

have guns. We are not saying that. Listen to what we are saying.

CLIMATE CHANGE

Madam President, we have a lot to do this week. We need to confirm some people as we are still way behind.

Senator SHELDON WHITEHOUSE—the junior Senator from Rhode Island has been a real trooper—has been so enthused and so invigorated; he has traveled the country alerting the American people to the dangers of what is happening to our world regarding climate. It has been a one-man show. Tonight he is going to work with a number of Senate Democrats in highlighting the need for congressional action to fight climate change. I applaud him for his work on this issue. He has focused like no other on our changing world.

VETERANS HEALTH CARE

The care of our Nations' veterans is another issue we need to talk about, and we will talk about that today, also.

Last Thursday Senator BERNIE SANDERS, Chairman of the Senate Veterans' Affairs Committee, and Senator JOHN MCCAIN announced a bipartisan agreement on legislation to address patient wait times at VA hospitals. The details of the agreement are not in writing yet. At least they weren't a few minutes ago. They are being drafted. The legislation is a comprehensive approach to ensure that veterans are getting the care they deserve. This agreement is very important to all Nevadans, to all Americans, and of course it is extremely important to countless veterans and their families.

Recently, along with America and this body, I was shocked to learn that VA hospitals all over the country—and in Nevada in particular—were affected by dangerous wait times for patients. That is unacceptable. This legislation worked on by SANDERS and MCCAIN is not going to solve all the problems that exist, but it is certainly putting the VA on the right track.

This bipartisan agreement aims to improve accountability throughout the entire Veterans Affairs Administration, holding VA officials responsible for poor job performance. One of the things we learned is that they covered up wait times. Why? Because by doing that they would get bonuses at the end of the year. So that will stop.

This legislation will also take big steps in addressing accessibility to health care at VA institutions nationwide. The agreement will allow veterans facing long delays to seek health care outside of the VA—in private doctors' offices, community health centers, military hospitals, and other places that SANDERS and MCCAIN are now working on.

Their legislation will expedite the hiring for VA doctors and nurses and authorize 26 new medical facilities nationwide.

In addition to improving access and accountability throughout the Veterans Administration, this bipartisan agreement addresses other important issues such as GI eligibility for sur-

living spouses and in-state tuition to veterans enrolling in colleges and universities.

Much will depend on the details of the final bill, but Senators SANDERS and MCCAIN have put together an agreement which is good for American veterans and our country. I commend them. I commend especially Senator SANDERS for his leadership in this issue since he has been working on veterans care. It is a clear indication how much he values this Nation's servicemembers. In JOHN MCCAIN we could not have a more exemplary person dealing with VA health care as a result of his having spent long periods of time in VA facilities around the country as he was recovering from his ordeal in Vietnam. So I appreciate him in many different ways, but today for his labors in bringing both sides to the table to get something done on behalf of our veterans.

I look forward to this legislation coming before us, and I will be happy to schedule a vote on it as quickly as possible. America's veterans are depending on us to complete this legislation to ensure that our veterans get the care and resources they were promised by a grateful Nation.

RESERVATION OF LEADER TIME

It appears there is no one rushing to the floor to speak, so I would ask unanimous consent that the Presiding Officer announce the business of the day.

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

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business until 5:30 p.m., with Senators permitted to speak therein for up to 10 minutes each.

Mr. REID. Madam President, I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Tennessee.

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

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

Mr. ALEXANDER. Thank you, Madam President.

HIGHER EDUCATION ACT

Last year something happened in Washington, DC, that most of us in the Senate and most Americans would like to see more of. The President and the Republican House of Representatives and a bipartisan group here in the Senate worked together to reform the student loan program. It is a lot of money, and it affects a lot of students.

Every year the Federal Government loans about \$100 billion to students who attend colleges and universities

around this country. We have 6,000 of those higher education institutions. In addition to those loans—which, of course, students pay back—the Federal Government grants about \$33 or \$34 billion each year in Pell grants—up to \$5,645—which students don't pay back.

Last year we were in this usual pattern that has developed around the Congress where student loans become a semi-annual political stunt. Every 2 years, before an election, one party or the other would show up with a student loan proposal to try to appeal to students, hoping that students and others in America would reward them with their votes.

Last year we changed that for new student loans. The President and the Republican House of Representatives and the Democratic Senate in a bipartisan way worked together to reform the student loan program by applying a market-priced system to the \$100 billion or so we loan every year, and saying to the students: We will give you the benefit of that. You don't have to wait for Congress to engage in its semi-annual political stunt to know what your loan is.

The result was that for loans for undergraduate students, which are 85 percent of all the loans, we were able to cut in half the interest rate on student loans for undergraduate students in America without raising taxes and without raising the debt. That resulted from overwhelming bipartisan support in the Senate. It had strong support of the chairman of the Senate education committee, the HELP Committee, Senator HARKIN and I supported it, as did many others. It worked the way the Senate is supposed to work.

This body is for the purpose of taking an important issue, which student loans are, having an extended debate on it until we come to a consensus, which we did, and then coming to a result the American people could approve. We did that as well.

Now this week we are seeing something entirely different. Senate Democrats would interrupt a serious discussion that is going on in the Senate education committee about reauthorizing the Higher Education Act, which was first enacted in 1965. Senator HARKIN, the Senator from Iowa, is our chairman. I am the ranking Republican on that committee. We have had 10 hearings. We have been hard at work. We have had terrific testimony, some very good ideas about the student loan program and about a lot of issues affecting higher education. We are doing what we are supposed to do in the Senate: We are trying to come to a conclusion so that we can recommend in a bipartisan way to this full body what to do about higher education for the next several years, including student loans.

Yet, all of a sudden, we hear that Senate Democrats want to show up on the floor with a partisan, political stunt that interrupts the work of the Senate education committee, and here is what they would do: They would

raise individual income taxes, they would raise the debt, and, based upon data from the Congressional Research Service, they would give some former students with old student loans a \$1-a-day Federal subsidy to pay off their loans.

Let me go back over the terms of this proposal just so everybody has it in mind. The main issue is \$1 a day subsidy. That is the benefit. It doesn't do anything for current or new students. For some former students—according to the Congressional Budget Office, maybe half the loans—the taxpayers will give them \$1 a day to help pay off their student loans.

Along with that, we increase the Federal debt by up to \$420 billion. That debt is out of control to begin with. The Congressional Budget Office has estimated that over the next 10 years we are going to go from \$200 billion to \$800 billion just to pay interest on the debt. In 10 years we will be spending more on interest on our national debt than we will on national defense. Yet for this political stunt we are going to run that up another \$420 billion maybe or close to \$½ trillion.

That is not all. To pay for all of this, we are going to raise individual income taxes by \$72 billion. This is a familiar proposal. This is the class warfare tax increase the Senate has rejected eight times. There is nobody in this Senate who thinks this will pass the Senate the ninth time it is brought up. It is only being brought up and interrupting what we are doing in our committee for a partisan political stunt.

We are going to raise the debt and increase taxes for what? Well, to help students pay off their loans. So they get \$1 a day to pay off what loan? Well, 85 percent of the student loans—and there are a lot of them. There is over \$1 trillion worth of outstanding student loans because we have a lot of students and we are a big country. We have 6,000 colleges and universities. But 85 percent of loans are for undergraduate students and they have \$21,600 on average. That is right. We are talking about 1 or 2 years for students who go to community colleges. Some get a 4-year degree. But for 85 percent of the student loans that are undergraduate loans, \$21,600 is the average debt. It is not \$300,000. It is not \$200,000. It is not \$100,000. It is \$21,600. Of those undergraduate loans, this is the average debt for a Federal student loan.

If you attend a 4-year college or university, such as the University of Tennessee or the University of California or Michigan or wherever you are, and you borrowed money to go to school—the average debt is \$27,300 for students who graduate with a 4-year college degree.

It is about the same for a new car loan. Sometimes students take out a car loan before they take out a student loan. To get a sense of how big a burden this loan is for the average graduate with a 4-year degree, it is the same as a car loan. I suspect that if we

are going to have a \$1-a-day taxpayer subsidy to pay off a \$27,000 student loan, the next thing you know the Democrats are going to show up during the election year and say: Let's have \$1 a day to help people pay off their \$27,000 car loans. At least we know that the day you drive your car off the lot, it starts depreciating.

What do we know about a college education? If you have a 4-year degree, according to the College Board, it is worth \$1 million in increased earnings during your lifetime. That is according to the College Board. No one really contradicts that. I saw a very good article by a New York Times economist a couple of weeks ago that had a little different number. They were using a net negative of \$½ million after you deduct the cost of going to college. A person with a college education will have \$½ million to \$1 million in increased earnings. Can you think of a better investment than \$27,000 to earn \$1 million over your lifetime? Well, that is what a college degree does.

Our friends on the other side of the aisle are saying we need to raise the debt and taxes so we can help college graduates—who will be earning \$1 million more over their lifetime—pay off a \$27,000 loan. College students don't need a \$1-a-day Federal taxpayer subsidy to pay off a \$27,000 student loan, which is the average loan for a 4-year college degree. They need a job, and Republicans are prepared—if this comes to the floor—to offer amendments to help create more new good jobs. We tried several times to do that, but the majority leader doesn't like us to bring up these issues.

For example, we would like to offer a bill to increase the hours of the workweek from 30 to 40 hours under the health care law, which has bipartisan support, but it would change the health care law, so we can't offer that amendment.

We would like to offer an amendment to build the Keystone Pipeline. Well, that has 60 or so Senators on both sides of the aisle—maybe more than that—who voted for it and say they support it, but the majority leader doesn't want us to bring up that one.

We would like to have an amendment to give the President the trade promotion authority that President Obama has asked for. President Obama sees the world. He sees Asia. He is negotiating a treaty with Asia and a trade treaty with Europe. He would like to see more American exports go to Europe and Asia, which would increase jobs at home. He stood right here at the State of the Union and asked Congress to approve that, but the majority leader said: No, we are not going to bring that up.

We have a Workforce Investment Act that we hope will come up this week.

We would like to repeal the ObamaCare individual mandate.

There are a number of provisions we would like to bring up as far as jobs go, but this \$1-a-day subsidy is supposed to

be the keystone of the Democrats' jobs program. We are ready to talk about jobs, and we will have amendments when this comes to the floor.

If the subject is education, we are ready to talk about education. It would certainly be a lot better if we considered bills on the floor that have actually gone through the education committee.

I complimented the Senator from Iowa earlier. I have enjoyed working with him. I am the ranking member on the Republican side, and he is the ranking member on the Democrat side. The Health, Education, Labor and Pensions Committee has been the most productive committee in this Senate. It has a large jurisdiction. We passed 19 bills out in a bipartisan way, and 10 of them have become law. I don't think any other committee can say that. We take our work very seriously, just as we are doing today on the Higher Education Act and just as we did when we tried to fix No Child Left Behind.

The HELP Committee spent a good deal of time on No Child Left Behind. We reported a bill to the Senate floor. Republicans and Democrats offered competing proposals. Democrats effectively wanted to double down on what I call a national school board and Republicans wanted to reverse the trend towards a national school board by sending most decisions back to State and local communities.

We want to fix No Child Left Behind. We have competing visions of how to do this, but I committed to bring the Democratic bill to the floor so we could have a debate. The House is ready to fix No Child Left Behind, and the Senate education committee is ready to fix No Child Left Behind. We want to have a debate about education this week. Let's bring up a bill that has been considered by the committee—where there are competing proposals—and fix No Child Left Behind. Better schools means higher college graduation rates, and that means better jobs.

We are ready to offer our amendments for better jobs. We are ready to offer our amendments for better schools.

In addition to our proposal for reversing the trend toward a national school board, I have introduced a proposal to create scholarships for kids. Did you know that if you took 80 Federal education programs that spend about \$24 billion a year and gave States authority to do this, they could create \$2,100 scholarships that follow 11 million low-income children in America to the public or accredited private school of the parents' choice? We would not impose a school choice plan on any State. We don't believe in mandates. But if a State wanted to use the money to follow the low-income student to their school so they can have an after-school program or an extra teacher, a Governor could do that under this proposal.

Senator SCOTT of South Carolina has offered a similar proposal for the six

million children with disabilities. His proposal says: If you have a child with Down syndrome and find a school that better fits that child's needs, why not allow that Federal disability money to follow the child to the school they attend? Let the parent make that choice. We are ready to offer that amendment.

We have a quality charter schools proposal. Six percent of the public schools in America are charter schools. Charter schools are public schools that give parents more choices and teachers more freedom to serve the children who are in that school. They began more than 20 years ago, and they have bipartisan support. President Clinton was in Nashville not long ago announcing his support and raising money for a charter school.

I have an amendment to stop the Education Secretary from becoming chairman of a national school board. States are struggling with the unworkable requirements of No Child Left Behind. There is a provision in the law that allows the Secretary of Education to grant waivers to states from certain provisions of No Child Left Behind, but this Secretary, who is a fine man and a great friend, has said: If Oregon or Hawaii or Washington or Tennessee wants a waiver, they must agree to do four or five things that aren't otherwise required in the law. States have to adopt certain standards, implement certain teacher evaluation systems, and set performance targets as conditions for receiving a waiver. I don't think the Secretary of Education has the authority to place these conditions on states. The American people don't want a national school board.

If they want to talk about education, we are ready with amendments on education. If they want to introduce a class warfare tax, we are ready to talk about taxes as well. We would like to repeal the medical device tax, and we are looking for an opportunity to offer that. If they are going to put a tax provision on the floor, let's have a tax debate. Let's have a debate about permanent State and local tax deductions. Let's prohibit the individual tax mandate in ObamaCare. Let's make the expensing of Section 179 permanent. Senator THUNE has that proposal, and the House is acting on it this week. Let's make the research and development tax credit permanent, which has bipartisan support as well. If the subject is just higher education, we have amendments about that as well.

The place for these amendments and this discussion is in our Senate education committee where we are discussing those ideas today. The way to do it this year is the way we did it last year. When the President, to his great credit, saw an opportunity to work with the Republicans in the House, he came over here to a bipartisan group, and we hammered out an agreement on a very big subject that, as I said, nearly cut the interest rate in half on undergraduate student loans.

Why in the world do Senate Democrats want to waste a week on a polit-

ical stunt? We thought we ended that with the student loan bill last year. We have veterans standing in lines at clinics, we have appropriations bills waiting to be considered that deal with cancer research and national defense, and Democrats say: No, let's put that aside. Let's have a political stunt on higher education even though we know it is not going anywhere. We know it is not going anywhere.

I am very disappointed by this.

The \$1-a-day taxpayer subsidy to help some former students with loans pay off a \$27,000 debt is an example of how Democrats hope to get some votes. I thought we put that behind us. This is one reason the American people lose confidence in the Senate.

This body is described in a book called "The American Senate," written by the late Neil MacNeil and the former Historian of the Senate. It is described as the one piece of authentic genius in the American constitutional system. Why is that? Because there are 100 of us. We operate by unanimous consent. It is a place for extended debate on important issues until we reach consensus.

Our Founders were so wise because they thought they had a complicated country, but it was not nearly as complex as it is today. The only way to govern a complex country is through consensus, just as we did last year on new student loans.

I would like to see the Senate move back to the place it was a few years ago. It was not that long ago. Many of the Members of the Senate don't know about it because so many Members are new. Did you know that half of the Members of the Senate have been here one term or less? They have not really seen the Senate operate the way it is supposed to operate.

The Republican leader said that if Republicans were in charge of the Senate, he would like to operate it the way a former Democratic leader did, Senator Mike Mansfield, which is, No. 1, let bills go through committee the way we do in our education committee, and No. 2, bring them to the floor for a robust debate. Let people put up their ideas. The idea is that the majority has the right to set the agenda and the minority has the right to offer amendments. In the Senate, the idea is to have an extended discussion until a consensus is reached, if you can.

I remember Senator Byrd and Senator Baker—I was here as an aide then, not as a Senator—would say to a chairman or a ranking member: Bring me a bill. Today, they would say to Chairman HARKIN: Bring me the fix No Child Left Behind bill, if you have the Ranking Members' support. I would say in this case: The bill doesn't have my support, but I support taking it to the floor. I will stand there, he will stand there and we will open it to debate and Republicans will try to amend it. We may win, we may lose, but then we will send it to the House. Then we have a conference and the bill comes back and

we come to a consensus. How could we get all that done? The majority leader could stand up on Monday and say: We are going to fix No Child Left Behind this week, and we are going to finish by Saturday, or we are going to finish by 1 week from Saturday. Members may offer all the amendments they want, but they are going to be here Saturday and Sunday. So pretty soon, by about Thursday, many Senators would say: I have a grandchild's soccer game and I might want to go home and it regulates that way.

It is never perfect. This is a place where we debate big issues, but the idea that Senators can't offer amendments on important issues is making this Senate into a trivial place instead of a place where it is an authentic piece of genius.

The Senator from Wyoming, Mr. BARRASSO, did some interesting research. He pointed out that since July, there have only been nine amendments offered by Republicans that received a rollcall vote—nine amendments offered by Republicans since last July that received a rollcall vote. In Tennessee they would say that is akin to being in the Grand Ole Opry and not being allowed to sing. We are supposed to have a say about student loans, about Iran, about Ukraine, and about all of these issues. We might win or lose, but on behalf of our constituents, we are supposed to have a say.

That is not nearly as bad as what the Senator from Wyoming discovered when he did a little more research, and this is what he found: While Senate Republicans have had nine amendments since last July, guess how many amendments Senate Democrats have had—seven. According to the Senator from Wyoming, 676 amendments, and the majority leader has allowed 7 rollcall votes since last July. How do we explain that when we go home?

How do we explain a political stunt on student loans that everybody knows is a political stunt that will not pass? How do we explain to veterans standing in lines at clinics and to Appropriations Committee members waiting to deal with bills to fund cancer research and national defense that a political stunt is more important? This is not the way the Senate is supposed to operate.

Let's go back to this \$1-a-day stunt. It is unfair to students, it is unfair to taxpayers, and it is unfair to future generations.

It is unfair to students because it treats former students better than it treats current students and new students. This proposal—the Senate Democrats' proposal that is being brought to the floor this week—doesn't do a single thing for a student if he or she is a current student or if they are going to be a student next year or the following year. It just helps some former students with old loans, and it treats them better than it would treat a new student because it will freeze in place an interest rate that 3 years from

now will treat former students with old loans better than new students whose rate will be determined by the market and that rate might be a little higher.

The Senate Democratic proposal is unfair to taxpayers for two reasons. First, it increases individual income taxes by \$72 billion. That is a big number. It has been rejected by the Senate eight times. It is a class warfare tax focused on a few people.

Second, my colleagues may have heard that the government profits off of students under the student loan program. In fact, the reverse is true. When we use the accounting system the Congressional Budget Office says we ought to use, the student loan program actually costs taxpayers \$88 billion over the next 10 years. Let me repeat that. We will hear it said by the advocates of the \$1-a-day subsidy to help students pay off student loans that the government is profiting from the students but not if we use the accounting system the Congressional Budget Office has said we should use. What is the difference? The Congressional Budget Office says the system we are using doesn't take into account the risk that students might not pay back their loans. Today the Congressional Budget Office estimates that less than 10 percent of student loan volume is in default.

This proper accounting system is not foreign to the Senate. It was used with the Troubled Asset Relief Program—the so-called bailout—because the idea of assessing the true cost of the program needed to fully account for risk.

The Congressional Budget Office recommends that we use fair value accounting. They consider that a better methodology. They say the student loan program, as it exists under that accounting system, will cost taxpayers \$88 billion over the next 10 years. As I said, the main reason is that the fair value system takes into account risk—the risk that students might not pay off some of their loans.

For those who might not know about the Congressional Budget Office, we pay this group to tell us the truth. They are nonpartisan. They don't always tell us what we want to hear, and we usually try to ignore it when they don't and say, well, we heard a different point of view. But here is what they said “. . . under the fair-value approach, estimates are based on market values—market prices when those prices are available or approximations of market prices when directly comparable figures are unavailable—which more fully account for the cost of the risk the government takes on. In particular, the fair-value approach accounts for the cost of the market risk,” which the other accounting method we currently use does not.

The Congressional Budget Office continues in a May 2014 report:

The government is exposed to market risk when the economy is weak because borrowers default on their debt obligations more frequently and recoveries from borrowers are lower.

That makes sense.

When the government extends credit, the associated market risk of those obligations is effectively passed along to taxpayers, who, as investors, would view that risk as having a cost. Therefore, the fair-value approach offers a much more comprehensive estimate of Federal costs.

Last year, when the President worked in a bipartisan way with Senators and with the Republican House, we came to a conclusion that didn't raise taxes, that didn't raise the debt, and that still cut rates nearly in half for undergraduates.

Finally, the Senate Democratic proposal is unfair to future generations because it could add as much as \$420 billion to an already out-of-control national debt. It does this by allowing private loans to be turned into public loans—private debt becomes the government's debt. Recently, as I said, the Congressional Budget Office warned that interest on the debt in the next 10 years will rise from \$227 billion to \$876 billion, an amount greater than the entire cost of our Nation's national defense.

So this \$1-a-day subsidy does not justify this unfairness to other students, to taxpayers, and to future generations.

Let me conclude by talking about the real problem and the real solutions with student loans. Today the President held a press conference in which he proposed issuing a regulation by Executive order that would extend an income based repayment plan to millions more students. We have some questions about this. We don't know what it will cost and apparently neither does he. We know it doesn't take effect for another year or so because it will take some time to figure it out. I have had a hard time figuring out, reading the law, where the President has the authority to do this. It is based upon the health care law in 2010 which included provisions about student loans and included an income based repayment plan that affects loans issued after July 1, 2014. But the President, both with the Executive order today and his 2011 Executive order on the same subject, includes loans issued before July 1, 2014. So we don't know the cost and it has questionable authority.

So here we have a press conference at the White House and a political stunt on the Senate floor dealing with loans. We know better than that. The President knows he could sit down with those of us in the Senate who are working on student loans—and in the House—and say: Here, I have some ideas about income based repayment. We would say: Mr. President, No. 1, we respect what you did last year and would like to work with you again; and, No. 2, you are on the right subject.

There are two big problems—real problems—with student loans. One is the complexity of the income based repayment plans. The truth is the Obama administration itself is guilty of causing most of the complexity because the

first income based repayment plan was created by law in 2007 and then it was amended in 2010 and then the President issued a regulation expanding the program in 2011 and now there is another regulation to do the same. Basically, it started out that if a student has a student loan to pay back but they are not making much money, then they don't have to pay more than 15 percent of their discretionary income. That is not even total income; it is just part of a person's income. If they can't pay it off over 25 years, the government will forgive it. What the bill did in 2010 was lower the amount to 10 percent of income for borrowers, and if the loan isn't paid off in 20 years, the government will forgive it. Income based repayment plans are available today for students.

Let's talk about what is already on the books, even if the President's Order today doesn't go into effect for students. For students who want lower monthly payments on their student loans, there are already provisions in Federal law that allow the typical undergraduate borrower to lower his or her payment by \$60 more per month than the \$1-a-day plan from Senate Democrats. For the typical graduate student, the existing repayment plans could lower monthly payments by \$300 a month more than the Senate Democratic plan. Under current law, as I said, if the loan isn't paid off in 20 or 25 years, the government forgives it.

So here is what we have in America today. There are \$100 billion in student loans every year, \$33 billion in Federal grants, all going out to students at a very low rate. Most of the students don't have any credit history, and they don't need it to get the money.

We hear a lot of talk about the expense of a college education, and at some colleges it is very expensive. When I went to school, I had two or three jobs and a couple of scholarships. That is how I was able to go to Vanderbilt University. But for students today who want a less expensive college education, it is important for them to know that the average cost of tuition and fees at a 2-year public college—and there are some excellent ones all over our country—is \$3,200. The average cost of tuition and fees at a public 4-year institution—and some of the best 4-year institutions in America are public 4-year institutions, including California, Tennessee, Hawaii, and Washington State; these are very good universities—is \$8,900. Three out of four college students go to 2-year public colleges where the tuition and fees is \$3,200 or to a 4-year public college where tuition and fees is just under \$9,000.

In addition, 40 percent of those same students—the three out of four who go to public colleges and universities—40 percent of them have a grant which they don't have to pay back. It is called a Pell grant, and it may be as much as \$5,645. So the truth is that for millions of college students going to

college today, it is free. Do the math. If a community college is \$3,200 and a student gets a \$5,645 Pell grant, that student has some extra money, and he or she can still get a loan if they want to and then they have even more extra money.

That leads to the other real problem with student loans that we would like to work with the President on; that is, over borrowing. The first real problem is the complexity of the income based repayment plans, and we can change that. Just as we did last year with many of the new loans, we could make the income based repayment plans, working together, much simpler and make it easier for students to take advantage of.

But what about overborrowing? We read in the paper about huge student loan debt. It seems as though everybody we read about has a \$300,000 loan or a \$150,000 loan they will never be able to pay back. I guess a few people do. But according to Mark Kantrowitz, who is a financial aid expert and has studied student debt, more than 90 percent of students who graduate with loans of more than \$100,000 are graduate students. Let me say that again. If you read about a student loan that is more than \$100,000, more than 90 percent of those are for graduate students.

I said a moment ago that undergraduate students can earn more than \$1 million more in their lifetime with their 4-year degree. Doctors, lawyers, and other graduate students can earn a lot more than that with their advanced degrees in many cases.

But those graduate students with more-than-\$100,000 loans are only 6 percent of all graduate students, and that is only 2 percent of all student loans. So 2 percent of all federal student loans in the country are more than \$100,000. The average undergraduate loan for a 4-year degree is \$27,000, and the average for all undergraduate loans, which are 85 percent of loans, is \$21,000.

There is some overborrowing even among undergraduates. Young people are—and maybe they are not all young—borrowing more than they can afford to pay back. In our committee, we are considering a number of proposals to deal with this for both graduate and undergraduate loans.

For example, we would like to simplify the student loan program so more students can take advantage of it and take advantage of the repayment options that exist in the law today. But we need to know how much that costs the taxpayers.

No. 2, we have been talking about eliminating the graduate PLUS Program that provides virtually unlimited loans to graduate students regardless of their credit history. That may be how they took out these loans we occasionally read about of \$150,000, \$200,000. We want to prohibit part-time students from taking out the same amount of loans that full-time students can. Let's say you are taking a half-time load at a 4-year institution and you take out a

full-time loan to pay for that. That means you have some extra money for living expenses or for a car. I am not sure as a matter of national policy that money for expenses other than for education and costs associated with education should be allowed.

We would like to give colleges and universities the ability to require additional counseling for students. Did you know that under current law a college is prohibited from requiring additional counseling to an entering student at Vanderbilt or the University of Tennessee who says: Give me my loan. I am entitled to it? I am 18 or 19 years old. I have no credit history, maybe not much experience with money, and the college that hands me the money is prohibited—by federal law—from requiring additional counseling.

We may want to limit the amount a student can borrow. We may want to allow colleges to have a role in doing that. We may even—and this has been suggested—require higher education institutions in some instances to have skin in the game to ensure that graduate students and undergraduate students repay their loans. In other words, the higher education institution would share the risk. These are some of the ideas that are being considered today in the Senate education committee.

Every Senator has a right to bring on this floor whatever she or he wants. It is up to the majority leader to decide what we focus our precious time on. I am here today to suggest that a \$1-a-day subsidy for college graduates to help them pay off a \$27,000 loan—which is the average loan for a 4-year college graduate, which is almost exactly the same as the average car loan—is not a worthy subject for our discussion this week when we have veterans standing in lines at clinics and appropriations bills dealing with cancer, and national military defense waiting to come to the floor.

That is especially true when we have a President of the United States who has proved he can work with Congress on student debt. He did that last year. He did a good job. He was very helpful with the final result. The Republicans in the House said that, the Senate said that in a bipartisan way, and I think most students who are enjoying the benefit of that would agree with that.

So we thought last year we had stopped the political stunts on student loans. We put a market price system on all new loans, at no new cost to the taxpayers, no new debt, so this would not become an election-year football; but apparently it has, at least for a week. So we are going to have to endure going on to the floor and talking about a proposal that every single Senator knows has no chance not only of getting to the House, which will not touch it, but even passing the Senate—no chance whatsoever. Why? Because over in the Senate education committee we are discussing this subject in a bipartisan way and the way we are supposed to do it.

So if it comes to the floor we are ready to amend it. We have our proposals for more good jobs. College graduates do not need a \$1-a-day subsidy to help pay off a \$27,000 loan. They need a good, decent job, and we are ready to help them get one. With the Keystone Pipeline, with the trade authority the President wants, with lower taxes, with changes in ObamaCare, with going from a 30- to a 40-hour workweek, we have a lot of ideas about jobs. If we want to bring up taxes, which this proposal does, we have some taxes we would like to bring up as well; and that includes repealing the medical device tax, which ought to have a good, bipartisan vote here in the Senate. It has before.

On education, we have our ideas too, and so do the Democrats, by the way. Some have been through the HELP committee. They have been hashed out. They are ready for the floor. There is a competing vision. Democrats want a national school board. Republicans want to reverse the trend towards a national school board. So on this bill, if we want to talk about education, I would like to have a chance to offer my amendment that says no national school board. Let's send those decisions back to State and local communities. I think there are lots of Senators on both sides of the aisle who would like to vote for that.

But what I would really like to see is the President accept our invitation to work with him. That is what we would like to do. We did that last year. We produced a good result. He has put his focus in the right place. I might say respectfully, maybe he is in the right church but the wrong pew. He is talking about income based repayment plans. We think that is one of the big problems left to solve, and we will work with him to simplify and reform the various plans. But we want to make sure the government has clear legislative authority to do it, and we want to know what it costs. Then we would like to work with him on excessive overborrowing. I would suspect he would like to do that too.

So why don't we do that? Why don't we send this \$1-a-day proposal back to the Senate education committee—actually it never was there—but let's send it to the Senate education committee and put it in with all the other ideas we are discussing. Let's continue our bipartisan work in the committee to see if we can this year present to the Senate a proposal for reauthorizing the Higher Education Act, and let's use this time for the veterans standing in line or the appropriations bills, which deal with so many issues and which we have not had a chance to consider for the last few years.

I am disappointed with today's press conference at the White House and the political stunt that is headed toward the Senate floor. But I am hoping the President will take a look at what he did last year and feel a good deal of satisfaction about it and say: Let me

sit down with those same men and women whom I worked with last year and see if we cannot do something about simplifying income based repayment so more students can take advantage of it, and dealing with excessive borrowing and some of the other issues we are working on in higher education.

I think we can do that 2 years in a row, and I think the American people would appreciate it if we tried.

I thank the Presiding Officer and yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

REMEMBERING CHESTER NEZ

Mr. HEINRICH. Madam President, it is an honor to join my colleague from New Mexico, Senator TOM UDALL, in celebrating the life and service of Chester Nez, the last of the original 29 Navajo code talkers, who passed away this last Wednesday, and to honor the historic role the Native American code talkers played in the allied victory in World War II.

Our Nation's liberties and patriotic spirit were personified by the commitment and service and the legacy of Chester Nez. He was a true American hero. Chester Nez helped to create an unbreakable code during World War II. He served in the U.S. Marine Corps to protect the Nation and also his people, language, and culture. He understood the significance and the importance of his language, and he used it as a shield to defend this Nation.

Chester Nez chose to enlist in the marines at a young age, not knowing he would become part of an elite group of indigenous code talkers. Despite growing up in an era where speaking the Navajo language was not only prohibited but often punished, his fluency in both Navajo and English made him invaluable to the war effort. He was a member of the all-Navajo 382nd Marine Platoon entrusted to create a code that would prove impenetrable to the Japanese. The 382nd Marine Platoon literally changed the course of history.

After Chester Nez's service, he continued to remain silent about his instrumental role as a Navajo code talker, maintaining a quiet, modest, and humble lifestyle until the mission was declassified in 1968.

Later in life Mr. Nez shared his contributions and his experiences in World War II with younger generations. He advocated for keeping the Navajo language, its traditions, and culture alive so that future generations would know how influential the Navajo people and language were during World War II.

Thanks to Mr. Nez and his fellow code talkers, our Nation's remarkable spirit continues to thrive and we are forever grateful for their service. I join all New Mexicans in keeping Chester

Nez's family and friends in our thoughts and prayers.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

KADZIK NOMINATION

Mr. GRASSLEY. Madam President, I come to the floor to speak about the nomination of Peter Kadzik to be an Assistant Attorney General for Legislative Affairs in the Justice Department. I happen to know that the majority leader hasn't yet filed cloture on this nomination, but I expect that he will in the near future. So now I take the opportunity to speak about that nomination.

It is no secret that I have concerns about Mr. Kadzik's nomination. I opposed his nomination in committee, and I will oppose it when it comes to a vote on the floor.

The reasons are pretty simple. Mr. Kadzik has been acting in that position since April 2013—in other words, in the very same position for which he has been nominated. His job is to respond to questions from Members of Congress. We have a clear track record to judge his performance, and that record has been dismal. Letters go unanswered for months. Then, when answers come, they ignore or dodge the questions.

Even before coming to the Justice Department, Mr. Kadzik had shown a lack of respect for congressional oversight. While he was in private practice, he represented the billionaire tax fugitive Marc Rich. Rich was infamously pardoned at the end of the Clinton administration following a large donation by Mrs. Rich to the Clinton Presidential Library. No fugitive has ever been pardoned before—let alone a billionaire fugitive who owed millions of unpaid taxes.

In the course of the congressional investigation into that controversy, Mr. Kadzik was subpoenaed to testify at the House hearing in 2001. He refused the committee's invitation to testify voluntarily. Then, he decided to fly to California the day before the hearing. The House committee had to send the U.S. marshals to serve him with a subpoena in California ordering him to return for the hearing. He later denied that his attorneys knew a subpoena was on the way when he got on the plane. But his denial is contradicted by handwritten notes from 2001 telephone conversations with his attorneys about the subpoena. Those notes are in the record of his confirmation hearings, and I invite any Senator to review them.

Some people might say: Well, that was a long time ago, and maybe it was just a misunderstanding.

But one thing is not in dispute even by Mr. Kadzik: He refused the House committee's request to testify voluntarily. He was unwilling to cooperate unless forced to do so by compulsory legal process. Everything in his record since then has reinforced the impression that Mr. Kadzik is simply not in-

terested in answering questions from Congress unless he has no other choice.

He was not forthcoming during his nomination hearing on several issues, not just the Marc Rich controversy. Getting him to answer simple inquiries has required two or even three sets of questions. He wouldn't even promise to answer each individual question from members of our Judiciary Committee. Instead, he had a bad habit of grouping together a set of specific detailed questions, and then repeating one vague nonanswer over and over. In one set of responses he repeated word for word the same answer to previous questions nine times. That simply is not a good-faith effort to be responsive to each question.

When his answer was one he thought I didn't want to hear, he glossed over it. Example: At his nomination hearing, I asked Mr. Kadzik whether he intended to provide certain documents Chairman ISSA and I had requested relating to a briefing by the Bureau of Alcohol, Tobacco, Firearms and Explosives. After he failed to mention the documents in his response, I prompted him about the documents once again and he evaded the question. Only after two subsequent sets of questions for the record did Mr. Kadzik finally come clean and admit that the Department would refuse to provide those documents requested. Mr. Kadzik should have been that candid initially, instead of avoiding the issue.

His seeming inability to give straightforward and accurate answers to simple questions causes real concern for me about his ability to perform his job, of which a very important part is answering inquiries from Members of Congress. I think an Assistant Attorney General for Legislative Affairs needs to ensure that Congress receives accurate information from the Department. That is what checks and balances of our constitutional setup is all about.

This also became a problem for Mr. Kadzik's predecessor, whose false denials about Operation Fast and Furious eventually had to be retracted. This office needs leadership that will restore its credibility. Mr. Kadzik's track record in the acting position makes it clear he does not have what it takes to restore sorely needed credibility. At Mr. Kadzik's confirmation hearing last October, Senator FEINSTEIN told Mr. Kadzik that the Senate's Select Committee on Intelligence had recently received answers to questions for the record from the FBI that were over 1 year late. As she pointed out to Mr. Kadzik, "A year is really outside the pale of propriety."

Mr. Kadzik said in response: "One of my missions at the Department is to improve that record and to expedite the providing of information to this Committee and all Members of Congress." But from what I have seen so far, Mr. Kadzik's record has been even worse than his predecessor's.