense.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Madam President, I have not had the opportunity—and it is my fault—to speak to the chairman of the Judiciary Committee, but hoping he will not be upset, I ask unanimous consent that the 2 minutes prior to this first vote be yielded back, and then I will talk to Senator LEAHY to see how he feels about the others.

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

VOTE ON LIPMAN NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Sheryl H. Lipman, of Tennessee, to be United States District Judge for the Western District of Tennessee?

Mr. INHOFE. Madam 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. DURBIN. I announce that the Senator from Arkansas (Mr. PRYOR) is necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Arkansas (Mr. BOOZMAN), the Senator from Mississippi (Mr. COCHRAN), the Senator from Louisiana (Mr. VITTER), and the Senator from Mississippi (Mr. WICKER).

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

The result was announced—yeas 95, nays 0, as follows:

[Rollcall Vote No. 118 Ex.] YEAS—95

Alexander Casey Flake
Ayotte Chambliss Franken
Baldwin Coats Gillibrand
Barrasso Coburn Graham
Begich Collins Grassley
Bennet Coons Hagan
Blumenthal Corker Harkin
Blunt Cornyn Hatch
Booker Crapo Heinrich
Boxer Cruz Heitkamp
Brown Donnelly Heller
Burr Hirono Hoeven
Cantwell Enzi Inhofe
Cardin Feinstein Inhofe
Carper Fischer Isakson

Johanns Merkle Schumer
Johnson (SD) Mikulski Scott
Johnson (WI) Moran Sessions
Kaine Murkowski Shaheen
King Murphy Shelby
Kirk Murray Stabenow
Klobuchar Nelson Tester
Landrieu Paul Thune
Leahy Portman Toomey
Lee Reed Udall (CO)
Levin Reid Udall (NM)
Manchin Risch Walsh
Markey Roberts Warner
McCain Rockefeller Warren
McCaskill Rubio Whitehouse
McConnell Sanders Wyden
Menendez Schatz

NOT VOTING—5

Boozman Pryor Wicker
Cochran Vitter

The nomination was confirmed.

VOTE ON BASTIAN NOMINATION

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate prior to a vote on the Bastian nomination.

Mr. Kaine. Mr. President, I ask unanimous consent that all remaining debate time be yielded back.

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

The question is, Will the Senate advise and consent to the nomination of Stanley Allen Bastian, of Washington, to be United States District Judge for the Eastern District of Washington?

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

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Arkansas (Mr. PRYOR) is necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Arkansas (Mr. BOOZMAN), the Senator from Mississippi (Mr. COCHRAN), the Senator from Louisiana (Mr. VITTER), and the Senator from Mississippi (Mr. WICKER).

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

The result was announced—yeas 95, nays 0, as follows:

[Rollcall Vote No. 119 Ex.] YEAS—95

Alexander Cruz Kaine
Ayotte Donnelly King
Baldwin Durbin Kirk
Barraso Enzi Klobuchar
Begich Feinstein Landrieu
Bennet Fischer Leahy
Blumenthal Flake Lee
Blunt Franken Levin
Booker Gillibrand Manchin
Boxer Graham Markey
Brown Grassley McCain
Burr Hagan McCaskill
Cantwell Harkin McConnell
Cardin Hatch Menendez
Carper Heinrich Merkley
Casey Heitkamp Mikulski
Chambliss Heller Moran
Coats Hirono Murkowski
Coburn Hoeven Murphy
Boxer Cruz Heitkamp
Brown Donnelly Heller
Burr Hirono Hoeven
Cantwell Enzi Inhofe
Cardin Feinstein Inhofe
Carper Fischer Isakson

Reid Scott Udall (CO)
Risch Sessions Udall (NM)
Roberts Shaheen Walsh
Rockefeller Shelby Warner
Rubio Stabenow Warren
Sanders Tester Whitehouse
Schatz Thune Wyden
Schumer Toomey

NOT VOTING—5

Boozman Pryor Wicker
Cochran Vitter

The nomination was confirmed.

VOTE ON SHAH NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Manish S. Shah, of Illinois, to be United States District Judge for the Northern District of Illinois?

Mr. KIRK. Mr. President, today I wish to congratulate Manish Shah. I am proud to have put forward Mr. Shah to be a Federal district court judge for Northern Illinois. I thank President Obama for nominating him. I thank the Senate for voting to confirm Manish Shah.

Senator DURBIN, Illinois' senior Senator, and I work to ensure Illinois has highly skilled judges to help strengthen our courts. Mr. Shah was such a judicial nominee.

In Illinois, Mr. Shah has established himself as an outstanding lawyer and dedicated public servant. He was among the most experienced prosecutors in the Northern District of Illinois. Now with Senate confirmation, Mr. Shah starts the next phase of his legal career. He is ready to take a seat on the Federal bench.

We, as Americans, should be proud of Manish Shah. He is a great American success story. Mr. Shah was born in New York. His parents emigrated from India and raised their two sons in West Hartford, CT. Mr. Shah attended Stanford University and graduated with honors and distinction. He attended the University of Chicago Law School, and again he graduated with honors.

After law school, Shah was a litigation associate at Heller Ehrman in San Francisco and clerked for Hon. James B. Zagel of the U.S. District Court for the Northern District of Illinois.

Mr. Shah joined the Chicago U.S. attorney's office in September 2001 and prosecuted violent crime, international drug trafficking, complex fraud, and public corruption. During his time as a Federal prosecutor, Mr. Shah developed a stellar record—notably, Mr. Shah worked with former U.S. attorney Patrick Fitzgerald. Mr. Shah and a team of prosecutors and Federal agents investigated and prosecuted a series of cases arising out of the city of Chicago's Hired Truck Program and Office of Intergovernmental Affairs.

While working at the U.S. attorney's office Mr. Shah served in several leadership positions. He was a deputy chief of the General Crimes Section and the Financial Crimes and Special Prosecutions Section, and he was the chief of the Appellate Section. Mr. Shah was the chief of the Criminal Division and

responsible for supervising the prosecutions in the Northern District of Illinois handled by the approximately 130 Assistant U.S. attorneys. These are the types of life and work experiences that make great judges.

Mr. Shah will be a knowledgeable jurist who will provide a fair forum for the resolution of civil disputes and the prosecution of alleged crimes. I am sure Mr. Shah will have a long and stellar career on the Federal bench in the Northern District of Illinois. I am certain Mr. Shah will be a top-rate judge.

I congratulate Mr. Shah on his confirmation. I look forward to following his judicial career.

Congratulations, Manish Shah. I wish you well.●

Mr. FRANKEN. 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. DURBIN. I announce that the Senator from Arkansas (Mr. PRYOR) is necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Arkansas (Mr. BOOZMAN), the Senator from Mississippi (Mr. COCHRAN), the Senator from Louisiana (Mr. VITTER), and the Senator from Mississippi (Mr. WICKER).

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

The result was announced—yeas 95, nays 0, as follows:

[Rollcall Vote No. 120 Ex.]

YEAS—95

Alexander	Gillibrand	Moran
Ayotte	Graham	Murkowski
Baldwin	Grassley	Murphy
Barrasso	Hagan	Murray
Begich	Harkin	Nelson
Bennet	Hatch	Paul
Blumenthal	Heinrich	Portman
Blunt	Heitkamp	Reed
Booker	Heller	Risch
Boxer	Hirono	Roberts
Brown	Hoeven	Rockefeller
Burr	Inhofe	Rubio
Cantwell	Isakson	Sanders
Cardin	Johanns	Schatz
Carper	Johanns (SD)	Schumer
Casey	Johnson (WI)	Scott
Chambliss	Kaine	Sessions
Coats	King	Shaheen
Coburn	Kirk	Shelby
Collins	Klobuchar	Stabenow
Coons	Landrieu	Tester
Corker	Leahy	Thune
Cornyn	Lee	Toomey
Crapo	Levin	Udall (CO)
Cruz	Manchin	Udall (NM)
Donnelly	Markey	Walsh
Durbin	McCain	Warner
Enzi	McCaskill	Warren
Feinstein	McConnell	Whitehouse
Fischer	Menendez	Wyden
Flake	Merkley	
Franken	Mikulski	

NOT VOTING—5

Boozman	Pryor	Wicker
Cochran	Vitter	

The nomination was confirmed.

VOTE ON CRABTREE NOMINATION

The PRESIDING OFFICER. Under the previous order, the question is, Will

the Senate advise and consent to the nomination of Daniel D. Crabtree, of Kansas, to be United States District Judge for the District of Kansas?

Mr. SESSIONS. 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.

Mr. DURBIN. I announce that the Senator from Maryland (Ms. MIKULSKI) and the Senator from Arkansas (Mr. PRYOR) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Arkansas (Mr. BOOZMAN), the Senator from Mississippi (Mr. COCHRAN), the Senator from Louisiana (Mr. VITTER), and the Senator from Mississippi (Mr. WICKER).

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

The result was announced—yeas 94, nays 0, as follows:

[Rollcall Vote No. 121 Ex.]

YEAS—94

Alexander	Gillibrand	Murkowski
Ayotte	Graham	Murphy
Baldwin	Grassley	Murray
Barrasso	Hagan	Nelson
Begich	Harkin	Paul
Bennet	Hatch	Portman
Blumenthal	Heinrich	Reed
Blunt	Heitkamp	Risch
Booker	Heller	Roberts
Boxer	Hirono	Rockefeller
Brown	Hoeven	Rubio
Burr	Inhofe	Sanders
Cantwell	Isakson	Schatz
Cardin	Johanns	Schumer
Carper	Johnson (SD)	Scott
Casey	Johnson (WI)	Sessions
Chambliss	Kaine	Shaheen
Coats	King	Shelby
Coburn	Kirk	Stabenow
Collins	Klobuchar	Tester
Coons	Landrieu	Thune
Corker	Leahy	Toomey
Cornyn	Lee	Udall (CO)
Crapo	Levin	Udall (NM)
Cruz	Manchin	Walsh
Donnelly	Markey	Warner
Durbin	McCain	Warren
Enzi	McCaskill	Whitehouse
Feinstein	McConnell	Wyden
Fischer	Menendez	
Flake	Merkley	
Franken	Moran	

NOT VOTING—6

Boozman	Mikulski	Vitter
Cochran	Pryor	Wicker

The nomination was confirmed.

VOTE ON BASHANT NOMINATION

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the nomination of Cynthia Ann Bashant, of California, to be United States District Judge for the Southern District of California?

Mrs. FEINSTEIN. Mr. President, I rise to urge my colleagues to support the nomination of Judge Cynthia Bashant to the Federal district court in San Diego.

As my colleagues know, I recommend candidates to the President through a bipartisan judicial selection process. Judge Bashant excelled in this process,

earning my recommendation to President Obama.

I am confident she will do an outstanding job on the Federal bench.

She earned her bachelor's degree from Smith College in 1982 and her law degree from the University of California, Hastings College of the Law in 1986.

She spent 3 years practicing civil litigation at the law firm MacDonald Halsted & Layborne, which later became part of the firm Baker & McKenzie.

In 1989, she joined the U.S. attorney's office in San Diego, where she tried at least 15 cases in Federal court.

Judge Bashant served as deputy chief of the narcotics unit in San Diego from 1995 to 1997, and then as chief of the border crimes unit from 1997 to 1998.

During her prosecutorial career, she prosecuted numerous important cases. One was a major drug trafficking case that involved: the Sinaloa drug cartel; a 1,600-foot tunnel under the southern border; 23 defendants; and wiretaps in Chicago, San Antonio, Los Angeles, and San Diego.

She prosecuted an individual who robbed more than 20 banks, a local record in San Diego at the time.

Just after the Violence Against Women Act passed in 1994, Judge Bashant prosecuted the first Federal domestic violence case in the Southern District of California and one of the first in the Nation.

The defendant was accused of luring his wife, who had just filed for divorce, into their car, after which he took her to Mexico against her will, beat her black and blue, and cut off all of her hair. The defendant pleaded guilty to violating a provision of VAWA designed to criminalize precisely this sort of conduct.

In one of her other cases, the defendant was a human smuggler. To avoid a checkpoint, he led a large group of undocumented immigrants across the Interstate 5 freeway on foot. The group included a mother and her six children, ranging in age from 6 to 15 years old.

The 6-year old boy was killed by oncoming traffic in front of his mother. The smuggler simply left the mother and her five other children by the side of the road.

In preparation for trial, Judge Bashant met extensively with the mother, who understandably was distraught and afraid to testify. Judge Bashant and the mother's sister helped the mother be ready to testify against the smuggler.

Ultimately, Judge Bashant secured a guilty plea from the defendant, and the court imposed several sentencing enhancements on him.

For her work on this case, Judge Bashant won the Justice Department's Victim-Witness Award.

She also won numerous other DOJ awards, including the Director's Award for Superior Performance and special commendations 6 years in a row.

In 2000, Judge Bashant was appointed to the San Diego Superior Court.

As a judge, she has presided over more than 1,000 cases that have gone to verdict or judgment—including more than 100 criminal jury trials.

She has been a leader on the superior court, as well as in the San Diego community. Most recently, she was presiding judge of the Juvenile Court from 2009 to 2012.

In 2012, the San Diego Juvenile Justice Commission named her Judge of the Year.

She served as chair of the San Diego Commission on Children, Youth, and Families, which advises the county board of supervisors on issues affecting family well-being.

She served on the San Diego County Child Abuse Prevention Coordinating Council as well.

She also has served as president and currently serves on the advisory board of the Lawyers Club of San Diego—a highly respected organization that works to promote gender equality in the legal profession.

She also has served on the board of the Children's Initiative of San Diego, which was established in 1992 to advocate for effective policies to support the health and well-being of children, youth, and families in San Diego.

Simply put, Judge Bashant is a perfect fit for this position. She has experience in private practice. She spent 11 years as a Federal prosecutor in San Diego. She has been running her own courtroom for 13 years.

I have no doubt she will hit the ground running on the Southern District, which has the third-greatest criminal caseload per judgeship in the Nation.

Beyond her qualifications and experience, Judge Bashant clearly is an outstanding woman and a real leader. As one of her judicial colleagues told my judicial selection committee, Judge Bashant is "an energetic, smart, really impressive hard worker who really cares."

So, I am very proud to have recommended Judge Bashant to the President, and I urge my colleagues to support her nomination.

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

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

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 Arkansas (Mr. PRYOR) is necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Arkansas (Mr. BOOZMAN), the Senator from Mississippi (Mr. COCHRAN), the Senator from Florida (Mr. RUBIO), the Senator from Louisiana (Mr. VITTER), and the Senator from Mississippi (Mr. WICKER).

The result was announced—yeas 94, nays 0, as follows:

[Rollcall Vote No. 122 Ex.]

YEAS—94

Alexander	Gillibrand	Moran
Ayotte	Graham	Murkowski
Baldwin	Grassley	Murphy
Barrasso	Hagan	Murray
Begich	Harkin	Nelson
Bennet	Hatch	Paul
Blumenthal	Heinrich	Portman
Blunt	Heitkamp	Reed
Booker	Heller	Reid
Boxer	Hirono	Risch
Brown	Hoeven	Roberts
Burr	Inhofe	Rockefeller
Cantwell	Isakson	Sanders
Cardin	Johanns	Schatz
Carper	Johnson (SD)	Schumer
Casey	Johnson (WI)	Scott
Chambliss	Kaine	Sessions
Coats	King	Shaheen
Coburn	Kirk	Shelby
Collins	Klobuchar	Stabenow
Coons	Landrieu	Tester
Corker	Leahy	Thune
Cornyn	Lee	Toomey
Crapo	Levin	Udall (CO)
Cruz	Manchin	Udall (NM)
Donnelly	Markey	Walsh
Durbin	McCain	Warner
Enzi	McCaskill	Warren
Feinstein	McConnell	Whitehouse
Fischer	Menendez	Wyden
Flake	Merkley	
Franken	Mikulski	

NOT VOTING—6

Boozman	Pryor	Vitter
Cochran	Rubio	Wicker

The nomination was confirmed.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, the last rollcall vote will occur in a matter of a few seconds, and after that there will be a voice vote.

The first series of votes tomorrow will be at 11:15 a.m. Starting at 1:45 p.m. tomorrow afternoon, we will have up to four votes. If we are fortunate, there will only be two or three votes.

This is the last vote tonight. We start at 11:15 a.m. tomorrow morning, and then at 1:45 p.m. tomorrow afternoon.

VOTE ON LEVY NOMINATION

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the nomination of Jon David Levy, of Maine, to be United States District Judge for the District of Maine?

Mr. MENENDEZ. 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 legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Arkansas (Mr. PRYOR) is necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Arkansas (Mr. BOOZMAN), the Senator from Mississippi (Mr. COCHRAN), the Senator from Louisiana (Mr. VITTER), and the Senator from Mississippi (Mr. WICKER).

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

The result was announced—yeas 75, nays 20, as follows:

[Rollcall Vote No. 123 Ex.]

YEAS—75

Alexander	Franken	Mikulski
Ayotte	Gillibrand	Murkowski
Baldwin	Grassley	Murphy
Begich	Hagan	Murray
Bennet	Harkin	Nelson
Blumenthal	Heinrich	Paul
Blunt	Heitkamp	Portman
Booker	Hirono	Reed
Boxer	Hoeven	Reid
Brown	Isakson	Rockefeller
Cantwell	Johnson (SD)	Rubio
Cardin	Kaine	Sanders
Carper	King	Schatz
Casey	Kirk	Schumer
Chambliss	Klobuchar	Shaheen
Coats	Landrieu	Stabenow
Collins	Leahy	Tester
Coons	Levin	Thune
Corker	Manchin	Udall (CO)
Cornyn	Markey	Udall (NM)
Donnelly	McCain	Walsh
Durbin	McCaskill	Warner
Feinstein	McConnell	Warren
Fischer	Menendez	Whitehouse
Flake	Merkley	Wyden

NAYS—20

Barrasso	Hatch	Risch
Burr	Heller	Roberts
Coburn	Inhofe	Scott
Crapo	Johanns	Sessions
Cruz	Johnson (WI)	Shelby
Enzi	Lee	Toomey
Graham	Moran	

NOT VOTING—5

Boozman	Pryor	Wicker
Cochran	Vitter	

The nomination was confirmed.

The PRESIDING OFFICER. On this vote the yeas are 75, the nays are 20. The nomination is confirmed.

VOTE ON WORK NOMINATION

Under the previous order, the question is, Will the Senate advise and consent to the nomination of Robert O. Work, of Virginia, to be Deputy Secretary of Defense?

The nomination was confirmed.

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

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. I ask unanimous consent that the order for the quorum call be rescinded.

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

MORNING BUSINESS

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

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

## SUPREME COURT DECISIONS

Mr. LEAHY. Mr. President, earlier this month, the U.S. Supreme Court once again chose to dismantle campaign finance laws which had protected hard-working Americans for decades. In *McCutcheon v. Federal Election Commission*, a sharply divided Court held that aggregate limits on campaign contributions are a violation of the First Amendment. These were the same five justices who, just 4 years ago, reversed a century of precedent in *Citizens United* by declaring that corporations have a First Amendment right to endlessly finance and influence elections. Rather than increasing access and encouraging participation for all Americans, this Court continues to rule against our democratic principles and in favor of moneyed interests.

The Court's recent dismantling of campaign finance laws has been devastating. As Justice Breyer warned in his dissent:

Taken together with *Citizens United*, [the *McCutcheon*] decision eviscerates our Nation's campaign finance laws, leaving a remnant incapable of dealing with the grave problems of democratic legitimacy that those laws were intended to resolve.

I could not agree with him more.

Nobody who has watched our elections or even tried to watch television since the *Citizens United* decision can deny the enormous impact that decision has had on our political process. In small states like Vermont, that decision coupled with *McCutcheon* poses an even greater risk. I have heard time and again from Vermonters concerned about these toxic effects, and I agree that something must be done. That is why I have cosponsored the DISCLOSE Act since 2010 to restore transparency and accountability to campaign finance laws, and that is why we have held multiple hearings in the Judiciary Committee on the impact of these alarming Supreme Court decisions. Earlier this month I announced that the Judiciary Committee would have another hearing on this issue. That hearing will take place in June. We will hear testimony from individuals who have witnessed the real impact these harmful decisions have had on Americans seeking to exercise their right to vote and to be heard.

The Judiciary Committee's hearing will also take place close to the anniversary of yet another devastating Supreme Court decision. Last June, as the Nation prepared to celebrate the 50th Anniversary of the March on Washington where Dr. Martin Luther King delivered his historic "I Have a Dream" speech, the same narrow majority of the Supreme Court struck down the coverage provision of the Voting Rights Act and effectively gutted the most successful piece of civil rights legislation in this Nation's history in *Shelby County v. Holder*.

The Voting Rights Act, including the coverage formula and Section 5, was reauthorized and signed into law by President George W. Bush in 2006, after

the Senate voted 98-0 and the House voted 390-33 in favor of the reauthorization. Yet the Court struck down a key provision of the Act despite the fact that it has worked to protect the Constitution's guarantees against racial discrimination in voting for nearly five decades. In striking down the coverage formula in the Voting Rights Act, the Court dramatically undercut Section 5's ability to protect American voters from racial discrimination in voting. The result is that many Americans who were protected by this law have now been left vulnerable to discriminatory practices and have had much greater difficulty accessing the ballot box. Along with other lawmakers, I have introduced a bipartisan and bicameral bill, S. 1945, to respond to the Court's decision and would reinvigorate the most vital protections of the Act. I hope Senate Republicans will work with me on this important effort.

This current Supreme Court's pattern of denying access to the ballot box for everyday Americans while expanding the ability of billionaires and corporations to buy elections is disturbing, to say the least. In an article by Ari Berman at *The Nation* dated April 2, the author states that "The Court's conservative majority believes that the First Amendment gives wealthy donors and powerful corporations the carte blanche to buy an election but that the Fifteenth Amendment does not give Americans the right to vote free of racial discrimination." Since the Court's ruling in *Shelby County*, eight states previously covered under Section 4 of the Voting Rights Act have since passed or implemented new voting restrictions and voters are already seeing the consequences of that lack of protection. Mr. Berman concludes that "[a] country that expands the rights of the powerful to dominate the political process but does not protect fundamental rights for all citizens doesn't sound much like a functioning democracy to me." I agree and I ask unanimous consent to have this article printed in the RECORD at the conclusion of my remarks.

Sara Mayeux at Harvard Law School observed that the Court began its *McCutcheon* opinion by noting that "There is no right more basic in our democracy than the right to participate in electing our political leaders" yet, this same narrow majority discarded that very principle just last year when it struck down a key provision of the Voting Rights Act in *Shelby County*—a case that was much more about the right to participate in electing our political leaders than this one.

The observation is consistent with the disturbing trend exhibited by this Court in *Citizens United*, *McCutcheon*, and *Shelby County*, which is that the Court underscores and endorses the rights of corporations and billionaires to participate in our democracy, and yet dismisses that same right for the average American to participate in our elections and to vote free from discrimination.

Every American should understand how devastating these rulings are to our system of democracy. Time and again, this narrow majority of conservative Justices has substituted their own preferences for those of the duly-elected Congress, despite the Supreme Court's own precedents. This Court's disregard for Congressional findings about both the threat of corruption and the irreparable harm of racial discrimination in voting demonstrates how out of touch with reality some of the Justices have become. These sharply-divided rulings undermine the fundamental concept that our democracy is supposed to work for all Americans. I will continue to work on behalf of the American people to see that all Americans and not just a wealthy few will continue to have a right to participate in our representative democracy and to have their voices heard.

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

[From *The Nation*, Apr. 2, 2014]

THE SUPREME COURT'S IDEOLOGY: MORE MONEY, LESS VOTING

(By Ari Berman)

In the past four years, under the leadership of Chief Justice John Roberts, the Supreme Court has made it far easier to buy an election and far harder to vote in one.

First came the Court's 2010 decision in *Citizens United v. FEC*, which brought us the Super PAC era.

Then came the Court's 2013 decision in *Shelby County v. Holder*, which gutted the centerpiece of the Voting Rights Act.

Now we have *McCutcheon v. FEC*, where the Court, in yet another controversial 5-4 opinion written by Roberts, struck down the limits on how much an individual can contribute to candidates, parties and political action committees. So instead of an individual donor being allowed to give \$117,000 to campaigns, parties and PACs in an election cycle (the aggregate limit in 2012), they can now give up to \$3.5 million, Andy Kroll of *Mother Jones* reports.

The Court's conservative majority believes that the First Amendment gives wealthy donors and powerful corporations the carte blanche right to buy an election, but that the Fifteenth Amendment does not give Americans the right to vote free of racial discrimination.

These are not unrelated issues—the same people, like the Koch brothers, who favor unlimited secret money in US elections are the ones funding the effort to make it harder for people to vote. The net effect is an attempt to concentrate the power of the top 1 percent in the political process and to drown out the voices and votes of everyone else.

Consider these stats from *Demos* on the impact of *Citizens United* in the 2012 election:

The top thirty-two Super PAC donors, giving an average of \$9.9 million each, matched the \$313.0 million that President Obama and Mitt Romney raised from all of their small donors combined—that's at least 3.7 million people giving less than \$200 each.

Nearly 60 percent of Super PAC funding came from just 159 donors contributing at least \$1 million. More than 93 percent of the money Super PACs raised came in contributions of at least \$10,000—from just 3,318 donors, or the equivalent of 0.0011 percent of the US population.

It would take 322,000 average-earning American families giving an equivalent

share of their net worth to match the Adelsons' \$91.8 million in Super PAC contributions. That trend is only going to get worse in the wake of the McCutcheon decision.

Now consider what's happened since Shelby County: eight states previously covered under Section 4 of the Voting Rights Act have passed or implemented new voting restrictions (Alabama, Arizona, Florida, Mississippi, Texas, Virginia, South Carolina and North Carolina).

That has had a ripple effect elsewhere. According to The New York Times, "nine states [under GOP control] have passed measures making it harder to vote since the beginning of 2013."

A country that expands the rights of the powerful to dominate the political process but does not protect fundamental rights for all citizens doesn't sound much like a functioning democracy to me.

**CBO COST ESTIMATES**

Mr. WYDEN, Mr. President, on Monday, the Finance Committee reported S. 2260, the Expiring Provisions Improvement Reform and Efficiency (EXPIRE) Act of 2014, and S. 2261, the Tax Technical Corrections Act of 2014.

At the time that the bills and accompanying reports were filed, the statements of the Congressional Budget Office, required under section 402 of the Budget Act, were not yet available, and, in each case, the committee report indicated that the statements would be provided separately.

I ask unanimous consent to have the CBO statements printed in the RECORD.

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

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
Washington, DC, April 29, 2014.

Hon. RON WYDEN,  
Chairman, Committee on Finance,  
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost

estimate for the Tax Technical Corrections Act of 2014.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Logan Timmerhoff.

Sincerely,  
DOUGLAS W. ELMENDORF,  
Director.

Enclosure.

*Tax Technical Corrections Act of 2014*

The Tax Technical Corrections Act of 2014 would make various clerical corrections, clarifications, and conforming and other technical changes to the Internal Revenue Code. Those provisions that the bill would modify were originally enacted in a variety of laws, including the American Taxpayer Relief Act of 2012, the American Recovery and Reinvestment Act of 2009, and the American Jobs Creation Act of 2004. In addition, the bill would repeal many elements of the Internal Revenue Code that are not used in computing current taxes and thus are obsolete.

The staff of the Joint Committee on Taxation (JCT) estimates that the bill would have no budgetary effect. Enacting the bill would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

JCT has determined that the bill contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act.

The CBO staff contact for this estimate is Logan Timmerhoff. The estimate was approved by David Weiner, Assistant Director for Tax Analysis.

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
Washington, DC, April 29, 2014.

Hon. RON WYDEN,  
Chairman, Committee on Finance,  
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for the Expiring Provisions Improvement Reform and Efficiency (EXPIRE) Act.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Barbara Edwards.

Sincerely,  
DOUGLAS W. ELMENDORF,  
Director.

Enclosure.

*Expiring Provisions Improvement Reform and Efficiency (EXPIRE) Act*

Summary: The Expiring Provisions Improvement Reform and Efficiency (EXPIRE) Act would reinstate and extend certain expired and expiring tax provisions through December 31, 2015; most of the provisions expired on December 31, 2013, and would be retroactively reinstated, but a few are scheduled to expire on December 31, 2014. In some cases those provisions would be extended and amended. The bill also would make several additional changes to tax law.

The staff of the Joint Committee on Taxation (JCT) estimates that enacting the bill would reduce revenues by about \$81.3 billion over the 2014–2024 period. A small portion of those estimated reductions in revenues, less than \$0.1 billion over the period from 2014 to 2024, results from off-budget (social security) revenues. CBO and JCT also estimate that the bill would increase direct spending by \$2.8 billion over the 2014–2024 period.

On net, JCT and CBO estimate that enacting the bill would increase deficits by about \$84.1 billion over the 2014–2024 period. Pay-as-you-go procedures apply because enacting the legislation would affect revenues and direct spending.

JCT has determined that the provisions of the bill contain no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA).

Estimated cost to the Federal Government: The estimated budgetary impacts of the bill are shown in the following table.

	By fiscal year, in billions of dollars—												
	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2014–2019	2014–2024
<b>CHANGES IN REVENUES</b>													
Individual Tax Extensions .....	-1.0	-8.7	-6.5	-0.3	-0.1	-0.1	-0.1	-0.1	-0.1	-0.1	-0.1	-16.6	-17.0
Business Tax Extensions .....	-21.8	-100.5	-8.1	32.4	20.5	14.4	8.5	3.6	1.4	-0.2	-0.6	-63.1	-50.4
Energy Tax Extensions .....	-2.0	-3.5	-1.6	-0.5	-1.0	-1.4	-1.7	-1.8	-1.9	-2.0	-2.1	-10.1	-19.6
Debt Collection Contracts .....	*	0.1	0.4	0.5	0.5	0.5	0.5	0.5	0.6	0.6	0.6	1.9	4.8
Other Provisions .....	*	*	*	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.3	1.0
Total Revenues .....	-24.8	-112.6	-15.8	32.0	20.0	13.6	7.4	2.4	0.1	-1.6	-2.1	-87.6	-81.3
On-budget .....	-24.8	-112.6	-15.8	32.0	20.0	13.6	7.4	2.4	0.1	-1.6	-2.1	-87.5	-81.3
Off-budget .....	*	*	*	0	0	0	0	0	0	0	0	-0.1	-0.1
<b>CHANGES IN DIRECT SPENDING</b>													
Debt Collection Contracts													
Estimated Budget Authority .....	*	0.1	0.2	0.2	0.2	0.2	0.3	0.3	0.3	0.3	0.3	1.0	2.4
Estimated Outlays .....	*	0.1	0.2	0.2	0.2	0.2	0.3	0.3	0.3	0.3	0.3	1.0	2.4
Rum Excise Tax Payments													
Estimated Budget Authority .....	0.1	0.2	*	0	0	0	0	0	0	0	0	0.3	0.3
Estimated Outlays .....	0.1	0.2	*	0	0	0	0	0	0	0	0	0.3	0.3
Health Coverage Credit													
Estimated Budget Authority .....	*	0.1	*	0	0	0	0	0	0	0	0	0.1	0.1
Estimated Outlays .....	*	0.1	*	0	0	0	0	0	0	0	0	0.1	0.1
Child Tax Credit													
Estimated Budget Authority .....	0	0	*	*	*	*	*	*	*	*	*	*	*
Estimated Outlays .....	0	0	*	*	*	*	*	*	*	*	*	*	*
Total Direct Spending													
Estimated Budget Authority .....	0.2	0.3	0.3	0.2	0.2	0.2	0.3	0.3	0.3	0.3	0.3	1.4	2.8
Estimated Outlays .....	0.2	0.3	0.3	0.2	0.2	0.2	0.3	0.3	0.3	0.3	0.3	1.4	2.8
<b>NET INCREASE OR DECREASE (-) IN THE DEFICIT FROM CHANGES IN DIRECT SPENDING AND REVENUES</b>													
Effect on Deficits													
On-budget .....	25.0	112.9	16.0	-31.8	-19.8	-13.3	-7.1	-2.1	0.2	1.9	2.4	89.0	84.1
Off-budget .....	25.0	112.9	16.0	-31.8	-19.8	-13.3	-7.1	-2.1	0.2	1.9	2.4	88.9	84.1
Off-budget .....	*	*	*	0	0	0	0	0	0	0	0	0.1	0.1

Sources: Congressional Budget Office and staff of the Joint Committee on Taxation.  
Note: Details may not add to totals because of rounding; \* = between -\$50 million and \$50 million.

Basis of estimate: JCT provided the estimates of all provisions except one dealing with outlays of certain rum excise taxes. The estimates reflect an assumed enactment date of July 1, 2014.

Extensions of individual tax provisions: The individual income tax provisions would reduce revenues by \$17.0 billion and increase outlays by \$0.1 billion over the 2014–2024 period, JCT estimates. Those amounts include, among others, the extension of provisions that allow:

Individuals to claim state and local sales taxes as an itemized deduction in lieu of state and local income taxes in calculating their individual income tax liability; JCT estimates that the revenue reduction would total \$6.5 billion over the 2014–2024 period.

An exclusion from gross income for the discharge of indebtedness on a principal residence; JCT estimates that the revenue reduction would be \$5.4 billion over the 2014–2024 period.

Individuals to claim the refundable health coverage tax credit, which JCT estimates would reduce revenues by \$28 million and increase outlays for refundable tax credits by \$106 million over the 2014–2024 period.

Extensions of business tax provisions: The business tax provisions would reduce revenues by \$50.4 billion over the 2014–2024 period, JCT estimates. In addition, CBO estimates that outlays would increase by \$0.3 billion over the 2014–2024 period. Those amounts include, among others, provisions that allow:

Businesses to qualify for both additional first-year depreciation of 50 percent of the basis for qualifying property and additional expensing (that is, immediate deduction from taxable income) for qualifying property under section 179 of the Internal Revenue

Code. JCT estimates that those provisions would reduce revenues by \$101.8 billion over the 2014–2015 period, and increase revenues by \$95.7 billion over the 2016–2024 period, with the net effect of reducing revenues by \$6.0 billion over the 2014–2024 period.

Businesses to claim the research tax credit, which JCT estimates would reduce revenues by \$16.0 billion over the 2014–2024 period. The provision would extend the credit in effect in 2013 in modified form.

Certain foreign subsidiaries that engage in banking, financial, and related businesses to defer taxation of certain income until it is repatriated to the U.S. parent corporation; JCT estimates that the provision would reduce revenues by \$10.4 billion over the 2014–2024 period.

The Treasuries of Puerto Rico and the Virgin Islands to receive increased payments relating to excise taxes on rum manufactured in those places as well as rum imported from other countries. CBO estimates that those payments, which are recorded in the budget as outlays, would total \$336 million over the 2014–2024 period.

Extensions of energy tax provisions: The extension of the energy tax provisions would lower revenues by about \$19.6 billion over the 2014–2024 period. The provision with the largest effect on revenues—reducing them by an estimated \$13.3 billion over the 2014–2024 period—would extend to the end of 2015, the date by which construction must begin in order for renewable power facilities to be eligible for the electricity production credit or the investment credit in lieu of the production credit.

Debt collection contracts: The bill would require the Internal Revenue Service (IRS) to contract with private collection agencies

to collect payments of certain tax liabilities. JCT estimates that the provision would increase revenues by \$4.8 billion over the period from 2014 to 2024. The IRS would retain up to 25 percent of the amount collected by the private collection agencies to pay for the services of those collection agencies. In addition, up to an additional 25 percent would be retained by the IRS to fund a program of personnel hiring and training related to tax compliance, and to administer the contracts with private collection agencies. As a result, direct spending would increase by \$2.4 billion over the 2014–2024 period.

Other provisions: JCT estimates that the remaining provisions in the bill would increase revenues by \$1.0 billion over the 2014–2024 period. The provision with the largest effect on revenues would allow the Treasury Department to levy up to 100 percent of a payment to a Medicare provider to collect unpaid taxes; JCT estimates that the provision would increase revenues by \$0.8 billion over the 2014–2024 period. JCT also estimates that a provision that would apply penalties to tax preparers who fail to exercise certain due diligence requirements for claims of the refundable child tax credit would reduce outlays for refundable tax credits by \$40 million over the 2014–2024 period.

Pay-as-you-go considerations: The Statutory Pay-As-You-Go Act of 2010 establishes budget-reporting and enforcement procedures for legislation affecting direct spending or revenues. The net changes in revenues and outlays that are subject to those pay-as-you-go procedures are shown in the following table. Only on-budget changes to outlays or revenues are subject to pay-as-you-go procedures.

CBO ESTIMATE OF PAY-AS-YOU-GO EFFECTS FOR THE EXPIRING PROVISIONS IMPROVEMENT AND EFFICIENCY (EXPIRE) ACT, AS ORDERED REPORTED BY THE SENATE COMMITTEE ON FINANCE ON APRIL 3, 2014

	By fiscal year, in millions of dollars—													
	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2014–2019	2014–2024	
	NET INCREASE OR DECREASE (–) IN THE ON-BUDGET DEFICIT													
Statutory Pay-As-You-Go Effects .....	24,959	112,872	16,007	–31,824	–19,763	–13,332	–7,137	–2,143	153	1,875	2,388	88,921	84,058	
Memorandum:														
Changes in Revenues .....	–24,797	–112,587	–15,753	32,045	19,994	13,574	7,390	2,408	125	–1,583	–2,083	–87,526	–81,272	
Changes in Outlays .....	162	285	254	221	231	242	253	265	278	292	305	1,395	2,786	

Sources: Congressional Budget Office and staff of the Joint Committee on Taxation.

Intergovernmental and private-sector impact: JCT has determined that the provisions of the EXPIRE Act contain no intergovernmental or private-sector mandates as defined in UMRA.

Estimate prepared by: Federal Revenues: Barbara Edwards and staff of the Joint Committee on Taxation Federal Spending: Matthew Pickford

Estimate approved by: David Weiner, Assistant Director for Tax Analysis.

**TRIBUTE TO GABRIELLE BATKIN**

Ms. MIKULSKI. Mr. President, today I wish to honor Gabrielle Batkin on the occasion of her becoming the staff director of the Committee on Homeland Security and Governmental Affairs.

Gabrielle has a long career in public service. She served in Senator Frank Lautenberg’s office, in Congressman PALLONE’s office, on the Senate Budget Committee, and joined my office in 2001. Gabrielle started on the Appropriations Committee’s Veterans Affairs and Housing and Urban Development Subcommittee, then moved to the Commerce, Justice, and Science Subcommittee, eventually becoming the

clerk of the subcommittee. For the last year she has been the deputy director of the Appropriations Committee.

Gabby has played a part in some of my biggest achievements, including the most recent passage of the Appropriations Omnibus Package for Fiscal Year 2014. Her expertise and service ensured that America was well-funded and ready to get back to work after sequester and shutdown.

Throughout these wonderful 13 years, Gabrielle has been an invaluable member of my staff. Not only has she helped me immensely in my work as a U.S. Senator, but she has served the people of Maryland with distinction. Today I want to thank Gabrielle, her husband Josh, and her three wonderful children Henry, Will, and Charlie, for sharing her with us. I want to recognize her for all of the important work she has done and wish her the very best as she embarks on the next stage in her career.

**COMBATING GLOBAL HUNGER**

Mr. CARDIN. Mr. President, today I would like to discuss global hunger.

From April 28 to May 2, people across the United States and across the globe are participating in the Live Below the Line campaign to raise awareness for global hunger and to show support for the critical programs that seek to alleviate hunger. Participants in the Live Below the Line campaign, including many of my constituents in Maryland, are subsisting on \$1.50 a day to demonstrate the challenges faced by millions of people each day. Right now, more than 1.2 billion people involuntarily live on less than \$1.50 a day for food and drink.

Children are particularly vulnerable to hunger and undernourishment. Studies show a child’s entire life is shaped by whether or not she or he receives proper nutrition during the first 1,000 days of her or his life. And tragically, 3.1 million children under the age of 5 die each year as a result of poor nutrition and hunger.

When we think of global hunger, we often think of Sub-Saharan Africa where 223 million people, 24.8 percent of the population, face food insecurity. Or we think of Asia, where more than 500

million people suffer from hunger. In Laos, for example, 50 percent of children under the age of 5 are chronically malnourished. And in Burma, it is estimated that about 35 percent of children are undernourished and stunted.

But hunger is not just a problem for developing countries. Families across America and in my home State of Maryland are also struggling. According to the latest U.S. department of Agriculture report on Household Food Security in the United States, 12.5 percent of all households in Maryland were food insecure between 2009 and 2011, and more than 27 percent of children in Maryland are living in poverty.

Proper nutrition is not just important to individual health, it is critical to the long-term health and success of nations. Poor nutrition and rampant hunger results in a less healthy and less productive workforce, hampers economic development and growth, and ultimately perpetuates the cycle of hunger and poverty for successive generations. It should not be that way; every child should have the opportunity to grow up healthy and strong.

Thanks to organizations like the World Food Program USA and the United Nations World Food Program, who together work to solve global hunger, the number of hungry people in the world has fallen by 17 percent since 1990. And in 2013, the World Food Program provided 24 million school children in 60 different countries with meals at school. This not only reduces undernourishment and hunger, but also incentivizes school attendance. We need more programs like this, and we need more people to be aware of this issue, both here in the United States and abroad.

With the world population expected to increase to 9 billion by 2050, transforming how people farm and what people eat is the only way, I believe, to ensure food security for future generations.

We are making great strides in global food security, particularly through the U.S. Feed The Future Initiative, which focuses on building sustainability and resilience into communities by transforming how people farm and what people eat.

In 2009, then-Secretary of State Clinton said,

We have the resources to give every person in the world the tools they need to feed themselves and their children. So the question is not whether we can end hunger. It's whether we will.

Ending global hunger and poverty will not happen tomorrow, but if we continue to coordinate with our global partners, harness the power of the private sector and the NGO community, and use our development aid in the most effective and transparent way possible, we will have much better outcomes. The United States must be relentless in striving to assure that no one goes hungry.

## ADDITIONAL STATEMENTS

### TRIBUTE TO TONY ZEISS

• Mrs. HAGAN. Mr. President, today I wish to recognize a friend of education, a passionate champion for job creation and innovation, and a truly outstanding leader from North Carolina.

Dr. Tony Zeiss has served as the president of Central Piedmont Community College in Charlotte, NC, since 1992. CPCC is an institution familiar to many of my colleagues in this body. In January 2012, during his State of the Union Address, the President held up the partnership between CPCC and Siemens Energy as a model of customized training for workforce development. Central Piedmont Community College was also selected as the 2002 Community College of the Year by the National Alliance of Business.

The community college's success is due, in large part, to Dr. Zeiss's leadership and commitment to fostering innovation in workforce and career development.

Dr. Zeiss is a native of Indiana and a proud alumnus of Indiana State University, where he earned his bachelor's and master's degrees. He received his doctorate degree in community college administration from Nova Southeastern University.

Dr. Zeiss is passionate about his adopted home State of North Carolina and the importance of making a difference in his community. He has served on several local, regional, and national boards. He is the past chair of the board of the American Association of Community Colleges, past board chair for the League for Innovation, and was the Association of Community College Trustees' National Chief Executive Officer of the year for 2004-2005.

While it is evident he is deeply engaged in his community, the true sources of strength for Dr. Zeiss are his wife Beth, his two sons, his daughter-in-law, and his two grandchildren.

One of the first opportunities Dr. Zeiss sought out when he arrived in North Carolina was participation in Leadership North Carolina, a nonprofit organization that engages current and emerging leaders from across the State through ongoing networking and service opportunities. In 1995, Dr. Zeiss graduated from Leadership North Carolina as an alumnus of Class I. In 2005, the LNC board of directors recognized his contributions to the State by presenting him with the L. Richardson Preyer Alumni Award, presented annually to an LNC alumnus whose demonstrated leadership has made a significant improvement in the quality of life, economic well-being, and/or sense of community in our State.

Elected as chair of Leadership North Carolina in 2012, Dr. Zeiss has brought his considerable leadership experience and passion as an alumnus to strengthen the organization during his 2-year tenure. His work has positioned the program for sustainability for years to

come and strengthened its reputation among leaders in business, government, education, and the nonprofit sector. The measure of a good leader is the legacy he or she leaves behind. Dr. Tony Zeiss leaves North Carolina with 950 informed and engaged leaders and has challenged them to leverage their influence for the benefit of our State and Nation.

On June 30 of this year, Dr. Tony Zeiss will complete his tenure as chair of the Leadership North Carolina board of directors. We need strong, effective, visionary leaders now more than ever. Dr. Zeiss's service to Leadership North Carolina has been focused on promoting the LNC program and soliciting financial support for its sustainability and growth, all while engaging, challenging, and informing future leaders. I join the board of directors of Leadership North Carolina in recognizing Dr. Zeiss for his leadership, vision, and determination.

As a fellow parent and grandparent, I am grateful for the example Dr. Zeiss has set for young people and the opportunities he has provided through the gifts of education and leadership. He is the embodiment of our State's motto, *Esse Quam Videri*, to be rather than to seem, and I ask all my colleagues to join me in thanking Dr. Tony Zeiss for his service to North Carolina.●

### FREMONT COUNTY, IOWA

• Mr. HARKIN. Mr. President, the strength of my State of Iowa lies in its vibrant local communities, where citizens come together to foster economic development, make smart investments to expand opportunity, and take the initiative to improve the health and well-being of residents. Over the decades, I have witnessed the growth and revitalization of so many communities across my State, and it has been deeply gratifying to see how my work in Congress has supported these local efforts.

I have always believed in accountability for public officials, and this, my final year in the Senate, is an appropriate time to give an accounting of my work across four decades representing Iowa in Congress. I take pride in accomplishments that have been national in scope—for instance, passing the Americans with Disabilities Act and spearheading successful farm bills. But I take a very special pride in projects that have made a big difference in local communities across my State.

Today, I would like to give an accounting of my work with leaders and residents of Fremont County to build a legacy of a stronger local economy, better schools and educational opportunities and a healthier, safer community.

Between 2001 and 2013, the creative leadership in your community has worked with me to secure funding in Fremont County worth over \$155,000 and successfully acquired financial assistance from programs I have fought

hard to support, which have provided more than \$4.4 million to the local economy.

Of course my favorite memory of working together has to be Fremont County's excellent work to secure funding for firefighting equipment through Federal Emergency Management Agency, FEMA, fire grants. I look forward to seeing how Fremont County has implemented this important funding in their community.

Among the highlights:

Keeping Iowa communities safe: I also firmly believe that our first responders need to be appropriately trained and equipped, able to respond to both local emergencies and to statewide challenges such as—for instance, the methamphetamine epidemic. Since 2001, Fremont County's fire departments have received over \$896,975 for firefighter safety and operations equipment.

Investing in Iowa's economic development through targeted community projects: In Southeast Iowa, we have worked together to grow the economy by making targeted investments in important economic development projects including improved roads and bridges, modernized sewer and water systems, and better housing options for residents of Fremont County. In many cases, I have secured Federal funding that has leveraged local investments and served as a catalyst for a whole ripple effect of positive, creative changes. I have fought for funding for affordable housing programs through the Department of Housing and Urban Development, which local economic development officials have successfully won over many years, securing over \$475,000 and helping to create jobs and expand economic opportunities in Fremont County.

School grants: Every child in Iowa deserves to be educated in a classroom that is safe, accessible, and modern. That is why, for the past decade and a half, I have secured funding for the innovative Iowa Demonstration Construction Grant Program—better known among educators in Iowa as Harkin Grants for public schools construction and renovation. Across 15 years, Harkin grants worth more than \$132 million have helped school districts to fund a range of renovation and repair efforts—everything from updating fire safety systems to building new schools. In many cases, these Federal dollars have served as the needed incentive to leverage local public and private dollars, so it often has a tremendous multiplier effect within a school district. Over the years, Fremont County has received \$150,000 in Harkin grants. Similarly, schools in Fremont County have received funds that I designated for Iowa Star Schools for technology totaling \$47,400.

Agricultural and rural development: Because I grew up in a small town in rural Iowa, I have always been a loyal friend and fierce advocate for family farmers and rural communities. I have

been a member of the House or Senate Agriculture Committee for 40 years—including more than 10 years as chairman of the Senate Agriculture Committee. Across the decades, I have championed farm policies for Iowans that include effective farm income protection and commodity programs; strong, progressive conservation assistance for agricultural producers; renewable energy opportunities; and robust economic development in our rural communities. Since 1991, through various programs authorized through the farm bill, Fremont County has received more than \$2.6 million from a variety of farm bill programs.

Disability rights: Growing up, I loved and admired my brother Frank, who was deaf. But I was deeply disturbed by the discrimination and obstacles he faced every day. That is why I have always been a passionate advocate for full equality for people with disabilities. As the primary author of the Americans with Disabilities Act, ADA, and the ADA Amendments Act, I have had four guiding goals for my fellow citizens with disabilities: equal opportunity, full participation, independent living and economic self-sufficiency. Nearly a quarter century since passage of the ADA, I see remarkable changes in communities everywhere I go in Iowa—not just in curb cuts or closed-captioned television but in the full participation of people with disabilities in our society and economy, folks who at long last have the opportunity to contribute their talents and to be fully included. These changes have increased economic opportunities for all citizens of Fremont County, both those with and without disabilities, and they make us proud to be a part of a community and country that respects the worth and civil rights of all of our citizens.

This is at least a partial accounting of my work on behalf of Iowa, and specifically Fremont County, during my time in Congress. In every case, this work has been about partnerships, cooperation, and empowering folks at the State and local level, including in Fremont County, to fulfill their own dreams and initiatives, and, of course, this work is never complete. Even after I retire from the Senate, I have no intention of retiring from the fight for a better, fairer, richer Iowa, and I will always be profoundly grateful for the opportunity to serve the people of Iowa as their Senator.●

#### SHELBY COUNTY, IOWA

● Mr. HARKIN. Mr. President, the strength of my State of Iowa lies in its vibrant local communities, where citizens come together to foster economic development, make smart investments to expand opportunity, and take the initiative to improve the health and well-being of residents. Over the decades, I have witnessed the growth and revitalization of so many communities across my State. And it has been deep-

ly gratifying to see how my work in Congress has supported these local efforts.

I have always believed in accountability for public officials, and this, my final year in the Senate, is an appropriate time to give an accounting of my work across four decades representing Iowa in Congress. I take pride in accomplishments that have been national in scope—for instance, passing the Americans with Disabilities Act and spearheading successful farm bills. But I take a very special pride in projects that have made a big difference in local communities across my State.

Today, I would like to give an accounting of my work with leaders and residents of Shelby County to build a legacy of a stronger local economy, better schools and educational opportunities, and a healthier, safer community.

Between 2001 and 2013, the creative leadership in your community has worked with me to secure funding in Shelby County worth over \$544,000 and successfully acquired financial assistance from programs I have fought hard to support, which have provided more than \$8.4 million to the local economy.

Of course my favorite memory of working together has to be early in my career when I helped Elk Horn to cut through the bureaucratic red tape holding its historical Danish windmill at customs in New York due to import levies. I also worked with community leaders to see that they received a refund of that levy. Soon after, I spent one of my work days helping the people of the community to rebuild it as a bicentennial project. The windmill stood on Danish soil for 127 years before it was purchased by the Elk Horn community. I am pleased that my state staff director, Rob Barron, will be revisiting this site exactly 38 years after my workday on May 1, 1976.

Among the highlights:

School grants: Every child in Iowa deserves to be educated in a classroom that is safe, accessible, and modern. That is why, for the past decade and a half, I have secured funding for the innovative Iowa Demonstration Construction Grant Program—better known among educators in Iowa as Harkin Grants—for public schools construction and renovation. Across 15 years, Harkin grants worth more than \$132 million have helped school districts to fund a range of renovation and repair efforts—everything from updating fire safety systems to building new schools. In many cases, these Federal dollars have served as the needed incentive to leverage local public and private dollars, so it often has a tremendous multiplier effect within a school district. Over the years, Shelby County has received \$391,730 in Harkin Grants. Similarly, schools in Shelby County have received funds that I designated for Iowa Star Schools for technology totaling \$20,000.

Agricultural and rural development: Because I grew up in a small town in

rural Iowa, I have always been a loyal friend and fierce advocate for family farmers and rural communities. I have been a member of the House or Senate Agriculture Committee for 40 years—including more than 10 years as chairman of the Senate Agriculture Committee. Across the decades, I have championed farm policies for Iowans that include effective farm income protection and commodity programs; strong, progressive conservation assistance for agricultural producers; renewable energy opportunities; and robust economic development in our rural communities. Since 1991, through various programs authorized through the farm bill, Shelby County has received more than \$2.1 million from a variety of farm bill programs.

**Wellness and health care:** Improving the health and wellness of all Americans has been something I have been passionate about for decades. That is why I fought to dramatically increase funding for disease prevention, innovative medical research, and a whole range of initiatives to improve the health of individuals and families not only at the doctor's office but also in our communities, schools, and workplaces. I am so proud that Americans have better access to clinical preventive services, nutritious food, smoke-free environments, safe places to engage in physical activity, and information to make healthy decisions for themselves and their families. These efforts not only save lives, they will also save money for generations to come thanks to the prevention of costly chronic diseases, which account for a whopping 75 percent of annual health care costs. I am pleased that with the help of community leaders like Sheri Bowen with the public health department, Shelby County has recognized this important issue by securing \$162,500 for wellness grants and through direct appropriations for mental health services for distressed farmers.

**Disability rights:** Growing up, I loved and admired my brother Frank, who was deaf. But I was deeply disturbed by the discrimination and obstacles he faced every day. That is why I have always been a passionate advocate for full equality for people with disabilities. As the primary author of the Americans with Disabilities Act, ADA, and the ADA Amendments Act, I have had four guiding goals for our fellow citizens with disabilities: equal opportunity, full participation, independent living and economic self-sufficiency. Nearly a quarter century since passage of the ADA, I see remarkable changes in communities everywhere I go in Iowa—not just in curb cuts or closed captioned television but in the full participation of people with disabilities in our society and economy, folks who at long last have the opportunity to contribute their talents and to be fully included. These changes have increased economic opportunities for all citizens of Shelby County, both those with and without disabilities. And they make us

proud to be a part of a community and country that respects the worth and civil rights of all of our citizens.

This is at least a partial accounting of my work on behalf of Iowa, and specifically Shelby County, during my time in Congress. In every case, this work has been about partnerships, cooperation, and empowering folks at the State and local level, including in Shelby County, to fulfill their own dreams and initiatives. And, of course, this work is never complete. Even after I retire from the Senate, I have no intention of retiring from the fight for a better, fairer, richer Iowa. And I will always be profoundly grateful for the opportunity to serve the people of Iowa as their Senator.●

#### TRIBUTE TO SARAH JOHNSON

● Mr. THUNE. Mr. President, today I recognize Sarah Johnson, an intern in my Washington, DC, office, for all the hard work she has done for me, my staff, and the State of South Dakota.

Sarah is a graduate of Custer High School in Custer, SD. Currently, she is attending South Dakota School of Mines and Technology, where she is majoring in mining engineering. She is a hard worker who has been dedicated to getting the most out of her experience.

I extend my sincere thanks and appreciation to Sarah for all of the fine work she has done and wish her continued success in the years to come.●

#### TRIBUTE TO MEGAN ASSMAN

● Mr. THUNE. Mr. President, today I recognize Megan Assman, an intern in my Washington, DC, office, for all the hard work she has done for me, my staff, and the State of South Dakota.

Megan is a graduate of Winner High School in Winner, SD. Currently, she is attending South Dakota State University, where she is majoring in political science. She is a hard worker who has been dedicated to getting the most out of her experience.

I extend my sincere thanks and appreciation to Megan for all of the fine work she has done and wish her continued success in the years to come.●

#### TRIBUTE TO JENNESSA SCHOLL

● Mr. THUNE. Mr. President, today I recognize Jennessa Scholl, an intern in my Washington, DC, office, for all the hard work she has done for me, my staff, and the State of South Dakota.

Jennessa is a graduate of Spearfish High School in Spearfish, SD. Currently, she is also a graduate of Black Hills State University, where she majored in mass communications. She is a hard worker who has been dedicated to getting the most out of her experience.

I extend my sincere thanks and appreciation to Jennessa for all of the fine work she has done and wish her continued success in the years to come.●

#### TRIBUTE TO ADAM WEK

● Mr. THUNE. Mr. President, today I recognize Adam Wek, an intern in my Washington, DC, office, for all the hard work he has done for me, my staff, and the State of South Dakota.

Adam is a graduate of Roosevelt High School in Sioux Falls, SD. Currently, he is attending South Dakota State University, where he is majoring in political science. He is a hard worker who has been dedicated to getting the most out of his experience.

I extend my sincere thanks and appreciation to Adam for all of the fine work he has done and wish him continued success in the years to come.●

#### TRIBUTE TO DAVID JENSEN

● Mr. THUNE. Mr. President, today I wish to honor Mr. David Jensen, a native of Lemmon, SD, for being awarded the Office of the Secretary of the Department of Defense Medal for Valor. The Medal for Valor is the highest civilian award for valor, and David received this honor for his actions while deployed in Afghanistan on September 10, 2012. He was recognized for his bravery in an awards ceremony at the Pentagon's Hall of Heroes on April 14, 2014.

David served in the 75th Ranger Regiment and the U.S. Army Special Operations Command before he was honorably discharged. He is now a special operations task force advisor at Fort Bragg, NC, working for the Joint Improvised Explosive Device Defeat Organization.

David has also worked as a contractor for Wexford Group Inc., serving with the U.S. Army Asymmetric Warfare Group. In 2012, David was deployed to Afghanistan as an operational adviser for the Asymmetric Warfare Group alongside Company C, 2nd Battalion, 505th Parachute Infantry Regiment, 82nd Airborne Division. On September 10, 2012, David and Company C were set to fly out of Bagram Airfield with Afghan National Security Forces to conduct a partnered air assault operation in Parwan Province. During preflight operations, however, one of the CH-47 Chinook helicopters was struck by an enemy rocket, igniting the fuel tanks of the aircraft. Despite the high risk of danger and personal harm, David immediately began evacuating wounded soldiers from the burning aircraft, making several trips before the flames overcame the entire aircraft. After evacuating four wounded soldiers from the wreckage, David promptly began administering medical attention to the injured. A humble man, David has said that he merely reacted, doing what needed to be done.

David Jensen is most deserving of the Medal for Valor for his exemplary bravery in the face of danger and putting the concerns of others before his own. His selfless acts saved the lives of his

colleagues, and our Nation will always be grateful for his dedicated service. As thankful citizens, we must never take for granted the courage of heroes like David who selflessly answer the call to duty.●

#### TRIBUTE TO JOSE ELGUEZABAL

● Mr. WALSH. Mr. President, I wish to honor Jose Elguezabal, a veteran of the U.S. Army.

It is my honor to share the story of Jose's service, because no veteran's story should ever go unrecognized.

Jose was born in Eagle Pass, TX, and served our Nation during World War II. Unfortunately, most of the records of his service were destroyed in the fire at the National Personnel Records Center in 1973.

Jose told his daughter Anna how his platoon came under fire, killing every member but Jose. Jose was captured by enemy forces and spent 6 months as a prisoner of war in France.

When Jose returned home, he and his wife of 63 years had 10 children—9 girls and 1 boy. His children said he was a great father and a true patriot who flew an American flag and a Prisoner of War flag outside of his house every day until he passed away.

His family pieced Jose's military service record together to finally track down the medals Jose earned through his service.

We were joined by Jose's daughter Anna and her husband John, who recently retired after spending 40 years serving Malmstrom Air Force Base as a firefighter.

It was my honor, along with the commanding officer at Malmstrom Air Force Base, Col. Robert Stanley, to present to Anna the medals that long ago should have been presented to her father: The Bronze Star Medal, Good Conduct Medal, European-African-Middle Eastern Campaign Medal & Bronze Star Attachment, WWII Victory Medal, Combat Infantryman Badge, Honorable Service Lapel Button, and Marksman Badge & Rifle Bar.

These decorations are important tokens of Jose's heroism. But these decorations are also powerful reminders that we should never let a veteran's service go forgotten.

These medals were presented on behalf of a grateful nation.●

#### TRIBUTE TO JOHN ROBERT VIERECK

● Mr. WALSH. Mr. President, I wish to honor John Robert Viereck, a U.S. Army veteran from World War II.

It is my honor to share the story of John's service, because no veteran's story should ever go unrecognized.

John was born in Wilmington, CA, in 1924.

John's father loved the sea and encouraged his son to join the Merchant Marines. John joined up but was so seasick after his first trip that his career in the Merchant Marines came to an end.

On July 8, 1942, John enlisted in the U.S. Army.

John was a radioman and cryptographer for the Big Red One—the Army's First Infantry Division, Anti-tank Company, 26th Infantry Regiment.

He served in Algeria, Tunisia, Sicily, England, France, Belgium, Germany, and Czechoslovakia.

John served in seven campaigns, including the Battle of the Bulge, and spent a total of 31 months in Europe and Africa.

When John returned home to the United States in 1943, he was diagnosed with shell shock, something we know today as post-traumatic stress disorder.

After World War II, John attended the Frank Wiggins Trade School to study TV and radio. John bought his first TV in the late 1940s and his daughter Fran remembers that from then on the Viereck household always had a TV.

John worked as a truck driver in Wilmington, as a taxi driver in Gardena, and then as a Zamboni operator in Torrance, CA. He was also a ham radio operator.

Weather, politics, war, and the military have been lifelong topics of interest to him.

John moved to Helena in 2003 to be closer to his daughter.

In the presence of John's family, it was my honor to present to him the Bronze Star Medal with 1 Oak Leaf Cluster; the Good Conduct Medal; the American Campaign Medal; the European-African-Middle Eastern, EAME, Campaign Medal, with 4 bronze stars, meaning he served in four of these campaigns; the WW II Victory Medal; and the Honorable Service Lapel Button.

The medals are a small token but they are a powerful symbol of service and sacrifice.

These medals were presented on behalf of a grateful nation.●

#### MESSAGES FROM THE HOUSE

##### ENROLLED BILL SIGNED

At 12:30 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

S. 994. An act to expand the Federal Funding Accountability and Transparency Act of 2006 to increase accountability and transparency in Federal spending, and for other purposes.

The bill was subsequently signed by the President pro tempore (Mr. LEAHY).

At 12:54 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 627. An act to provide for the issuance of coins to commemorate the 100th anniversary

of the establishment of the National Park Service, and for other purposes.

H.R. 4167. An act to amend section 13 of the Bank Holding Company Act of 1956, known as the Volcker Rule, to exclude certain debt securities of collateralized loan obligations from the prohibition against acquiring or retaining an ownership interest in a hedge fund or private equity fund.

H.R. 4414. An act to clarify the treatment under the Patient Protection and Affordable Care Act of health plans in which expatriates are the primary enrollees, and for other purposes.

H.R. 4488. An act to make technical corrections to two bills enabling the presentation of congressional gold medals, and for other purposes.

#### MEASURES REFERRED

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

H.R. 627. An act to provide for the issuance of coins to commemorate the 100th anniversary of the establishment of the National Park Service, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 4167. An act to amend section 13 of the Bank Holding Company Act of 1956, known as the Volcker Rule, to exclude certain debt securities of collateralized loan obligations from the prohibition against acquiring or retaining an ownership interest in a hedge fund or private equity fund; to the Committee on Banking, Housing, and Urban Affairs.

#### ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, April 30, 2014, she had presented to the President of the United States the following enrolled bill:

S. 994. An act to expand the Federal Funding Accountability and Transparency Act of 2006 to increase accountability and transparency in Federal spending, 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-5423. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13-134); to the Committee on Foreign Relations.

EC-5424. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13-180); to the Committee on Foreign Relations.

EC-5425. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 14-006); to the Committee on Foreign Relations.

EC-5426. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 14-022); to the Committee on Foreign Relations.

EC-5427. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 14-029); to the Committee on Foreign Relations.

EC-5428. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 14-036); to the Committee on Foreign Relations.

EC-5429. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13-148); to the Committee on Foreign Relations.

EC-5430. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 14-009); to the Committee on Foreign Relations.

EC-5431. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 14-002); to the Committee on Foreign Relations.

EC-5432. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 13-193); to the Committee on Foreign Relations.

EC-5433. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 14-008); to the Committee on Foreign Relations.

EC-5434. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(d) of the Arms Export Control Act (DDTC 13-173); to the Committee on Foreign Relations.

EC-5435. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the status of the Government of Cuba's compliance with the United States-Cuba September 1994 "Joint Communique" and on the treatment of persons returned to Cuba in accordance with the United States-Cuba May 1995 "Joint Statement"; to the Committee on Foreign Relations.

EC-5436. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report consistent with the Authorization for Use of Military Force Against Iraq Resolution of 1002 (P.L. 107-243) and the Authorization for the Use of Force Against Iraq Resolution (P.L. 102-1) for the December 17, 2013-February 14, 2014 reporting period; to the Committee on Foreign Relations.

EC-5437. A communication from the Secretary of Commerce, transmitting, pursuant to law, a report relative to the export to the People's Republic of China of items not detrimental to the U.S. space launch industry; to the Committee on Foreign Relations.

EC-5438. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the 2013 annual report on voting practices in the United Nations; to the Committee on Foreign Relations.

EC-5439. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2014-0034-2014-0048); to the Committee on Foreign Relations.

EC-5440. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, of the proposed sale or export of defense articles and/or defense services to a Middle East country regarding any possible effects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel (OSS-2014-0551); to the Committee on Foreign Relations.

EC-5441. A communication from the Director of Legislative Affairs, Office of the Director of National Intelligence, transmitting, pursuant to law, the Office's fiscal year 2013 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-5442. A communication from the Diversity and Inclusion Programs Director, Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the Board's fiscal year 2013 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-5443. A communication from the Director of the Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the Corporation's fiscal year 2013 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-5444. A communication from the Staff Director, Federal Election Commission, transmitting, pursuant to law, the Commission's fiscal year 2013 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-5445. A communication from the Acting Chairman of the Consumer Product Safety Commission, transmitting, pursuant to law, the Commission's fiscal year 2013 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-5446. A communication from the Secretary of Transportation, transmitting, pursuant to law, the Department of Transportation's fiscal year 2012 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-5447. A communication from the Chairman of the Nuclear Regulatory Commission, transmitting, pursuant to law, the Commission's fiscal year 2012 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-5448. A communication from the General Counsel, Government Accountability Office, transmitting, pursuant to law, the Office's fiscal year 2013 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-5449. A communication from the Director, Office of Diversity Management and Equal Opportunity, Office of the Assistant Secretary of Defense (Readiness and Force Management), transmitting, pursuant to

law, a compilation of fiscal year 2013 reports from the Department of Defense Components relative to the implementation of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC-5450. A communication from the Chief Judge, Superior Court of the District of Columbia, transmitting, pursuant to law, a report relative to the District of Columbia Family Court Act; to the Committee on Homeland Security and Governmental Affairs.

EC-5451. A communication from the Assistant General Counsel, Federal Retirement Thrift Investment Board, transmitting, pursuant to law, the report of a rule entitled "Administrative Wage Garnishment" (5 CFR Part 1639) received during adjournment of the Senate in the Office of the President of the Senate on April 23, 2014; to the Committee on Homeland Security and Governmental Affairs.

EC-5452. A communication from the Administrator, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, a report relative to the cost of response and recovery efforts for FEMA-3368-EM in the State of Georgia having exceeded the \$5,000,000 limit for a single emergency declaration; to the Committee on Homeland Security and Governmental Affairs.

EC-5453. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "General Services Administration Acquisition Regulation; Industrial Funding Fee (IFF) and Sales Reporting" (RIN3090-AJ36) received during adjournment of the Senate in the Office of the President of the Senate on April 21, 2014; to the Committee on Homeland Security and Governmental Affairs.

EC-5454. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Solicitation of Federal Civilian and Uniformed Service Personnel for Contributions to Private Voluntary Organizations" (RIN3206-AM68) received during adjournment of the Senate in the Office of the President of the Senate on April 17, 2014; to the Committee on Homeland Security and Governmental Affairs.

EC-5455. A communication from the Inspector General, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "U.S. Department of Health and Human Services Met Many Requirements of the Improper Payments Information Act of 2002 but Did Not Fully Comply for Fiscal Year 2013"; to the Committee on Homeland Security and Governmental Affairs.

EC-5456. A communication from the Archivist of the United States, National Archives and Records Administration, transmitting, pursuant to law, the Administration's Strategic Plan for fiscal years 2014 through 2018; to the Committee on Homeland Security and Governmental Affairs.

EC-5457. A communication from the Chairman, National Mediation Board, transmitting, pursuant to law, the Board's Annual Performance and Accountability Report for fiscal year 2013; to the Committee on Homeland Security and Governmental Affairs.

EC-5458. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled, "Certification of Fiscal Year 2014 Total Local Source General Fund Revenues (Net of Dedicated Taxes) in Support of the District's Issuance of \$495,425,000 in General Obligation Bonds (Series 2013A)"; to the Committee on Homeland Security and Governmental Affairs.

EC-5459. A communication from the Acting Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility" (Docket No. FEMA-2013-0002) received during adjournment of the Senate in the Office of the President of the Senate on April 22, 2014; to the Committee on Homeland Security and Governmental Affairs.

EC-5460. A communication from the General Counsel, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Premium Rates; Payment of Premiums; Reducing Regulatory Burden" (RIN1212-AB26) received during adjournment of the Senate in the Office of the President of the Senate on April 15, 2014; to the Committee on Health, Education, Labor, and Pensions.

EC-5461. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, an annual report on mining activities as required by the Mine Improvement and New Emergency Response Act of 2006; to the Committee on Health, Education, Labor, and Pensions.

EC-5462. A communication from the Director of the Division of Coal Mine Workers' Compensation, Office of Workers' Compensation Programs, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Black Lung Benefits Act: Standards for Chest Radiographs" (RIN1240-AA07) received during adjournment of the Senate in the Office of the President of the Senate on April 17, 2014; to the Committee on Health, Education, Labor, and Pensions.

#### 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. MURPHY (for himself and Mr. BLUMENTHAL):

S. 2271. A bill to establish the Green Bank to assist in the financing of qualified clean energy projects and qualified energy efficiency projects; to the Committee on Finance.

By Mr. BURR (for himself and Mr. MANCHIN):

S. 2272. A bill to prohibit discretionary bonuses for employees of the Internal Revenue Service who have engaged in misconduct or who have delinquent tax liability; to the Committee on Finance.

By Mr. UDALL of Colorado:

S. 2273. A bill to improve energy savings by the Department of Defense, and for other purposes; to the Committee on Armed Services.

By Mr. UDALL of Colorado (for himself, Mr. BEGICH, and Ms. HEITKAMP):

S. 2274. A bill to expedite decisions on applications for authorization to export natural gas, and for other purposes; to the Committee on Energy and Natural Resources.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mrs. MCCASKILL (for herself and Mr. BLUNT):

S. Res. 430. A resolution expressing support for the designation of May 1, 2014, as "Silver Star Service Banner Day"; considered and agreed to.

By Mrs. MURRAY (for herself, Ms. AYOTTE, Mr. WARNER, Mr. WHITEHOUSE, Mrs. HAGAN, Mrs. BOXER, Mr. SANDERS, Ms. MIKULSKI, Mr. SCHATZ, Ms. WARREN, Ms. CANTWELL, Mr. CARDIN, and Ms. HIRONO):

S. Res. 431. A resolution honoring military children during the National Month of the Military Child; considered and agreed to.

#### ADDITIONAL COSPONSORS

S. 315

At the request of Ms. KLOBUCHAR, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 315, a bill to reauthorize and extend the Paul D. Wellstone Muscular Dystrophy Community Assistance, Research, and Education Amendments of 2008.

S. 375

At the request of Mr. TESTER, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 375, a bill to require Senate candidates to file designations, statements, and reports in electronic form.

S. 398

At the request of Ms. COLLINS, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 398, a bill to establish the Commission to Study the Potential Creation of a National Women's History Museum, and for other purposes.

S. 445

At the request of Mr. FRANKEN, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 445, a bill to improve security at State and local courthouses.

S. 541

At the request of Ms. LANDRIEU, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 541, a bill to prevent human health threats posed by the consumption of equines raised in the United States.

S. 635

At the request of Mr. BROWN, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 635, a bill to amend the Gramm-Leach-Bliley Act to provide an exception to the annual written privacy notice requirement.

S. 1066

At the request of Mrs. GILLIBRAND, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1066, a bill to allow certain student loan borrowers to refinance Federal student loans.

S. 1141

At the request of Mr. CARDIN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1141, a bill to amend the Internal Revenue Code of 1986 to expand the rehabilitation credit, and for other purposes.

S. 1187

At the request of Ms. STABENOW, the names of the Senator from Hawaii (Mr.

SCHATZ) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. 1187, a bill to prevent homeowners from being forced to pay taxes on forgiven mortgage loan debt.

S. 1410

At the request of Mr. DURBIN, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 1410, a bill to focus limited Federal resources on the most serious offenders.

S. 1725

At the request of Mr. VITTER, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 1725, a bill to amend the Securities Investor Protection Act of 1970 to confirm that a customer's net equity claim is based on the customer's last statement and that certain recoveries are prohibited, to change how trustees are appointed, and for other purposes.

S. 1733

At the request of Ms. KLOBUCHAR, the names of the Senator from Hawaii (Ms. HIRONO) and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of S. 1733, a bill to stop exploitation through trafficking.

S. 1837

At the request of Ms. WARREN, the names of the Senator from Wisconsin (Ms. BALDWIN) and the Senator from California (Mrs. BOXER) were added as cosponsors of S. 1837, a bill to amend the Fair Credit Reporting Act to prohibit the use of consumer credit checks against prospective and current employees for the purposes of making adverse employment decisions.

S. 1862

At the request of Mr. BLUNT, the names of the Senator from Wyoming (Mr. BARRASSO), the Senator from North Carolina (Mr. BURR), the Senator from Georgia (Mr. CHAMBLISS), the Senator from Indiana (Mr. COATS), the Senator from Maine (Ms. COLLINS), the Senator from Tennessee (Mr. CORKER), the Senator from Idaho (Mr. CRAPO), the Senator from Wyoming (Mr. ENZI), the Senator from Arizona (Mr. FLAKE), the Senator from South Carolina (Mr. GRAHAM), the Senator from Iowa (Mr. GRASSLEY), the Senator from Utah (Mr. HATCH), the Senator from Nevada (Mr. HELLER), the Senator from North Dakota (Mr. HOEVEN), the Senator from Wisconsin (Mr. JOHNSON), the Senator from Utah (Mr. LEE), the Senator from Arizona (Mr. MCCAIN), the Senator from Kentucky (Mr. MCCONNELL), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Ohio (Mr. PORTMAN), the Senator from Kansas (Mr. ROBERTS), the Senator from South Carolina (Mr. SCOTT), the Senator from Alabama (Mr. SESSIONS), the Senator from Alabama (Mr. SHELBY), the Senator from South Dakota (Mr. THUNE), the Senator from Louisiana (Mr. VITTER), the Senator from Mississippi (Mr. WICKER), the Senator from Oregon (Mr. WYDEN) and the Senator from Virginia

(Mr. WARNER) were added as cosponsors of S. 1862, a bill to grant the Congressional Gold Medal, collectively, to the Monuments Men, in recognition of their heroic role in the preservation, protection, and restitution of monuments, works of art, and artifacts of cultural importance during and following World War II.

S. 1881

At the request of Mr. MENENDEZ, the name of the Senator from Montana (Mr. WALSH) was added as a cosponsor of S. 1881, a bill to expand sanctions imposed with respect to Iran and to impose additional sanctions with respect to Iran, and for other purposes.

S. 2013

At the request of Mr. RUBIO, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. 2013, a bill to amend title 38, United States Code, to provide for the removal of Senior Executive Service employees of the Department of Veterans Affairs for performance, and for other purposes.

S. 2024

At the request of Mr. CRUZ, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 2024, a bill to amend chapter 1 of title 1, United States Code, with regard to the definition of “marriage” and “spouse” for Federal purposes and to ensure respect for State regulation of marriage.

S. 2080

At the request of Mr. CARDIN, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 2080, a bill to conserve fish and aquatic communities in the United States through partnerships that foster fish habitat conservation, improve the quality of life for the people of the United States, enhance fish and wild-life-dependent recreation, and for other purposes.

S. 2126

At the request of Mrs. BOXER, the names of the Senator from Louisiana (Ms. LANDRIEU) and the Senator from Wisconsin (Ms. BALDWIN) were added as cosponsors of S. 2126, a bill to launch a national strategy to support regenerative medicine through the establishment of a Regenerative Medicine Coordinating Council, and for other purposes.

S. 2231

At the request of Mr. PORTMAN, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 2231, a bill to amend title 10, United States Code, to provide an individual with a mental health assessment before the individual enlists in the Armed Forces or is commissioned as an officer in the Armed Forces, and for other purposes.

S. 2235

At the request of Mr. CARDIN, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 2235, a bill to secure the Federal voting rights of persons when released from incarceration.

S. 2250

At the request of Ms. KLOBUCHAR, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 2250, a bill to extend the Travel Promotion Act of 2009, and for other purposes.

S. 2252

At the request of Mr. VITTER, the name of the Senator from Oklahoma (Mr. COBURN) was added as a cosponsor of S. 2252, a bill to reaffirm the importance of community banking and community banking regulatory experience on the Federal Reserve Board of Governors, to ensure that the Federal Reserve Board of Governors has a member who has previous experience in community banking or community banking supervision, and for other purposes.

S. 2263

At the request of Ms. AYOTTE, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 2263, a bill to appropriately limit the authority to award bonuses to employees.

S. 2270

At the request of Ms. COLLINS, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 2270, a bill to clarify the application of certain leverage and risk-based requirements under the Dodd-Frank Wall Street Reform and Consumer Protection Act.

S.J. RES. 19

At the request of Mr. UDALL of New Mexico, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S.J. Res. 19, a joint resolution proposing an amendment to the Constitution of the United States relating to contributions and expenditures intended to affect elections.

S. RES. 417

At the request of Mr. UDALL of Colorado, the name of the Senator from Nevada (Mr. REID) was added as a cosponsor of S. Res. 417, a resolution designating October 30, 2014, as a national day of remembrance for nuclear weapons program workers.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 430—EXPRESSING SUPPORT FOR THE DESIGNATION OF MAY 1, 2014, AS “SILVER STAR SERVICE BANNER DAY”

Mrs. MCCASKILL (for herself and Mr. BLUNT) submitted the following resolution; which was considered and agreed to:

S. RES. 430

Whereas the Senate has always honored the sacrifices made by the wounded and ill members of the Armed Forces;

Whereas the Silver Star Service Banner has come to represent the members of the Armed Forces and veterans who were wounded or became ill in combat in the wars fought by the United States;

Whereas the Silver Star Families of America was formed to help the American people

remember the sacrifices made by the wounded and ill members of the Armed Forces by designing and manufacturing Silver Star Service Banners and Silver Star Flags for that purpose;

Whereas the sole mission of the Silver Star Families of America is to evoke memories of the sacrifices of members and veterans of the Armed Forces on behalf of the United States through the presence of a Silver Star Service Banner in a window or a Silver Star Flag flying;

Whereas the sacrifices of members and veterans of the Armed Forces should never be forgotten; and

Whereas May 1, 2014, is an appropriate date to designate as “Silver Star Service Banner Day”: Now, therefore, be it

Resolved, That the Senate supports the designation of May 1, 2014, as “Silver Star Service Banner Day” and calls upon the people of the United States to observe the day with appropriate programs, ceremonies, and activities.

SENATE RESOLUTION 431—HONORING MILITARY CHILDREN DURING THE NATIONAL MONTH OF THE MILITARY CHILD

Mrs. MURRAY (for herself, Ms. AYOTTE, Mr. WARNER, Mr. WHITEHOUSE, Mrs. HAGAN, Mrs. BOXER, Mr. SANDERS, Ms. MIKULSKI, Mr. SCHATZ, Ms. WARREN, Ms. CANTWELL, Mr. CARDIN, and Ms. HIRONO) submitted the following resolution; which was considered and agreed to:

S. RES. 431

Whereas more than 2,200,000 individuals demonstrate courage and commitment to freedom by serving in the Armed Forces of the United States;

Whereas 43.5 percent of members of the Armed Forces, when deployed away from their permanent duty stations, leave behind families with children;

Whereas no one feels the effect of deployments more than the children of deployed members of the Armed Forces;

Whereas as of March 2014, more than 52,000 children have had a military parent wounded in Operation Iraqi Freedom or Operation Enduring Freedom;

Whereas the daily struggles and personal sacrifices of children of members of the Armed Forces are too often unnoticed;

Whereas countless children live with a parent who is a member of the Armed Forces and who bears a visible or invisible wound of war;

Whereas the children of members of the Armed Forces are a source of pride and honor to the people of the United States, and it is fitting that the United States recognize the contributions of such children and celebrate the spirit of such children;

Whereas the National Month of the Military Child, observed in April of each year, recognizes military children for their sacrifices and contributes to demonstrating the unconditional support of the United States for members of the Armed Forces;

Whereas in addition to programs of the Department of Defense to support military families and military children, various programs and campaigns have been established in the private sector to honor, support, and thank military children by fostering awareness and appreciation for the sacrifices and the challenges that such children face; and

Whereas a month-long salute to military children encourages support for the organizations and campaigns established to provide direct support for military children and families: Now, therefore, be it

*Resolved*, That the Senate—

(1) joins the Secretary of Defense in honoring the children of members of the Armed Forces and recognizes that such children share in the burden of protecting the United States; and

(2) urges the people of the United States to join the military community in observing the National Month of the Military Child with appropriate ceremonies and activities that honor, support, and thank military children.

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON ARMED SERVICES

Mr. BENNET. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on April 30, 2014, at 9:30 a.m.

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

##### COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. BENNET. 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 April 30, 2014, at 2:30 p.m. in room SR-253 of the Russell Senate Office Building to conduct a hearing entitled, "Transportation Security Administration Oversight: Confronting America's Transportation Security Challenges."

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

##### COMMITTEE ON FOREIGN RELATIONS

Mr. BENNET. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on April 30, 2014, at 10:30 a.m., to hold a Near Eastern and Southern and Central Asian Affairs Subcommittee hearing entitled, "A Transformation: Afghanistan Beyond 2014."

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

##### COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. BENNET. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on April 30, 2014, at 10 a.m. to conduct a hearing entitled "Lessons Learned from the Boston Marathon Bombings: Improving Intelligence and Information Sharing."

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

##### COMMITTEE ON INDIAN AFFAIRS

Mr. BENNET. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on April 30, 2014, in room SD-628 of the Dirksen Senate Office Building, at 2:30 p.m.

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

##### COMMITTEE ON THE JUDICIARY

Mr. BENNET. Mr. President, I ask unanimous consent that the Com-

mittee on the Judiciary be authorized to meet during the session of the Senate, on April 30, 2014, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Oversight of the Drug Enforcement Administration."

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

##### COMMITTEE ON RULES AND ADMINISTRATION

Mr. BENNET. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be authorized to meet during the session of the Senate on April 30, 2014, at 10 a.m., in room SH-216 of the Hart Senate Office Building, to conduct a hearing entitled "Dollars and Sense: How Undisclosed Money and Post-McCutcheon Campaign Finance Will Affect the 2014 Election and Beyond."

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

##### COMMITTEE ON VETERANS' AFFAIRS

Mr. BENNET. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on April 30, 2014, at 10 a.m. in room SR-418 of the Russell Senate Office Building, to conduct a hearing entitled "Overmedication: Problems and Solutions."

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

##### SPECIAL COMMITTEE ON AGING

Mr. BENNET. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet during the session of the Senate on April 30, 2014, in room SD-562 of the Dirksen Senate Office Building at 2:15 p.m. to conduct a hearing entitled "Exploring the Perils of the Precious Metals Market."

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

#### SILVER STAR SERVICE BANNER DAY

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to S. Res. 430, which was submitted earlier today.

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

The assistant legislative clerk read as follows:

A resolution (S. Res. 430) expressing support for the designation of May 1, 2014, as "Silver Star Service Banner Day".

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

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

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

The resolution (S. Res. 430) was agreed to.

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

#### NATIONAL MONTH OF THE MILITARY CHILD

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 431, which was submitted earlier today.

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

The assistant legislative clerk read as follows:

A resolution (S. Res. 431) honoring military children during the National Month of the Military Child.

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

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

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

The resolution (S. Res. 431) was agreed to.

The preamble was agreed to.

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

#### ORDERS FOR THURSDAY, MAY 1, 2014

Mr. REID. I ask unanimous consent that when the Senate completes its business tonight, it adjourn until 9:30 a.m. tomorrow morning, May 1; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate be in a period of morning business until 11:15 a.m., with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees; that at 11:15 a.m. the Senate proceed to executive session to consider Calendar Nos. 591, 592, and 575, with all other provisions of the previous order remaining in effect.

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

#### PROGRAM

Mr. REID. Mr. President, there will be a series of votes at 11:15 a.m. tomorrow and another series at 1:45 p.m.

#### ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

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

There being no objection, the Senate, at 6:46 p.m., adjourned until Thursday, May 1, 2014, at 9:30 a.m.

#### CONFIRMATIONS

Executive nominations confirmed by the Senate April 30, 2014:

THE JUDICIARY

SHERYL H. LIPMAN, OF TENNESSEE, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF TENNESSEE.

STANLEY ALLEN BASTIAN, OF WASHINGTON, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF WASHINGTON.

MANISH S. SHAH, OF ILLINOIS, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF ILLINOIS.

DANIEL D. CRABTREE, OF KANSAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF KANSAS.

CYNTHIA ANN BASHANT, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF CALIFORNIA.

JON DAVID LEVY, OF MAINE, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF MAINE.

DEPARTMENT OF DEFENSE

ROBERT O. WORK, OF VIRGINIA, TO BE DEPUTY SECRETARY OF DEFENSE.