

## EXECUTIVE SESSION

---

 NOMINATION OF ALLISON BECK TO BE FEDERAL MEDIATION AND CONCILIATION DIRECTOR
 

---



---

 NOMINATION OF JEFFREY MICHAEL PRIETO TO BE GENERAL COUNSEL OF THE DEPARTMENT OF AGRICULTURE
 

---



---

 NOMINATION OF CAROL FORTINE OCHOA TO BE INSPECTOR GENERAL, GENERAL SERVICES ADMINISTRATION
 

---

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 senior assistant legislative clerk read the nominations of Allison Beck, of the District of Columbia, to be Federal Mediation and Conciliation Director; Jeffrey Michael Prieto, of California, to be General Counsel of the Department of Agriculture; and Carol Fortine Ochoa, of Virginia, to be Inspector General, General Services Administration.

## VOTE ON BECK NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Allison Beck, of the District of Columbia, to be Federal Mediation and Conciliation Director?

The nomination was confirmed.

## VOTE ON PRIETO NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Jeffrey Michael Prieto, of California, to be General Counsel of the Department of Agriculture?

The nomination was confirmed.

## VOTE ON OCHOA NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Carol Fortine Ochoa, of Virginia, to be Inspector General, General Services Administration?

The nomination was confirmed.

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

---

 LEGISLATIVE SESSION
 

---

The PRESIDING OFFICER. The Senate will now resume legislative session.

---

 HIRE MORE HEROES ACT OF 2015—Continued
 

---

The PRESIDING OFFICER. The Democratic leader is recognized.

Mr. REID. Mr. President, I ask unanimous consent that the next 40 minutes be under the control of the Democratic

side and that the time be equally divided among the following Senators: REID, BOXER, WHITEHOUSE, MARKEY, SCHATZ, and SCHUMER.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

## CLIMATE CHANGE

Mr. REID. Mr. President, at virtually every caucus we have, every Tuesday caucus, I have Senators report on what is going on in the world as it relates to climate change.

I wish these were fun-filled presentations where people laughed, clapped, and smiled, but they are not. They are very downbeat because each Senator who makes a presentation—whether it is the senior Senator from New Hampshire, who talks about moose dying in her State because the fleas and ticks no longer die in the cold weather, she explained how about one-third of the moose are dead in New Hampshire, or whether it is the junior Senator from the State of Michigan talking about what is going on in that beautiful State of Michigan.

Without going through the list of Senators who have reported what is going on as they see it with climate change, everyone within the sound of my voice should rest assured things are not good. Our world is changing and has already changed drastically.

The Earth is undergoing a shift, a manmade climate change shift. We don't need to travel to the polar icecaps for proof, although if we did, we would see that too. There is evidence all around. Talking about the polar icecap, think about Alaska. Millions of acres are on fire as we speak—not a fire as we see in the forest or the range lands of Nevada, where you see fire flames flip up into the sky so high it is hard to believe sometimes. But this is burning underground at the permafrost. It is awful what is happening in Alaska.

But let's talk about Nevada. Nevada is an unusual State in many different ways. We have over 32 mountains more than 11,000 feet high. We have one mountain we share with California that is 14,000 feet high. We have beautiful, beautiful wilderness.

I have had the good fortune during my time in the Senate to legislate. When I came here, we had about 60,000 acres of wilderness. We are now approaching about 4 million acres of wilderness, and it is beautiful, beautiful country. There are beautiful mountains, antelope, and mountain sheep, of course. We even have mountain goats. It is a beautiful, beautiful State.

We share Lake Tahoe with California—beautiful, beautiful Lake Tahoe that Mark Twain said is the fairest place on all the Earth. The water level this summer is at a record low. Water we used to take for granted that would come out of the lake isn't coming out anymore.

Snowpack in the Sierra Nevada Mountains is a fraction of normal levels. A few decades ago, we used to have

piles of snow that were unbelievable, tens and tens of feet of snow every winter—no longer. In fact, this past March, World Cup ski cross and snowboardcross races had to be cancelled. Why? We had no snow—no snow at a place where we had the Winter Olympics in Squaw Valley—no snow. They cancelled the races.

As I have said on the floor, because it is so traumatic as far as I am concerned, many of our black bears aren't even hibernating. It is not cold enough. This past June, a few weeks ago—Lake Mead at one time was the largest manmade lake in America. It isn't anymore because of Lake Powell, which overtook Nevada for the largest manmade lake in America. Lake Powell is on the road to being eliminated. It is part of the great Colorado River program that allows the States of California—all the upper Colorado States—Arizona, and Nevada, to survive.

This past June, Lake Mead water levels sunk to record lows—record lows. Towns that were buried with the making of the Boulder, Hoover Dam, we can see them again. St. Thomas is an example. An early Mormon settlement there was buried in the water—no longer. Now they are doing archeological work on what was buried under Lake Mead previously.

Now, that is only Nevada, and that is only a touch of what is happening in Nevada. Wildfires are devastating our State, wiping out native grasses and plants, causing endangered species that need to be listed as threatened or going extinct because, for example, if you have birds survive in our sagebrush, sagebrush is burned and no longer exists, you get these foreign species that come in, mainly cheatgrass, and it is no good for anything other than more fires. That is what we have in Nevada, devastating wildfires.

Around the United States, massive floods are destroying life around the globe. The poles are melting. By the year 2050, scientists estimate the sea level will rise in the world by 16 feet.

What will that do to Florida? Of all the major cities in the world, with virtually no exception, they are all in coastal areas. What coastal city in the world is going to be hit hardest in the world by this climate change, the rising of the seas? Miami, FL, the State of Florida.

Massive floods are destroying life around the globe. Poles are melting. I repeat, ocean resources are being exhausted.

Stunningly, Republicans in Congress are ignoring changes to our environment that we are all witnessing. They are here. They are in denial. They are in what I refer to as Koch denial because, remember, everybody, the two Koch brothers don't want us to do anything on climate change. Why? No. 1, it may prevent them from making more billions. They are heavily invested in tar sands in Canada, and, of course, their original fortunes were made in

oil, gas, and coal in America. Republicans are in denial. They are in Koch denial.

Last month House Republicans passed legislation that would rescind President Obama's action addressing air pollution and climate change. That legislation is not going to happen over here, but that is the mindset of the Republicans. Not to be outdone, Republicans here in the Senate are trying the same thing with the Senate Interior and Environment appropriations bill, filling it with policy riders that are dangerous to the planet, dangerous to America.

Republicans all know the planet is changing—I hope they do, but they don't. If a Republican knows this, they are a rare Republican and I am still waiting for them to step forward. Republicans don't admit it is a problem. Where is their solution? Well, they have none. They have no solution because they refuse to acknowledge there is a problem.

Let's not fool ourselves as to why Republicans reject climate change. I have already said why. It is the Koch challenge they all have. Every Presidential candidate has to be very careful. There are certain things, and I don't know them all because I am not in attendance at the meetings, but No. 1 is that the Ex-Im Bank has to stay dead. Those 165,000 people working in America, get rid of them. It is a government program, get rid of it—even though, as we speak right now, 40 other countries have working ex-im bank programs that are taking business away from American exporters. My Republican friends are unwilling to stand up to the oil barons who bring their filthy tar sands from Canada.

Republicans have offered no legislation nor have they offered a single idea that would protect our world from climate change. The closest they came was to try to be funny here on the floor when it snowed and they brought a snowball into the Chamber, saying: It couldn't be climate change; we have some snow today. Well, we did get some snow, but that doesn't mean we don't have climate change.

It is shameful to turn our back on the biggest dilemma the Earth faces. We must come together to arrest climate change.

I am very happy that my friend the junior Senator from Rhode Island is here because he is focused on all kinds of issues relating to climate, and he has been the driving force in recognizing that one of the places climate change is devastating our world is our oceans. We can't see that very well because the oceans are so massive, but in places our oceans are already dead—*not* dying but dead.

So it is shameful, I repeat, to turn our backs on the biggest dilemma the Earth faces probably in the history of our world. We must come together to address climate change.

There are solutions that involve, among other things, clean energy. Just

a few weeks ago, a solar company announced it would build a 100-megawatt solar farm and sell the power to Nevada's utility. The electricity generated by that solar farm was described by the press as "not only the cheapest solar—it may be the least expensive electricity in the entire country." That is what solar does now. Think about that. The cheapest power being built in America today is solar and it is inexhaustible. It doesn't have to be in the desert, where the Sun shines all the time; it can be used where the Sun doesn't shine all the time, and used well.

Solutions to address climate change are here. They are right here. Nevada has seen \$5 billion in development with solar and geothermal and a little bit of wind. Solutions to address climate change are here, and they are affordable and become more so every day. They have created thousands of jobs. And I misspoke earlier. It is \$6 billion in Nevada—not \$5 billion—that has now been invested in clean energy.

Republicans should stop denying climate change. If they want to keep complaining about the solutions, they should offer their own solutions. But there can't be a solution if they do not see a problem, so I am not going to hold my breath that Republicans are going to change their ways.

This is the No. 1 issue facing our world. The Defense Department is concerned about the resources they are going to get for manpower. If you ask the people who run the government's military, the Chiefs of Staff, they will tell you they are concerned about what this means for the security of this Nation.

We cannot ignore this issue any longer. It is affecting the security of this Nation for lots of other reasons—namely, what it does to other countries that puts pressure on us.

I appreciate very much my colleagues joining in this discussion we are going to have today because it is a discussion we have to have because the world is in trouble because of the climate change.

The PRESIDING OFFICER (Mr. CASIDY). The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, let me take a moment to commend the leadership of our minority leader on this issue. He has made it a priority in the caucus. He has seen its effects at home in Nevada, and he is an outstanding voice in this area. I am very grateful to him.

I also thank and recognize my chairman on the Environment and Public Works Committee, BARBARA BOXER, and no one is more forceful than she on the need that we have to address climate change and the carbon pollution we are emitting that is causing this.

Mr. President, we are here just after the 6-month anniversary of an interesting statement that was made by the Republican chairman of the energy committee, the Senator from Alaska. Six months ago—January 22, to be

exact—she said: What I am hoping that we can do now is get beyond the discussion as to whether climate change is real and talk about what do we do.

That was January 22 on the Senate floor, 6 months ago. What have we seen from the majority party in the 6 months since their energy chairman said that we need to get to this question, we need to concede climate change is real, and that we need to address what to do? We have seen exactly nothing—that is to say nothing but complaints: Oh, the President's Clean Power Plan is no good. Oh, we should have massive resistance to the President's Clean Power Plan. Oh, we should defund the EPA.

These are the thoughts the Republican majority brings as we face this question.

So it is worth looking at some of the folks who are very clear that climate change is a real problem. Here is one—NASA, our scientists from NASA. They couldn't be clearer about the importance of climate change and about the role of carbon pollution. How smart are NASA scientists? They are driving a rover around on the surface of Mars, folks. They just shot a spacecraft by Pluto close enough to take pictures of it and send back data.

What does the Republican majority have to say about NASA's position on climate change? That they are in on a hoax. They basically accuse NASA scientists of being dishonest, even though they are the ones who put our country on the surface of Mars and who put an American vehicle close enough to Pluto to take pictures of it.

Look at Walmart. Just a moment ago, the junior Senator from Arkansas was presiding. Walmart joined with a dozen other companies yesterday at the White House to say climate change is real. These aren't leftwing companies. This was Walmart. This was Alcoa. This was GM. This was Coke. This was Pepsi. This was UPS.

We have to start taking this seriously. But is there anything out of the State of Arkansas—Walmart's home State—on climate? Nope. Not a single thing.

There was recently an article in Forbes magazine titled "Climate Change Will Cause Increased Flooding in Coastal Cities." The picture is a satellite picture of the State of Florida. The little caption under the picture says: "Flooding from climate change is threatening much of the coastline, including major cities in Florida." Yet we have two Presidential candidates from Florida on the Republican side, and what do they have to say about climate change? Nothing—nothing other than "I don't know, I am not a scientist" and all the usual dodges.

Pope Francis wrote an encyclical—an extraordinarily important article in the Catholic faith—about the reality and the effect of climate change. What do our Catholic Republican Senators have to say about that? Nothing. We are not going to listen to him; he is not

a scientist. Well, actually, technically he is. He is a trained chemist. But that is the line—not a scientist.

What could possibly explain these strange anomalies? The biggest corporation in Arkansas knows climate change is a problem, and there is nothing from the Senators from Arkansas. The coastline of Florida is under immediate threat, according to *Forbes* magazine, the capitalist tool, and the Presidential candidates from Florida can't say a single thing about it. The Pope is calling on us—

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

Mr. WHITEHOUSE. I ask unanimous consent for a closing minute.

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

Mr. WHITEHOUSE. The last thing I will mention is that there is a common thread that links all of this, and it is money. The Koch brothers are putting hundreds of millions of dollars into this election. One of their organizations—one—said that it was going to spend \$889 million in this election and that anybody who crossed them on climate change would be at “a severe disadvantage.” Nice little campaign you got here; I would hate to put it at a severe disadvantage with my \$900 million. So what we have is secret money and we have threats related to it that are obliterating what had been a good Republican response on climate change and on other environmental issues.

We need to move on.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. SCHATZ. Mr. President, I want to talk a little about the particulars of the Clean Power Plan and address some of the questions that have been raised by some of the opponents.

I think the first premise has to be that carbon is an airborne pollutant; that the Clean Air Act doesn't just give the EPA the authority to regulate airborne pollutants, it actually requires that all airborne pollutants that can cause a public health risk get regulated. That is the basis of the Supreme Court decision. This doesn't give the EPA the discretion—this doesn't give the Obama administration the discretion to regulate carbon pollution, it requires that they do so. So the only question is not a legal one. The legal one has been settled. The EPA is required to regulate pollution under the Clean Air Act. The only question remaining is, Is carbon a pollutant? I don't think there is anybody credible in this Chamber who thinks carbon is not a pollutant.

Look, I think we are actually making progress. Over the last 6 to 12 months, we have seen a sea change among Republican Members of Congress who are increasingly concerned, I think, about being on the wrong side of history, about being on the wrong side of science, about being on the wrong side of a whole generation of young voters—Republican, Democratic, and Inde-

pendent—who understands this is one of the great challenges of our generation. So we are seeing some movement. We are seeing some openness to at least concede that this problem, in fact, exists.

We have this incredible law in the Clean Air Act. We don't need to pass a new law. Of course, Senator WHITEHOUSE and I have been working very hard with Senator BOXER and others on a carbon fee, but we also have the tools at our disposal to regulate carbon pollution. Like methane and other airborne pollutants, it is causing environmental and health damage.

The Clean Power Plan is very simple. It is treating this as though it is the pollutant that it is. Originally, I think there were some legitimate concerns about how this thing was going to get administered. I will give a “for example.”

If you are in a very small rural State and you are going to regulate not a State's total carbon emissions but an individual powerplant's carbon emissions, that is a very tough sell. There are instances where, because of legacy infrastructure, because of distance—for instance, in Hawaii we have remote and relatively small islands. So it is very difficult to ask the island of Lanai, which is running on diesel-fired generators, or the island of Molokai, to, at an individual powerplant level, reduce carbon emissions. That is tough. They can make improvements in efficiency, but they may not be able to meet the standard. So the idea is to allow all of it to aggregate.

What Hawaii did, we have a Hawaii Clean Energy Initiative, recognizing that there are going to be some places that will have incredible challenges economically and in terms of the financing of the projects, incredible challenges complying at the micro level, at the site level, at the power generation level, but if we provide flexibility to States—and I know in California with the Cap-and-Trade Program and the Northeast with the RGGI Program, there is a flexibility regionally or within States of energy systems to say that as long as you, in the aggregate, are making sufficient progress, we are going to allow you to figure out how to make that progress on your own. So we anticipate these rules will provide sufficient flexibility to allow economies to thrive.

I will make one final point on this before hearing from the great Senator from California; that is, all of the hue and cry, all of the panic, all of the heartburn about what is going to happen to our economy doesn't have to be an abstract question anymore. We have States currently exceeding the anticipated thresholds in the clean powerplants. So we don't have to imagine what is going to happen to various economies if we comply because we have States such as California, we have the Hawaii Clean Energy Initiative.

Two years ago, I was on the floor talking about the Hawaii Clean Energy

Initiative with a 40-percent renewable portfolio standard, and the legislature in the last 3 or 4 months just passed the first 100 percent clean energy statute in the United States. Our unemployment rate is 4 percent, and we have exceeded our previous goals. California, with its Cap-and-Trade Program, and all the hue and cry and panic about what would happen to our economy—California is booming. Hawaii is doing well. People still have their economic challenges, but it is not because of our desire to drive an innovation economy and to try to solve this great challenge of our time.

We can create clean energy jobs. We can innovate into the future. America has an incredible opportunity to lead in this space. I am so pleased to be part of that innovation and part of that leadership. We are putting our marker down as a country. We understand this is going to take a global effort, but now America has the credibility to lead on climate.

Mr. President, I yield the floor to the great Senator from California.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, before the Senator from Hawaii leaves the floor, I just want to say what a breath of fresh air he is. That is something we say to compliment somebody, but in this case he is fighting for clean air. He is fighting for his kids and his grandkids. It has been an honor to work with him.

The world understands this, Americans understand this; that we are facing a serious threat to our Nation—dangerous climate change. We absolutely need to act now. The evidence is all around us.

I will highlight, in the brief time I have, some of the facts. These cannot be refuted.

The evidence of climate change is around us. NASA and NOAA found that 2014 was the hottest year around the globe since recordkeeping began 134 years ago. How my colleagues could come to the floor and dispute this—if we were to ask people do you respect NASA, I would say everyone from our kids to our grandmas would say, absolutely, they are scientists.

The American Meteorological Association, the society, reported that numerous key climate change indicators were at or near record levels. They found 2014 was the hottest year since recordkeeping began in 1880—2014 was the hottest year since 1880—and sea surface temperatures and sea levels were at record highs.

This is the problem: When we have these kinds of record temperatures, they come with a cost—a cost to wildlife, a cost to human life.

I don't have time to go into what we are beginning to see, but about 8 years ago when I did take the gavel of the Environment and Public Works Committee, we held a hearing. Everything that was predicted by the scientists is coming true—everything.

Here is the good news. Here is the great news. My State of California is a true leader in this area. With the leadership of our State legislature, our Governor, Jerry Brown, and leading activists in our States, such as Tom Steyer and many others, we are seeing California stand up and address this issue. And what has happened? What has happened? All the gloom and doom: Oh, my God. If we try to move away from dirty energy, it is going to be terrible for everybody.

Let me tell you the good news. According to the Bureau of Labor Statistics, in 2011 California had over 360,000 green jobs, the most of any State, and in 2014 there were more than 2,094 solar companies at work throughout the value chain in California, employing 54,700 people. Let me say there are some days in California where we get half of our energy from the Sun—half of our energy from the Sun.

Here is the other thing we have to know: California households pay the ninth lowest electricity bills in the country. So all the doom and gloom, we are going to have to pay more and all the rest, is so much talk.

A long time ago, when I became aware of climate change, I looked at it and thought: Oh, my gosh. What are we going to do? But the longer I looked at it and the longer I studied it, the faster I recognized that if we address climate change in the right way, it will be a boon to our economy and it will be a boon to our health because we know for sure that asthma and respiratory ailments and cardiovascular disease are threats to our families, and they will go down—the risks will go down because when we clean up the carbon pollution, we clean up all the other pollutants that go along with it.

Just this week one of our great leaders whom I mentioned, who was the leader of NextGen, the president and founder Tom Steyer, said the following: Our country needs bold leaders who will lay out a plan to achieve more than 50 percent clean energy by 2030, putting us on a pathway to a completely clean energy economy by 2050 and millions of new jobs.

Mr. President, I ask unanimous consent that the fact sheet from NextGen Climate be printed in the RECORD.

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

**FACT SHEET: POWERING AMERICA WITH MORE THAN 50 PERCENT CLEAN ENERGY BY 2030**

NextGen Climate is calling on candidates and elected officials to tackle climate change—the defining issue of our time—by producing a plan to power America with more than 50 percent clean and carbon-free energy by 2030, putting us on a pathway to 100% clean energy by 2050. The transition to clean electricity is urgently needed, technologically achievable, economically beneficial, and politically popular.

**CLIMATE CHANGE PUTS AMERICA'S ECONOMY AND SECURITY AT RISK**

Left unchecked, climate change will have devastating effects on America's economy and security.

The International Panel for Climate Change (IPCC) conservatively estimates that, without action, 1–5% percent of global mean Gross Domestic Product is at risk due to climate change, and in some localized places the risks even higher.

Intensifying seasonal weather patterns, extreme weather events, rising sea levels, and increased illness and disease will cost the U.S. economy billions of dollars a year in property damage, increased costs, and lost productivity.

We are already feeling the effects of climate change at home. From 2010 to 2014 the United States experienced nearly 50 climate-related disasters with costs in excess of \$1 billion each, and in 2013 alone the United States experienced \$125 billion in expenses from climate-related events.

Climate change poses a grave national security risk as well. Just last year, 16 retired three- and four-star generals and admirals issued a report, National Security and the Accelerating Risks of Climate Change, identifying climate change as a “catalyst for conflict.” Additionally, the Pentagon's 2014 Quadrennial Defense Review laid out that climate change poses a serious threat and will aggravate stressors abroad.

**TRANSITIONING TO A CLEAN ENERGY ECONOMY WILL PREVENT CLIMATE DISASTER**

It is not too late to avoid the worst consequences of climate change—though time is running out. The longer the United States, and the global community, delay the transition to a clean energy economy the larger the economic impacts will be. In order to help prevent climate disaster, the United States must reduce carbon emissions by 83 percent economy-wide by 2050.

A plan to power America with more than 50 percent clean and carbon-free energy by 2030 will put us on the path to a 100 percent clean-energy economy by 2050, accomplishing the necessary carbon emissions reduction from the electricity sector.

**MORE THAN 50 PERCENT CLEAN ENERGY BY 2030 IS A TECHNOLOGICALLY ACHIEVABLE GOAL**

The transition to a clean energy economy is already underway. Clean energy technologies like wind and solar are increasingly competitive with outdated fossil fuels on cost, and are growing rapidly across America and around the world:

Installed solar capacity in the United States increased 34 percent between 2013 and 2014.

The U.S. has installed over 20,000 megawatts of solar enough to power more than 4 million average American homes—and that is expected to double in just the next two years.

Utility scale solar has reached cost parity with coal and gas in many regions and is projected to be cheaper than fossil fuels throughout most of the U.S. by 2017.

Combined with significant technological cost breakthroughs of clean energy technologies and the Obama Administration's historic steps to stop the unlimited dumping of carbon pollution into our air and water with the Clean Power Plan, the U.S. electricity sector is beginning to transform to one that is cleaner, cheaper, and more reliable.

The Energy Information Administration projects that the electricity mix in 2030 will be approximately 25% coal, 31% natural gas, 1% oil, 18% nuclear, 7% hydropower, 12% wind, 3+% solar, and 3% other renewable sources. This means that with no additional policies other than expected implementation of the Clean Power Plan, nearly 43% of the electricity produced is projected to be clean or carbon-free in 2030.

Though the transformation to a clean energy economy is already underway, and ac-

complishing more than 50 percent clean energy by 2030 is technologically possible, policymakers must do their part to push us over the top. The deck is currently stacked against clean energy, as subsidies and other preferential treatment prop up outdated fossil fuels, stifling American innovation and slowing the growth of modern renewable energy sources.

Our country needs bold leadership that accelerates the transition away from fossil fuels that cause climate change and towards America's clean energy future and the economic benefits it will bring. By fully implementing the Clean Power Plan and pursuing other policy solutions that will allow energy sources like solar and wind to compete against fossil fuels on a level playing field, our leaders can ensure we transition to clean energy in time to prevent climate disaster.

**ACHIEVING MORE THAN 50 PERCENT CLEAN ENERGY BY 2030 WILL SPUR ECONOMIC GROWTH AND CREATE JOBS**

Today, clean energy jobs are significantly outpacing fossil fuels jobs. In 2014, the number of people working in solar power surpassed the number of people employed as coal miners. As the technology landscape continues to change, clean energy has the opportunity to be a significant driver of employment in every city, state, and region. These jobs include installing and operating clean energy, performing energy retrofits, designing and researching new technologies, and operating the clean energy businesses of tomorrow.

Solar jobs are growing 20 times faster than the broader economy.

Solar energy creates eight times more jobs in construction, installation, operations, and maintenance, than coal and natural gas do across full project lifetimes.

There are more than 500 wind manufacturing facilities across the U.S. and there are currently more than 70,000 people employed in wind-related jobs.

In this global race for clean energy, the nation that leads on clean energy technology development will have a significant advantage in creating the millions of clean energy jobs that are up for grabs in this new energy revolution.

The United States is on the road to a clean energy economy. Technology and economics no longer limit our ability to realize this new energy system. With bold political leadership, we can accelerate America's transition to a clean energy economy, win this global clean energy race, strengthen our economy, and help mitigate potentially trillions of dollars of damages from climate change.

Mrs. BOXER. After stating their key findings, I will complete my presentation.

How many more minutes do I have?

The PRESIDING OFFICER. The Senator has consumed 5½ minutes.

Mrs. BOXER. I ask unanimous consent for 1 more minute.

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

Mrs. BOXER. Here is what NextGen found: Achieving more than 50 percent clean energy by 2030 will spur economic growth and create jobs.

I agree.

Second, most Americans support a goal of more than 50 percent clean energy by 2050.

I think the polls bear that out.

Third, climate change puts America's economy and security at risk.

I absolutely agree with that. We have been told that by the defense establish-

Next, transitioning to a clean energy economy will prevent climate disaster. That is true.

Lastly, they say 50 percent clean energy by 2030 is feasible.

Although I haven't studied this myself, I can say the Energy Information Administration estimates that this can happen if we take the kind of steps President Obama is recommending and a lot of us in the Senate support, putting a price on carbon that will save us from devastating climate change. It will provide jobs and will make us a healthier nation.

As I said, I rise today to talk about one of the most serious threats facing our Nation—dangerous climate change. We need to act now, but the Republican majority in Congress has no plan to address the threat posed to the American people.

The evidence of climate change is all around us. NASA and NOAA found that 2014 was the hottest year around the globe since recordkeeping began 134 years ago.

Earlier this month, the American Meteorological Society reported that numerous key climate change indicators were at or near record levels last year. 2014 was the hottest year since recordkeeping began in 1880; and sea surface temperatures and sea levels were at record high levels.

And it is continuing—NOAA reported that January through June 2015 has been the hottest first half of any year on record.

We must act now to address climate change by reducing dangerous carbon pollution from the biggest source—power plants.

The President's Clean Power Plan will help America lead the way to avert the worst impacts of climate change—such as sea level rise, dangerous heat waves, and economic disruption.

By reducing carbon pollution, we can also cut many types of air pollutants that threaten human health.

I often say, if people can't breathe, they can't go to work or school. According to EPA, the powerplant proposal will avoid up to 150,000 asthma attacks in children, 3,300 heart attacks, 6,600 premature deaths, and 490,000 missed days at school and work in 2030.

The Obama administration clearly gets it, and so do the American people. A Stanford University poll from earlier this year found that 83 percent of Americans, including 61 percent of Republicans, say if nothing is done to reduce carbon pollution, climate change will be a problem in the future. And 74 percent of Americans say the Federal Government should take action to combat climate change.

Our businesses also get it. On Monday, 13 of the largest American businesses gathered at the White House to launch the American Business Act on Climate Pledge. These companies, including California-based Google and Apple, pledged to take steps to address climate change.

But climate deniers in Congress still don't get it—they have made repeated

attempts to block the Clean Power Plan and other commonsense steps.

Last year, the EPW Committee heard from four former EPA administrators who served under Republican Presidents, from Richard Nixon to George W. Bush, and they all agreed that climate change requires action now. This should not be a partisan issue.

President Obama has a plan, the American people want us to act, so I ask my Republican colleagues, what is your plan?

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. MARKEY. Mr. President, we are at a crossroads. We have a catastrophe that is looming for our planet. We have the world looking at the United States wondering if we are going to lead. We have the Pope coming to the United States and speaking out on this issue. We have the world gathering in Paris this November, this December, discussing this issue because it is now the focal point of the world; that is, the danger of ever-escalating, dangerous climate change, the warming of our planet, and the catastrophic consequences of the warming of our planet.

The tides are rising. Snows are melting. In other places, the snows are greater than they have ever been before. Climate change—dangerous climate change—that is what is happening.

What is the response from the Republican side of the aisle? We hear nothing. We hear denial. We hear essentially an argument that it is not our responsibility to deal with it, but the Pope is asking us to be the leader. The world is asking us to be the leader. The young people in our country, the green generation, are asking us to be the leader.

The United States is a technological giant. We have the capacity to invent the technologies that are going to radically reduce greenhouse gases, not only in our own country but around the world: new renewable energy technologies, new battery technologies, and new ways of generating electricity in the 21st century. We do not have to be tied to 19th century technologies—oil and coal. It is the 21st century.

In our country, in 2015 and 2016, we are going to generate 40,000 new megawatts of wind and solar. We ask, Well, what does that translate into? What are 40,000 megawatts? If we think of all the nuclear powerplants that have been constructed in our country over the last 70 years, we now have 100,000 megawatts of electricity coming from nuclear power. In these 2 years, 2015 to 2016, we are going to add 40,000 in wind and solar. The experts did not think this was possible 10 years ago. The experts would have said: Oh, wind and solar, that is nice, but it can't replace the coal that has always been relied upon to provide our electricity going back to the 19th century. Impossible, they said. No. This new genera-

tion is rising up. And what is doing it? Well, we have put tax breaks on the books now for wind and solar. We are giving them the same breaks we always gave oil, we always gave coal. But what do we hear from the Republican Party? Should we eliminate the coal and oil tax breaks? Oh, no. You can't touch those. But when we say, well, let's renew the tax breaks for wind and solar, they say it is time for us to now allow these new industries to go it alone. That has been the problem all along; there isn't a level playing field. What we have done over the last 7 years is create a level playing field, so the new energy technologies can compete against these old tax breaks for coal and oil that have been on the books for generations. We can do it. We can solve this problem, but we can't create an unlevel playing field.

The same thing is true with automotive technologies. All of that CO<sub>2</sub> coming out of automobiles, coming out of trucks, people said we just have to live with it. The average for vehicles that ordinary families drove in our country just 6 years ago was 25 miles a gallon, essentially the same as 1975. The green generation, the young people in our country, say let's do better, let's invent new technologies. Let's have electric cars. Let's have plug-in hybrids. Let's have a generation of hybrids. No, says the industry. It is too difficult. We can't figure it out. It will cripple our industry.

We pass new laws here on the Senate floor and on the House floor. What has happened? We have a revolution in automotive technology. We now have people driving around in computers on wheels. The dashboard looks like it is a spaceship. The cars are infinitely more efficient, and we are heading toward 54.5 miles per gallon. What did the experts say 10 years ago? Impossible. We cannot do it. These are the same people who said to President Kennedy that we cannot put a man on the moon in 8 years. President Kennedy said: "We choose to go to the moon . . . and do other things, not because they are easy, but because they are hard." We are the United States of America. We will invent the new propulsion systems. We will invent the new methods. We will invent all of the things we need so that America dominates the Soviet Union and not the opposite.

The whole world is looking at this generation, this Senate. We have a plan. President Obama has a plan to control emissions coming out of the powerplants of our country. Our plan is one that moves toward renewable energy and away from these smokestacks of CO<sub>2</sub> going up into the atmosphere and creating a blanket that holds in the heat and continues to dangerously warm the planet. That is what the greenhouse effect is. It holds in the heat, all of this pollution.

When we move toward solar, when we move toward wind, when we move toward geothermal, when we move toward all the new technologies, the CO<sub>2</sub>

is cut radically and the planet is able to breathe, and breathe in a way that says to generations to come that we will have left this planet better than it was before.

That is what the Pope is going to come and talk to us about—dangerous climate change. That is what the Pope is going to come and ask the United States—to be the leader and not the lagger, to not allow the deniers of climate change to dominate our debate in the United States of America, to not allow the technologies of the 19th century dictate to the 21st century.

Just 18 years ago, a small percentage of all Americans had a wireless device in their pocket. Do you want to know why? The experts said it was impossible; you can't do it. Today everyone is walking around with one of these in their pocket, including 700 million people in Africa. We can do it.

In Kenya and in Ethiopia, they are moving toward geothermal, solar, and wind. They are skipping the landline delivery of telecommunication service in favor of wireless, and they are also skipping the landline system of generational electricity and moving to renewables. They are not relying on coal. They are moving on to the new. You can't eliminate it totally. You need some coal. You need some oil. But we can continue to reduce it year after year.

What is the plan we hear from the Republican Party? How do we reduce the amount of greenhouse gases we are going to be sending into the atmosphere? What is their plan? They say they don't like President Obama's plan. Where is their plan? What are they going to do? What are they going to tell the green generation—all these pages on the floor representing tens of millions across our country? They are asking the question: Where is the plan? How do we do this? How do we solve the problem? How do we invent the new technologies, as we did with wireless technology, and spread it across the planet? How do we do it for climate change as well? That is going to be the essential debate.

Shruggy says: I am not happy; I am sad.

Where is the Republican emoji? Where is the one who says: We can do it; we are America.

We are not going to allow the rest of the world to have a problem from which the United States is going to exempt itself because it is the only country that is denying climate change. The Senate has a great responsibility. We have an opportunity to be the global leader. We can save all of creation while engaging in massive job creation here in America. We now have 100,000 clean energy jobs in Massachusetts. It is a big job creator. It is an employer of Americans all across our country.

We have a chance to do something special. We can begin this transition in a much more serious way—away from coal, away from oil, and toward this renewable solar era of the 21st century.

Mr. President, I yield back the remainder of my time.

Mr. CARDIN. Mr. President, man made climate change has evolved from a critical threat to an unavoidable reality. The reality of climate change has already shown its grim effects on our environment and our health.

Today, I would like to speak about the impacts of climate change on this country's economic engine: our businesses. As temperatures and sea levels rise and as weather patterns become more severe, the costs of doing business go up. Droughts and heat waves drive up energy costs and have put incredible pressure on global food production. On a warming planet, floods and other natural disasters damage infrastructure and private property, driving up insurance premiums and increasing the cost of doing business.

All of this creates uncertainty for investors, who increasingly want to know how climate change will affect the companies in which they invest. American companies are beginning to notice. General Mills' Chief Sustainability Officer Jerry Lynch said, "The best available science tells us all the changes we are making to the planet as a human species are what's causing this." Last year, General Mills announced its commitment to increasing sustainability and reducing greenhouse gas emissions in its supply chains.

Even oil companies realize what is happening: ExxonMobil's William Colton, Vice President of Corporate Strategic Planning, said, "The risk of climate change is clear and the risk warrants action." ExxonMobil officials subsequently announced the company would put \$600 million into algae farms that would turn sunlight into automotive fuel. Its new focus shows that corporations across all economic sectors are realizing something vital: the negative effects of climate change hurt their bottom line.

This week, some of America's largest companies such as Apple, Coca-Cola, General Motors, Goldman Sachs, Google, PepsiCo, and Walmart are standing with the Obama Administration to launch the "American Business Act on Climate Pledge". By signing this pledge, companies demonstrate an ongoing commitment to having a climate action plan. The ongoing shift in official corporate climate policies from a burgeoning number of other large and small businesses demonstrates that taking action on climate makes strong economic sense. If these bastions of capitalism can develop and commit to climate action plans, why has not the Republican Party devised its own action plan? Denial simply will not cut it.

The involvement of American businesses in climate policy is a welcome development but they must move even further by disclosing the risks they face from climate change to investors. These risks, which are passed on to shareholders, hit nearly every industry imaginable, from obvious choices like

the oil and gas sector, to healthcare and financial services and transportation and hospitality. Disclosing climate risk through the Securities & Exchange Commission's, SEC, corporate reporting measures enhances transparency and allows investors to make smarter decisions, ultimately protecting and increasing shareholder value.

As we continue to deplete our scarce natural resources and send their harmful byproducts back into our air, water and land, the cumulative impacts are changing the world. The rate of this change is accelerating; the status quo is untenable. By providing honest climate risk disclosure and establishing climate action policies to mitigate and reduce that risk, American companies are acting in everyone's best financial interests.

Profit-driven corporate superpowers like Apple, Coca-Cola, and Walmart are taking concrete steps to reduce the impact of climate change. The message they are sending is clear: adapt, or fall behind. Other companies now have the opportunity to join in what American businesses do best: innovating and leading the rest of the world by their example. It is increasingly obvious that taking action to combat climate change is economically prudent. But more important, it is also the morally correct thing to do. I encourage more in the business community to take a stand on the right side of human history.

The PRESIDING OFFICER. The majority whip.

Mr. CORNYN. Mr. President, we are continuing to make substantial progress on passing a multiyear highway bill. Thanks to the developments of the recent day—I guess it was yesterday—we learned that the House is open to a conference committee to reconcile an authorization bill that they will likely take up soon and then to have a conference committee to reconcile those differences. Previously we had been told that the House would not take up the Senate bill and was insisting on a short-term patch to the December timeframe. I can tell you that I, for one, was reluctant to do that because without a clear path forward after December, we would be looking at perhaps not just the 34th patch but the 35th patch and on and on.

What this country needs is a long-term transportation bill, and that is what the Senate will likely pass tomorrow—our own 3-year bill—and then work with our colleagues in the House, as we usually do when the two bodies don't necessarily agree on everything, to work those out.

I am thankful that the Members of this Chamber recognize how important this legislation is. I have to tell you, coming from Texas—a big, fast-growing State that needs this investment in our infrastructure—this is important for my constituents.

The highway legislation we are putting forward is actually a 6-year authorization, and that is something to

be celebrated. As I mentioned, this avoids the sorts of temporary patches we have had in the past.

Although Chairman HATCH of the Senate Finance Committee came up with enough money—enough pay-fors in the jargon we use around here—to pay for this for 5 years, there was an attempt to work on a bipartisan consensus. Since all of those pay-fors were not acceptable to this consensus, we got enough pay-fors to pay for the first 3 years of this 6-year bill. But that doesn't mean the work will end on trying to find a way to, in a fiscally responsible way, pay for the back end of this 6-year bill.

There is a popular bumper sticker found on cars and trucks in Texas. I know people sometimes get a little tired of Texans who are so proud of their State, as I am. But one of those bumper stickers said: "I wasn't born in Texas but I got here as fast as I could." Indeed, people have been voting with their feet, coming from parts of the country where, frankly, the policies—whether it is tax or regulatory policies—or just the lack of jobs have caused people to look elsewhere for jobs, for an opportunity to provide for their families and to pursue the American dream.

I have mentioned time and time again on this floor that our economy in Texas grew at a rate of 5.2 percent last year. Compare that to the national growth rate, which was 2.2 percent. So something is going on here, and I would argue that what is going on is that the policies that have been emanating from Washington, DC, have actually been a restraint or a wet blanket on job growth and economic growth. We ought to look to some of the States that have been successful laboratories of democracy for the kinds of policies that actually pay off. I am not just talking about for businesses; I am talking about for workers and families, particularly when it comes to wages and good jobs.

My State is a growing, diverse State. I know sometimes people are surprised. They know we have a large Hispanic population. Roughly 38 percent of Texas is Hispanic. But Vietnamese is the third most commonly spoken language in Texas. We have about a quarter of a million Vietnamese Americans. We are a very diverse State. Some estimates project our State to exceed 50 million people by the year 2050, potentially doubling our current population.

There is no time to lose when it comes to maintaining and expanding our transportation networks to meet the rising demands from more people and more vehicles on our roads. That is why this multiyear bill is so important.

For example, this legislation would help our State focus on improving roadways that impact the daily lives of Texans. That includes many of our interstates, such as Interstate 35. I don't know how many people in this Chamber have ever tried to drive down

Interstate Highway 35 through Austin, but it is almost like a parking lot. It runs the length of our State, starting in Laredo, TX, which is the largest inland port in America, where we have a lot of trucks and a lot of commercial traffic coming across. It starts in Laredo, but it goes through multiple population centers, such as San Antonio—my hometown—Austin, and then Dallas and Fort Worth, which are some of the fastest growing cities in America, before going on to Oklahoma. The interstate is more than 400 miles long in Texas alone, and because of our growth, it is incredibly congested. In fact, 18 segments of the interstate rank in the top 100 most congested roadways across the State. That growth isn't projected to let up anytime soon. As a matter of fact, it is going to continue at high levels.

Employment levels in Central Texas alone—some of the fastest growing parts of the State—are projected to double or quadruple in the next 30 years.

We are not afraid of getting bigger. We are proud of our size, our growth, and the opportunity that provides to the people of Texas. But passing a long-term, well-funded highway bill becomes even more important when you come from a State such as mine with the sorts of transportation challenges we have now and will continue to have in the future.

Building a stronger transportation network for a stronger economy means strengthening not only Interstate Highway 35, which I mentioned a minute ago, but also the vast existing networks of other interstates and upgrading routes to higher standards. This is ultimately about public safety. We need to have transportation infrastructure, highways, and interstates that allow people to travel at relatively high speeds in a safe way. That is why this is important as well.

Because we understand the relationship between quality infrastructure and economic success, I introduced an amendment to the highway bill that would help our State connect more efficiently. I appreciate the bill managers for letting us take a close look at this and the potential benefit for my State and the transportation network as a whole.

This amendment will provide for much needed improvements to high priority corridors in Texas, such as Interstate Highway 69. Congress first designated future segments of I-69 in Texas nearly 25 years ago, after leaders from the gulf coast region and East Texas said the State needed a new route to increase connectivity between land and sea ports and our existing interstate system. Fortunately, this is also a route that improves emergency evacuation capabilities—something I know the Presiding Officer can appreciate coming from Louisiana—and one that delivers an interstate to the Rio Grande Valley, which is the largest population center in the country pre-

viously unserved by the Interstate Highway System.

Through years of outreach and public engagement—from Brownsville to Texarkana—we have identified upgrades and improvements to existing State corridors that could deliver a future I-69 throughout the State. We have made great progress since 2010. More than \$1.3 billion has been expended toward corridor improvements throughout Texas, and since 2011, more than 200 miles of I-69 have been added to the Interstate Highway System, including the first segment in South Texas.

This is still a work in progress, and it costs money. Upgrades are needed for more than 1,000 miles of designated roadways to complete it. I am reminded of what the chairman of the Environment and Public Works Committee, Senator INHOFE, has said to me privately, which I know he has also said publicly as well, about the importance of infrastructure and the Federal Government's role. Now, I happen to be one who believes that the Federal Government needs to do a much better job when it comes to prioritizing Federal spending and spending within our means, which the Federal Government has not been doing. But when we talk about priorities and things that only the Federal Government can do that the States and local government cannot do, as Chairman INHOFE likes to say, there are two things that the Federal Government should do, and that is national defense and infrastructure. He said pretty much everything else is a lower priority item. I think that makes a lot of sense.

When it comes to spending money, that is something that my constituents in Texas are leery of when it comes to the Federal Government. They realize that spending money on our infrastructure and the highway system just makes common sense. So with a multiyear highway bill such as the one before us, we can complete our interstate, I-69, and that will move us one step closer to reality. As I mentioned a moment ago, these and other modernization efforts also make our roads safer and help with more efficient freight movement, which means our businesses can deliver goods to customers across the State and throughout the country in a more expeditious fashion.

I must also point out that this bipartisan bill is fiscally responsible and the pay-fors are not phony pay-fors, which sometimes occurs here in the Congress. It doesn't increase taxes or add to the deficit. So from my perspective, it is a win-win.

I encourage all of our colleagues to continue reviewing it and to keep in mind the essential role infrastructure plays in our country and in our economy. Our economy, of course, is what produces jobs, and it allows people to find good work and provide for their families and pursue their dreams.

So far 2015 has been marked by real steps forward in this Chamber, including essential legislation, such as the

Defense authorization bill and a bill that will combat human trafficking. This highway bill continues in the spirit of accomplishment. Perhaps it is not a grand-slam home run, but I would call them singles and doubles that we have been able to eke out so far this year. This bill will represent another solid accomplishment for the 114th Congress that we can be proud of on a bipartisan basis.

I encourage all of our colleagues to continue the momentum and to get this bill passed soon, hopefully no later than tomorrow.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mrs. ERNST). Without objection, it is so ordered.

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

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

#### STRENGTHENING OUR ECONOMIC RECOVERY

Mr. CARPER. Madam President, colleagues, I want to hearken back to last November's election. I thought for some time—and the Presiding Officer has heard me say this once or twice—that for this Senator there are three takeaways from that election. No. 1, the American people want us to work together in the Senate here in Washington; the American people want us to get things done; and most especially, the American people want us to get things done that actually strengthen our economic recovery.

My own view is that one of the things we can do to strengthen our economic recovery is to increase exports. We work very hard in this Chamber, in the Senate and with the House and the President, to try to pave the way to create a large new trading block consisting of the United States and 11 other countries which, when put together, comprise about 40 percent of the world's customers. This is the trading block we call the Trans-Pacific Partnership. It is something that is sought by the President and is supported by myself, by Democrats, and by Republicans, and it is still being negotiated. But it is an important part in growing and strengthening our economic recovery.

One of the other related areas is how do we finance exports. One of the ways we have done that for years in this country is through the Export-Import Bank. We have reached a point where the authorization of the Export-Import Bank has expired. The legislation that has passed the Senate would renew that authorization, and my hope is that when we finally find our way through the transportation gauntlet, we will also reauthorize the Export-Im-

port Bank to again make available financing for business—not for every business large and small, but for quite a few. Other nations with whom we compete help finance their exports, and for us not to do the same puts us at a competitive disadvantage.

Another thing we can do to strengthen our economic recovery is to better protect our international property—research and development—whether it is from cyber security attacks, data breaches, or whether it is through simply the way we combat patent trolling. Folks come up with ideas and they are delayed. They end up in court, and research and development is stymied in some cases as a result of all that.

We have worked in the Environment and Public Works Committee for years now on something called the Tax Exceptions Control Act which provides predictability and certainty for businesses, especially in the chemical industry, but also at the same time works to protect our health as human beings, especially among the most vulnerable—the young, the old—and at the same time it is good for the environment. That legislation may be coming before us as soon as next week.

Many of us have sought to provide some certainty for businesses on the tax side through international tax reform, which is an idea supported by the President, by the House Republican and Democratic leadership, and by the Finance Committee working group led by Senators PORTMAN and SCHUMER. It is not comprehensive tax reform, but it is a big piece of it that at least provides some certainty and predictability and would also provide, frankly, a couple hundred billion dollars over the next 10 years to be used for roads, highways, bridges, transit, rail, and so forth.

The last thing I will mention in terms of strengthening our economic recovery is transportation. There is an outfit called McKinsey which is a major consulting company. They have something called the McKinsey Global Institute. Not long ago they reported that if we were to make the kind of robust investment in infrastructure sought by the President and supported by House Republican and Democratic leadership, and supported by our bipartisan working group on the Finance Committee—if we were actually to do that, we would grow, according to McKinsey's employment estimates, by as much as 1.5 million jobs over the next several years. A lot of these jobs are for people who are either not working or are working part-time. They would like to build something or rebuild something, and they could work on highways, bridges, our transit systems, and so forth. The folks at the McKinsey Global Institute go even further to say that if we were to make this kind of robust investment in transportation at large, we would not only put a lot of people back to work, but we would grow our GDP by as much as 1.5 percent. That may not

sound like a lot, but I think our GDP growth in the first quarter was zero. We struggled through a tough winter. It has bounced back nicely in the second quarter, but it is still only 2.5 percent. The idea of being able to add 1.5 percent to that would give us a 4-percent GDP growth, and that is as strong as we have seen in a while. It would translate into a lot more jobs for people other than just building highways, bridges, and roads in our country.

I have been asked, why would our GDP grow so much by making these investments in transportation? In one of several meetings I have had with industry groups, someone from a company said: We move a lot of our products overseas in order to sell our products. We don't export by air, but by ship. Most of the exports leaving this country go by way of ship. He went on to say: We send our products to ports and we have a narrow window of time. In his particular case it was a timeframe of 4 hours. The ships coming into this particular port needed to pick up their goods and products within 4 hours. He said if they met that window, they were good. If they missed that window, they were not good. As it turns out, there are enormous delays in moving not just people in this country but in moving products and freight.

One of the great things about the Environment and Public Works Committee's 6-year transportation reauthorization legislation was a freight provision. I give a lot of credit to Senators BOXER and INHOFE for including—we were among the people who strongly recommended it—a strong freight provision in the Transportation bill in order to help grow GDP to help grow jobs.

As it turns out, part of the reason why it is difficult to get anything done around here on transportation is the issue of how we are going to pay for all these investments, although I have referenced some pretty good ideas. I mentioned one. One of the reasons it is difficult to pass legislation through is that multiple committees have jurisdiction over transportation. The Environment and Public Works Committee in which I serve is led by Senators INHOFE and BOXER. We have jurisdiction over roads, highways, and bridges. That is a big piece of our transportation system, but it is not all of it. The Banking Committee has jurisdiction over transit, which is significant. The Commerce Committee has jurisdiction over freight rail and interstate passenger rail and jurisdiction over safety in a lot of instances. They also have jurisdiction over a fair amount of what happens in the air for our country. Then the Finance Committee, which I am also privileged to serve on—which is called the Ways and Means Committee in the House—is heavily involved in how to pay for all the improvements we need to make—and how badly we need to make them.

As it turns out, there are some folks who actually study the amount of time

that we are delayed either sitting in traffic or moving very slowly in this country. The folks at Texas A&M put out an annual report on congestion in our country. They found the average U.S. commuter wastes 38 hours every year because of traffic congestion. There is an industry group that has something called The Road Information Program. They estimate the average driver in the United States pays \$377 each year in additional vehicle costs as a result of poor road conditions. The World Bank, in a related report, has found that when a road is allowed to deteriorate from good to poor, each dollar we fail to invest in road maintenance will increase vehicle operating costs by between \$2 and \$3. So among the many reasons we want to make these investments is No. 1, to grow employment for the many folks who are actually building and working on these projects—a lot of people. We want to grow our gross domestic product. We want to reduce the amount of time spent sitting in traffic or traveling very slowly in traffic. The 38 hours wasted in congestion are hours we lose in our lives every year. Lastly, we want to reduce the amount of money we spend on our own vehicles.

I know my own vehicle, my Chrysler Town and Country minivan, went over 400,000 miles this week as we were driving in from Delaware the day before last. We were coming across the Chesapeake Bay Bridge last week when it topped out at 400,000 miles. Along the way people have asked: How do you get a vehicle to go that many years and that far? I tell them that every other week we wash it. That is pretty much all I do. Well, I actually do a lot more than that. I have replaced a lot of tires. There are a lot of potholes, causing a lot of realignments, and it adds up. The average is almost \$377 a year, but the money adds up for us as it does for other people as well.

I mentioned earlier that the Environment and Public Works Committee has jurisdiction over roads, highways, and bridges. The commerce committee has jurisdiction over ground transportation, including freight rail, passenger rail, and air; the banking committee has jurisdiction over transit; and the Finance Committee has jurisdiction over finance and how we actually finance these investments. That is one of the reasons it is difficult to put a package together with all the different pieces to find common ground and to come to an agreement on how to fund it.

One of the other difficulties is—and I am not a huge advocate of earmarks, but one of the reasons people were willing to vote year after year, decade after decade, for a 6-year transportation bill was because they could point to certain specific provisions in the Transportation bill which helped their congressional district or their State. It is more difficult now for a representative or Senator to say these are the specific provisions that are

good for my State or my district, and this is one of the reasons why I am supporting this legislation. It doesn't mean we ought to go back to earmarks, but it is one of the reasons why it is harder to build a super majority to move legislation like this through the Senate.

So where are we? The House has passed legislation that says for the next 3 months we are going to fund transportation projects in this country—roads, highways, bridges, and transit. They have outlined a couple of ways to pay for that. They do not have enough money to pay for projects over the next 5 months. They have authorized the actual construction of those projects for the next 3 months. That is their bill, and I think they have pretty much passed it and said, kind of, take it or leave it. Previously, they said they wanted to extend for 5 months the authorization and the appropriations for roads, highways, bridges, and transit until sometime in December to give us time between now and December to come to agreement on the administration's earlier idea embraced by House Democratic and Republican leadership and embraced by the working group in the Senate Finance Committee about international tax reform, which some would deem repatriation.

We passed out of here today a different plan that I do not support but a plan that would appear to authorize projects for a 6-year transportation bill. As it turns out, the money is good for maybe 3 years, not for 6. It comes from a lot of different sources, some that I would deem inappropriate. Others may differ with that. It is not the way I think we should do business, but it is the way we have done business.

We passed a bill. We have different perspectives as to what we ought to do. My expectation is that the Senate will agree with the House-passed bill and we will, in the meantime, go back to the drawing board. One of the things that I think has value in the House-passed bill is it sets the stage for us to get serious about the administration's proposal, again embraced by the House Democratic and Republican leadership, and by our bipartisan working group in the Finance Committee. It gives us time to actually find out if we can do that.

There are some people who don't like that idea. Some people in pretty powerful positions around here don't like that idea, but there are others in equally high positions who think that is a very good idea. Among the benefits that it would provide—it doesn't address our transportation needs forever, but it certainly would provide a lot of money for the next 6 years.

Why might that be a good idea? I think ultimately—and while for years we have used user fees, gas taxes, diesel taxes, to fund most of our road construction at the national level and for our road repairs—to be honest with you, over time, our cars, trucks, and vans have been more energy efficient.

My Chrysler minivan that I mentioned earlier gets about 24 miles per gallon on the highway, but there are vehicles today, including minivans, including trucks, that do a whole lot better than that. We have smaller passenger cars that routinely get 40 and even 50 miles to the gallon. To say that the diesel tax and the gas tax are forever the sole solution is probably not realistic. We have some vehicles on the road that are pretty much all electric. They do not buy any gas. They do not buy any diesel fuel. When they need a refill, they pull up and recharge their batteries. We have some folks who buy vehicles that are powered by fuel cells. They run on hydrogen or natural gas, methane.

So given the changing mix in the way we move ourselves and goods and services around the country, that sole reliance on user fees, by a gas tax and diesel tax, forever is not a good idea.

Among the other ideas that are out there is tolling. People who come through my State on I-95 pay a toll. A lot of them use E-ZPass. They can go through our State on the highway using E-ZPass so they don't have to sit in line and wait. Their credit card accounts get charged for their travel. We have a similar kind of arrangement on State Route 1, where a lot of people come through our State from I-95 heading south to our beaches or to Dover Air Force Base. We have highway-speed E-ZPass there too. So tolling is part of the future.

Another idea that is being experimented with by the States—it is referred to in different ways—but I think of it as vehicle miles traveled. Is there a way we can actually figure out how much, in terms of a true user—how many miles we are actually traveling in our vehicles and assess some kind of fee at the Federal level or maybe at the State level on those who are driving cars, trucks, and vans.

Folks in Oregon have been working on this the longest. I think they started this effort about 10 years ago. They call it a road user charge. That is another way of saying vehicle miles traveled. I think at the end of the day—not the end of the day but in 10, 15, 20 years, we will have figured out how to actually do vehicle miles traveled/road user charges in a cost-effective way that is protective of people's rights to privacy.

The other area that I think we will do a better job in is tolling, moving to more things like the highway-speed E-ZPass, so people who want to use a particular road will pay a toll and do so in a way that still expedites movement of traffic as we do through highway-speed E-ZPass. Having said that, if we are unable to come to an agreement at the end of this year, if we are unable to come to an agreement on some kind of international tax reform, the idea of using a lot of cats and dogs to fund transportation improvements for the next 2 or 3 years—I don't think that is a good outcome.

I am not a Congress of one. If I were, I would go back and say we should look at—at least for the next 6 years—user fees. We have been using user fees or taxing gas and diesel for a long time to provide for most of the Federal share for these transportation construction projects and improvements. I think the last time we raised the Federal gas tax was 1993. We raised it to 18.3 cents per gallon. We raised, at the same time, the diesel taxes to 24.3 cents per gallon. We have not raised either of those for over 22 years. Since that time, the cost of asphalt, the cost of concrete, the cost of labor, the cost of steel have all gone up, but the user fees, the gas tax and diesel tax, have not gone up at all.

George Voinovich—former Governor, former U.S. Senator—and I worked together about 5 or 6 years on the Bowles-Simpson Commission to suggest an increase in the gas and diesel tax by a penny every quarter, by a penny every 3 months, for about 15 quarters. We were roughly saying 3 or 4 cents a year for 4 years and then index the gas tax after that to the rate of inflation so we did not have to come back and re-address it every year or every 2 or 3 or 4 years.

That is an idea that was actually adopted in the Bowles-Simpson report, but much of what the Bowles-Simpson report included has not been enacted. One of the things I am going to be doing—and I hope colleagues in the House as well as in the Senate—in the next day or two is introducing an increase in the gas and diesel tax of 4 cents a year for the next 4 years—that will be 16 cents over the next 4 years—and then indexing the gas tax and diesel tax to the rate of inflation.

What would that cost the average family, the average driver in this country? On a weekly basis, it would be about \$2, actually less than \$2. I don't know what people pay for a cup of coffee, but I am told you can buy—I bought a cup of coffee today for \$1.70. Some people buy it for less. Some people buy it for \$2 or more. But for roughly a cup of coffee a week, we could have better roads, highways, bridges—a whole lot better.

By doing that, we would raise, over the next 10 years, \$180 billion, maybe even more, to be able to provide for our construction needs, roads, highways, bridges, and transit. We have the system in place. We know how to do it. The price of gasoline—I bought gas the other day in Central Delaware, in Dover. I paid \$2.53 a gallon. It was down by about 20 cents over the last month. If the Iran deal actually goes through and is approved, the Iranians are expected to add to a world already awash in oil. So the price of oil is coming down. The Iranians would add, I am told, about another half billion barrels of oil to the marketplace and probably continue to push down the price of oil.

I ask us to keep that in mind. Some people say we will never be able to get the votes for an increase in the gas or diesel tax, even if it is phased in for 4

cents a year for 4 years. But there were six States last year across the country—most of them with Republican Governors and Republican legislatures—that did something like this. They did not raise the gas tax by \$1 or 50 cents or even 25 cents, but they raised it, in some cases, over several years.

The question is, Can State legislators or Members of the Congress actually vote to meet our transportation needs? Can they actually vote for this stuff and get reelected? As it turns out, 95 percent of the Republicans in these six States and State legislatures—95 percent of the Republican legislators who voted for these user fee increases won their primaries last year and they won their generals. They were reelected.

Among the Democrats who voted in those six States last year to raise user fees, 90 percent of them won their primaries, they won the general election. They were reelected. For people who say you cannot vote to do a tough thing and still get reelected, I would just say look at those six States from last year. Other States are going to follow in those footsteps this year as well.

So the long term—I will wrap it up at this point in time. I see Senator GRASSLEY is on the floor. But long term, the worst option is to do nothing. The worst option is to do nothing. I have a glass of water here. I am going to ask the pages to bring me a couple more glasses, just empty glasses, if they will quickly. Senator GRASSLEY is waiting to talk. Bear with me. This is show-and-tell on the Senate floor. I don't think this is against the rules, but if it is, maybe the Presiding Officer will cut me a break.

We will say this glass of water that is sitting right here is world capital markets, a lot of money, trillions of dollars. Some of it is from sovereign nations, some of it is from trust funds, pension funds, and so forth. This glass is empty. This is the U.S. transportation trust fund. It is empty.

When we run out of money and we don't raise taxes or revenues to fill it, we turn to the general fund. We say let's take money out of the general fund and put some of it into the transportation trust fund. This glass is empty too. Our debt is down, our deficit is down—our debt is not down—our deficit is down, but we still are running a big deficit. There is no money in the general fund to refill the transportation trust fund these days.

So what we do is we go out into the world capital markets—here, where there is a lot of money—and we borrow. We sell Treasury securities. So as it turns out, one of the best buyers for those Treasury securities is China. So we ask China: How about buying some of our Treasury securities? They do. Then when the Chinese turn around and start pushing around the Vietnamese or the Filipinos in the South China Sea, around the Spratly Islands and places I used to fly as a naval flight officer years ago—when the Chi-

nese—and I don't think they are doing this so much anymore, but they manipulate their currency.

When the Chinese are trying to maybe dump some of their products in this country illegally and we say you can't do that, China, you can't do that, for the Chinese, it is very easy to say I thought you wanted to borrow money, and it puts us in a very awkward position as a nation.

If things are worth having, they are worth paying for. I don't think the pay-fors that were used in the—not the 6-year authorization bill that passed here—the Transportation bill is really a 3-year. I don't think the idea of taking money away from Customs fees and different other sources to use for purposes for which it was never intended—for transportation purposes—I don't think that is the way to do this.

The good news is this: The House is in one place, the Senate is in another. We have several months to figure this out. I hope we use these several months to drill down real hard on the idea of international tax reform, the deemed repatriation, which will provide hundreds of millions of dollars for transportation over the next 6 years. If that does not work, I want us to look at some other alternatives. The worst alternative is to get to December and say: Well, let's just borrow some more money or let's come up with some cats and dogs and patch this and kick the can down the road again.

So I am going to work very hard as a member of the Finance Committee on the international tax reform piece. I know Senator GRASSLEY, if I am not mistaken, is the senior Republican on the Finance Committee and somebody who is a key participant in trying to find common ground. He is good at that. I look forward to working with him on that.

I will close with this. To me, the message from the American people in the elections from last November was threefold: People want us to work together. They want us to get important things done, and among the most important is to further strengthen an already strengthening economy. A big piece of that can be transportation. The American people expect us to make tough decisions. This is a tough negotiation, but it is one we have to have. We have to have a good outcome in the end.

With that, I thank my friend from Iowa for his patience.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

#### FALSE CLAIMS ACT

Mr. GRASSLEY. Madam President, I often come to the floor to honor whistleblowers but more importantly to talk about their very important role in making government function.

On July 30, 1778, the Continental Congress passed the very first whistleblower law in the United States. It read:

[I]t is the duty of all persons in the service of the United States . . . to give the earliest

information to Congress or other proper authority of any misconduct, frauds or misdemeanors committed by any officers or persons in the service of these states, which may come to their knowledge.

Probably for the last 6, 7 years, I have been referring to this around the time of July 30.

Going back to 1778, we have had recognition of the important role whistleblowers can play in making sure government is responsible. Whistleblowers have always been crucial in helping Congress and the Federal Government root out fraud and misconduct.

It is simple common sense to reward and protect whistleblowers who report waste of taxpayers' money, fraudulent use of taxpayers' money, and outright simple abuse. The False Claims Act does that. In fiscal year 2014 alone, the Federal Government recovered nearly \$6 billion under the False Claims Act. That makes more than \$22 billion since January 2009 and more than \$42 billion since I got the legislation passed in 1986. These recoveries represent victories across a wide array of industries and government programs. Those programs include mortgage insurance, Federal student aid, Medicare and Medicaid, as well as defense contracts.

The Department of Justice credits whistleblowers for their important role in the success, for the money that has come back to the Federal Treasury, and for the carrying out of the False Claims Act. According to the Justice Department, whistleblowers accounted for \$3 billion in recoveries under that act in just fiscal year 2014. In fact, over 80 percent of False Claims Act cases are initiated by whistleblowers.

Clearly, the False Claims Act is working very well. Of course, the act has no shortage of critics—typically in the groups where you find perpetrators of fraud. But we have learned our lesson that a weak False Claims Act is not in the taxpayers' best interests.

In 1943, Congress bowed to the pressure to undo the act's crucial *qui tam* provisions. Amendments passed in that era of World War II barred actions where the government already had knowledge of fraud. The result was to block nearly all private actions. Congress assumed—and now we can say assumed wrongly—that the Justice Department could do a good job prosecuting fraud all by itself. As I said, they were wrong. Between 1943 and 1986, when the False Claims Act was amended, fraud against the government skyrocketed. Most of those accused went unpunished.

A 1981 report by the Government Accountability Office said:

For those who are caught committing fraud, the chances of being prosecuted and eventually going to jail are slim. . . . The sad truth is that crime against the Government often does pay.

So in 1986 I coauthored much needed amendments to the False Claims Act. The 1986 amendments once again gave citizens the ability to help the government go after fraud in a meaningful

way. For example, the amendments provided protection for whistleblowers and eliminated the impossible government knowledge bar. Essentially, a relator's suit was only barred where the fraud had been publicly disclosed. The amendments also clarified that the act covers false claims made not just directly to a government agency; it also covers fraud against grantees, States, and other recipients of Federal funds, whether or not the fund obligation is fixed.

These provisions and others were intended to give the False Claims Act teeth again, and they did. However, as happens with a lot of legislation Congress passes, the courts chipped away at the heart of the False Claims Act and ignored the intent of Congress. The assault on the act came to a head in the Supreme Court's erroneous opinions in the well-known cases of *Allison Engine* and *Totten*. The Court held that the act required proof of intent that the government itself pay a claim and that a claim is presented directly to the government.

The problem with that logic is it creates a loophole big enough to drive a truck through. A third party paid with government money would get away with fraud because a contractor, not the government agency, paid the claim. So in 2009 we passed the Fraud Enforcement and Recovery Act and made very clear that was not consistent with the original intent of the 1986 False Claims Act. The act reaches false claims for government money or property, whether or not the wrongdoer deals directly with the Federal Government. It was never the intent of Congress to give a free pass to subcontractors or other parties receiving government funds. In fact, those folks are some of the biggest perpetrators of fraud today.

The inspector general for the Department of Health and Human Services has reported a 134-percent increase in complaints against Medicare Part D in just the last 5 years. By not stopping fraud against programs such as Medicare Part D, the government is hemorrhaging funds. Taxpayer money is taxpayer money. Fraud does not magically become OK just because a third party is involved.

Of course, the issue of presentment to government officials is not the only sticking point. There has been pushback in courts and from lobbyists about all sorts of issues, such as the "public disclosure bar," settlement practices, and award shares for relators. Through it all, Congress has had to stay vigilant in keeping courts and Federal agencies generally true to our original legislative intent.

As an example, just recently the Justice Department tried to minimize a relator award in a Medicare and Medicaid fraud case. The relator contributed significantly to the case. The judge recognized that Congress intended that "the only measuring stick" for an award is "the contribution of the relator." Those are the

words the judge use, and that judge was right.

Congress intended to empower, to protect, and to reward relators who identify fraud against the taxpayers. History teaches us that weakening the relator's rights weakens the government's ability to fight fraud. All that does is let wrongdoers off the hook, and it costs the taxpayers money. That is not the result we intended with the False Claims Act. And the Continental Congress, which was so concerned about identifying misconduct, fraud, and misdemeanors, would not have wanted those results I just talked about.

I want to remind my colleagues to stand strong for the effective tool that we have to combat fraud.

I yield the floor.

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

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

#### 50TH ANNIVERSARY OF MEDICARE

Mr. BROWN. Madam President, I remind my colleagues that tomorrow marks the 50th anniversary of President Johnson traveling to Independence, MO, to be with President Truman, who in the 1940s had attempted to push through Congress legislation to expand the Social Security Act to include what we now call Medicare. When President Johnson went to Independence, MO, he signed the legislation.

The one we pay the most attention to is Medicare, which is health care for the elderly, but probably equally important and certainly very significant is the creation of Medicaid. Medicaid came out of several years of congressional debate where Congress understood that low-income people—especially low-income people who were working—didn't have insurance. It was for people who were poor, people in nursing homes, and it evolved for elderly people. Most of the money in Medicaid goes to take care of the elderly in nursing homes, and it has had such an impact on their lives.

But think about what Medicare has done. Prior to 1965, this social insurance program—this program we call Medicare today—provided health care to almost every senior. Prior to 1965, only about half of the senior citizens in the United States of America had health insurance—only about half. Huge numbers of the elderly lived in poverty. They lived in poverty partly because for a whole host of reasons they couldn't save enough and Social Security wasn't quite enough. Many lived in poverty because of their health care costs. They would go to the doctor and have to pay out of pocket. They barely could afford that and sometimes couldn't afford that.

So what Medicare does is it provides 50 million seniors today with health insurance. It wasn't easy. A majority of Republicans in the House and the Senate opposed the creation of Medicare. The John Birch Society—we know it today as the tea party—the John Birch Society in those days opposed the creation of Medicare. Insurance interests and the medical interests opposed Medicare. It was a huge struggle. As I said, a majority of Republicans voted against the creation of Medicare. Just like the Affordable Care Act—Republicans didn't like the Affordable Care Act and don't like the Affordable Care Act today. Republicans didn't like Medicare a generation and a half ago and opposed it. Bob Dole—then Congressman Dole, later Senator Dole, later Presidential candidate, Republican nominee Dole—bragged about opposing Medicare, saying it wouldn't work. He bragged about that for a couple of decades after it took effect. But we know social insurance works.

What is social insurance? Social insurance is where everybody pays into something. Whether it is Social Security, whether it is unemployment insurance, whether it is Medicare, people pay into a government program of some kind, and then when they need it, they get assistance. You pay into Social Security. If you become disabled, you get a benefit. Once you retire, you get a benefit. You paid into it. It is called social insurance.

You pay into Medicare all your working life, but when you turn 65, you receive a Medicare benefit. You get health insurance; you get hospitalization; you get a doctor's benefit.

You pay into unemployment insurance, which is another kind of social insurance. When you get laid off, you get assistance so you can continue to feed your family and go on with not as good a lifestyle but at least you will have enough to get along. That is why social insurance matters.

What is troubling about all of this is there are still people in this country—particularly conservative Republicans—who just don't like social insurance. They don't like Social Security. They don't like unemployment insurance. They don't like Medicare. They will tell you they do. Very few politicians running for office say they don't like Medicare. But we know that because if, in fact, they get elected, we know what they do when they are in office. They try to privatize Social Security, as President Bush did. They try to voucherize Medicare, as the Republican Vice Presidential nominee in 2012, PAUL RYAN, tried to do. And we know what so many Republicans—conservatives, the most conservative Republicans—thought about unemployment insurance when they tried to cut it back, when they tried to weaken it, and when they tried to undercut it.

So while government isn't close to solving all of our problems, social insurance sets a safety net that protects the public. It protects you in your old

age with Medicare. It protects you if you are disabled with Social Security. It protects you if you are laid off with unemployment insurance.

That is why, when people hear my colleagues—particularly, again, the most conservative Republicans, who have never supported these programs—go after these programs, understand what privatization means and understand what vouchers mean. It means shifting costs of health care to seniors instead of this program taking care of those seniors. It means privatizing Social Security.

In my State of Ohio, half of the senior citizens rely on Social Security for more than half of their income. So think what would have happened if a decade and a half ago President Bush had actually been successful in trying to turn Social Security over to Wall Street, which is what he wanted to do. If he had been successful in turning Social Security over to Wall Street, think what would have happened to people's Social Security checks in 2007, in 2008, in 2009, in 2010, and in 2011, when the bottom fell out of Wall Street and our financial systems. That is why these social systems are so important.

That is why tomorrow, when we commemorate the 50th anniversary of President Johnson traveling to Independence, MO, to the home of President Truman and his signing the Medicare bill, and how much it has meant to generation after generation—my parents, my grandparents, and the parents and grandparents of so many of us in this body and in the gallery—that matters so much to us.

So I wanted to stop by the floor to say happy birthday to Medicare—happy 50th birthday. We want to see another 50 years where Medicare makes a huge difference in the lives of so many Americans.

I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

Ms. COLLINS. 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. COLLINS. Mr. President, I rise in support of the multiyear surface transportation bill before the Senate. The current authorization is set to expire this Friday when the highway trust fund will be depleted to levels that can no longer fully reimburse States for construction that has already been completed. Unfortunately, it looks as though we are going to have yet another short-term extension, rather than immediately enacting a longer term bill, as the House of Representatives is preparing to send the Senate a 3-month extension.

This is a critical time of year for many States, particularly for my home State of Maine, where peak construction work occurs during a very short construction season. It would be irre-

sponsible for Congress not to pass a bipartisan bill this week and keep those projects moving forward.

I hope this fall we will finally be able to come together with our colleagues in the House to send to the President a multiyear surface transportation bill.

The State of Maine currently receives \$170 million of Federal highway funds annually, and the Maine Department of Transportation needs and obligates every single dollar. Under the multiyear bill before the Senate, Maine would do even better and would receive nearly \$190 million the first year, increasing to nearly \$215 million. The legislation before us also prioritizes bridge reconstruction and safety. This funding is critical, as 364 of Maine's bridges have been rated as structurally deficient.

The commissioner of Maine's Department of Transportation tells me that if the highway trust fund is not fixed by July 31, the department will have to stop construction projects midstream within weeks. This would be devastating for the State's economy, for the people employed in these well-paying construction jobs, and for the transportation infrastructure in desperate need of repair and rehabilitation.

The lack of consistent multiyear funding for the highway trust fund makes it so difficult for States to plan, causes construction companies to delay hiring workers, and costs the government more in the long run due to the uncertainty of funding. According to the American Association of State Highway and Transportation Officials, the States of Arkansas, Georgia, Tennessee, Utah, and Wyoming are among those that have already postponed bidding on major transportation projects due to the uncertainty of Federal funding.

While I feel I have no choice but to support a short-term patch to prevent the highway trust fund from expiring later this week, this short-term approach is not the answer. It needs to stop being the norm. It epitomizes Congress's failure to govern sensibly—to govern in a cost-effective way, to govern in a way that allows for the creation of good jobs in this country, and the renovation, repair, and rehabilitation of our vital transportation system.

We in the Senate have the opportunity to pass a multiyear surface transportation bill that reauthorizes our highways, transit, rail, and safety programs, while keeping the highway trust fund solvent for the next 3 years. This legislation gives State departments of transportation the certainty they need to continue planning, investing, and constructing thousands of highway and infrastructure projects that the entire Nation relies upon. These investments create jobs, boost our Nation's economy, and keep us competitive in the global marketplace.

The legislation maintains the Federal-aid highway formula program

structure. This funding is not only crucial for building new highways and bridges but also to maintain and repair our Nation's crumbling infrastructure, including, as I mentioned, the thousands of deficient bridges across the Nation.

With the consideration of this important bill, we are one step further to responsible investments, steady investments in infrastructure that millions of Americans count on every day. That is why I am so disappointed that instead we will do yet another short-term patch. We need to get away from that method of funding the highway trust fund.

I also wish to highlight today the importance of the national infrastructure investment grants, otherwise known as the TIGER program. While this program was not included in the underlying bill, Senators MURRAY, REED, and I have filed an amendment, along with Senators COCHRAN, SHELBY, and others, that would authorize this highly successful TIGER grant program. This program has been such an effective initiative. It has helped to advance critical transportation infrastructure projects across our great country. It is one of the most flexible transportation programs in which State and local authorities can apply for funding. Every Senator here has seen firsthand how TIGER projects create good jobs and support economic growth in our home States. The program has supported highway, bridge, port, rail, and transit projects from this highly competitive program.

In fact, let me give my colleagues some idea of the demand for the TIGER grants. To date, the TIGER program has received a total of \$4.6 billion through appropriations from fiscal year 2009 through 2015, awarding 342 projects in all 50 States. Here is how many applications were submitted. Remember that 342 projects were actually funded. There were 6,700 applications that were received by the Department, totaling nearly \$134 billion in funding requests. So my colleagues can see that the pent-up demand is just enormous. This demonstrates how oversubscribed the TIGER program is and how much it is needed by our State and local governments. I have received numerous letters of support for our amendment, some of which include Transportation for America and more than 150 elected officials, State departments of transportation, metropolitan planning organizations, and chambers of commerce. You name it; they have endorsed our amendment to authorize this important program.

This is just one of the many ways my colleagues and I would like to work to improve this bipartisan bill. Our TIGER grant amendment is widely supported on both sides of the aisle, and I believe it would pass were we able to get a vote.

It has been a privilege to work very closely with my colleagues, Senator MURRAY and Senator REED, both of

whom I have worked with on the transportation-HUD subcommittee of the Appropriations Committee, as well as Republicans such as Senator COCHRAN and Senator SHELBY at the full committee level on this program. But, most of all, it is important that we act and act quickly to pass a multiyear surface transportation bill that will create jobs and on which our country can depend.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER (Mr. BOOZMAN).

The Senator from Washington.

Mrs. MURRAY. Mr. President, I am delighted to join the Senator from Maine on the floor today to speak about this critical infrastructure program called TIGER. She and I have worked together for many years on transportation infrastructure, and I so appreciate her leadership and her tremendous enthusiasm in making sure that our country does the right thing. It is a delight to be here today with her, as well as with my colleague from Rhode Island, who is now the ranking member on the transportation appropriations subcommittee. I thank them both for coming to the floor to speak about a program that we created several years ago and that has been so effective.

We all know that investing in our Nation's infrastructure is a critical part of broad-based and long-term economic growth. As we can see today, this is not a partisan issue. Democrats and Republicans agree that infrastructure investments get workers back on the job, help our economy grow in communities across this country, and make sure our transportation systems work in a 21st century economy. That is why I am so proud to be a strong supporter of this bipartisan amendment that we are offering today. It has 29 cosponsors from both sides of the aisle. What it does is it continues the popular competitive grant program known as TIGER.

TIGER grants have made an impact in every corner of this country, and they represent exactly the type of investment our country should be making—addressing our Nation's short-term and long-term transportation issues while creating good-paying jobs—American jobs, I would add—and working to grow our economy from the middle out, not just the top down.

We have all seen firsthand the difference the TIGER program can make in our States. So that is why I fought, along with my colleagues, to get this amendment included in the final Transportation bill.

Since its creation, TIGER has awarded \$4.1 billion directly to communities to support more than 340 innovative, multimodal projects in every State. For example, TIGER grants are increasing the flow of commerce and trade between Maine and New Hampshire because of improvements to the Memorial Bridge. In New Mexico,

TIGER grants are being used to make critical safety improvements to a major trucking route where the fatality rate has been more than three times the State average. In my home State of Washington, \$204 million has gone to 13 critical infrastructure projects across my State, from Seattle to Spokane to Vancouver.

Demand for TIGER funding is intense. Applications always exceed the amount of funding available, sometimes by as much as 20 to 1. It is clear that we can and should be doing so much more to help communities carry out these projects that make our transportation system safer and more efficient.

Though we hit some unfortunate and unnecessary barriers in passing the TIGER amendment, I know that Senator COLLINS and Senator REED are going to continue fighting along with me to support this critical program. I hope more of our colleagues will join with us in boosting regional economies and in improving our Nation's infrastructure, because this type of program is so important to our States and our local agencies as they work to tackle the complex transportation needs of our communities.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, let me begin by commending Senator COLLINS and Senator MURRAY for their extraordinary leadership on this TIGER program in particular but in so many different aspects, particularly with respect to transportation policy. They have done an extraordinary job, and today is no exception. I am delighted to be able to join them on their amendment to increase resources for TIGER grants.

I am disappointed, as are my colleagues, that this is merely, in some respects, a discussion amendment—we can't bring it up for a vote—because I think this is an effort, as Senator COLLINS pointed out, that would be supported strongly by both sides of the aisle.

Since 2009, the TIGER program has helped State and local governments make critical investments in their infrastructure all across this country. In many respects, it is the final piece of a puzzle of how we get needed, necessary infrastructure in place. It has been that catalyst that has brought private funds and State funds and local funds together to accomplish something that makes sense to our economy and to the efficiency and productivity of our States.

TIGER is able to leverage additional resources. It is a program that has been wildly popular to construct roads and bridges, public transit, ports, and passenger and freight railroads. It is very flexible. Its flexibility, its adaptability, and its ability to coalesce other resources has been remarkable. As a result, it has been extraordinarily popular.

Through the TIGER program, the U.S. Department of Transportation has supported more than 340 different projects in all 50 States and in the District of Columbia. These projects have improved safety, they have connected workers to jobs, and they have supported economic development. By the way, they put people to work right away in an economy that needs people to be working right now.

As Senator COLLINS pointed out, the demand has far outstripped the resources: 6,700 applications for the roughly 300 grants. We can do more. The appetite is there, the need is there, and the competitive process ensures that these needed resources are targeted to extraordinarily important programs. So for many of these reasons this is one of those programs that is just win-win-win. Unfortunately, we cannot bring it forward on this legislation. This funding is absolutely necessary.

I have seen in my home State of Rhode Island that without the TIGER grant we would not have been able to jump-start a project which is the Interstate 95 viaduct. It sounds interesting, but it is actually critical. It is the center of I-95 in Providence, RI, which is the major north-south highway in New England. If this viaduct project could not be funded, then essentially there would be a roadblock on I-95. TIGER has helped this project move forward. We have to do more, but it has helped to move this project forward.

It has helped ports in Providence and at Quonset Point. All of these are so necessary because they improve our economic competitiveness globally, regionally, nationally; they put people to work, and they prepare us for much more complicated issues in the world economy. As I said before, we are all disappointed that because of this process we can't have a debate and have a vote. We are also disappointed because we bypassed in this process the committees that typically do these things—the Banking Committee for transit, the Finance Committee for the pay-fors for this legislation. Again, I am disappointed we could not have done it the old fashioned way, through the committees and bring it to the floor. If we had that approach, we could have improved the offsets that we are using to pay for these programs. We could have considered amendments like this. We could have done a lot of things.

Now we all have additional amendments that we are filing, but we won't be able to take them up. I have got one in terms of pay-fors that would produce \$55 billion over 10 years—robust funding for a score of highway programs—and it is by capping the deduction of publicly traded corporations for employee salaries over \$1 million. I think most Americans would say if someone is getting over \$1 million we shouldn't be subsidizing that with tax reimbursement. They very well may be worth that money, but that is a judgment the

corporation should make, and if they think it is worthwhile, they are the ones who should put the money up, not with a subsidy from the tax code. That is just an example of some of the ways we could generate real resources.

Again, let me say how strongly I support this amendment, how much we really owe the determination, the vision, and the thoughtfulness of Senator COLLINS and Senator MURRAY. I must also thank Senator INHOFE and Senator BOXER for their work on getting us at least this far. We have got to go further, but they have got us at least this far.

It looks as if, given that the House is leaving, this bill will not be enacted this week. Certainly, we have got a template which I hope we can improve on as we spend the few months' extension that will be the ultimate result of this week. In that time I think one of the measures that will be improved is the TIGER program and other things that we can and must do.

Let me conclude where I began and thank very sincerely Senator COLLINS and Senator MURRAY.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I will yield 5 minutes to Senator LEAHY.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I thank the distinguished Senator from California. I am sure I won't take that long.

#### PLANNED PARENTHOOD

Mr. President, I will speak further on the efforts to defund health services for women later on, but I am concerned about those Senators who are attacking women's health with a renewed effort to eliminate health centers that thousands of Vermonters rely on every day. Across the country we have millions of low-income women who depend on Planned Parenthood health centers for lifesaving preventive treatments and care, including annual exams, cervical and breast cancer screenings, and HIV screenings and counseling. These clinics are the primary source of health services for many women. Eliminating Federal funding for Planned Parenthood health centers would deny women access to these critical services. They will force women to find medical care elsewhere or, more devastatingly—or more probable—to simply go without.

The partisan bill that was introduced yesterday in the Senate is the latest attempt to score political points. It is bumper sticker politics at its worst. Needlessly jeopardizing the health care of millions of Americans who depend on these preventive care services is a bid to rally a base that is as irresponsible as it is offensive to this Senator. I know women in Vermont who tell me they go for their health care, their cancer screening, to the Planned Parenthood centers because they feel they have people they feel comfortable with. They can bring their daughters, their

children there. They know they are going to be cared for. They know people will care for them. They don't care whether they are Republicans or Democrats, they are women who need health care, and I will strongly oppose the effort that is going to be before us in this body to cut off health care for women.

I yield the floor, and I thank the Senator from California.

The PRESIDING OFFICER (Mr. SCOTT). The Senator from California.

Mrs. BOXER. Mr. President, I thank the Senator from Vermont, the ranking member of the Judiciary Committee, for his remarks. I agree with him, and I will be speaking later on today on the same topic.

I want to go back to speaking about the Transportation bill. I want to thank my colleagues for the strong show of support we had on this bill. We had 65 colleagues voting to end debate and get to a vote. We do expect a good vote tomorrow, but I have to say that the reaction of the House Speaker took me aback. Remember that the bill we passed was totally bipartisan, with a majority of Democrats and a strong majority of Republicans. Senators INHOFE, MCCONNELL, BOXER, DURBIN, and a host of others worked very hard on this bill. Why would the Speaker of the House be so negative about it? As a matter of fact, his comments that were reported in the Politico online version today were such that I can't repeat what was said on the floor of the Senate because I would be breaking the rules. I will leave it up to everybody to see exactly what he said about our bipartisan bill. Actually, the name on the bill is that of the Republican leader of the U.S. Senate. Yet the Speaker of the House demeans our bill.

I want to be clear that I defend freedom of speech and I defend the right of Speaker BOEHNER to say whatever he wants; therefore, I can say whatever I want. What I would like to ask is why on Earth would you oppose a bill that is so bipartisan, that received 65 votes, and that the Republican leader has put his name to? Why would you do that?

Another question is this—and I put up this chart. Where is the House bill? One could argue that you don't like our bill. Where is your bill? What have you done? Where have they been?

We have known about this transportation crisis for a long, long time. The Presiding Officer and I have worked hard together on getting a strong bill, even though we disagree on so many things. The bill was voted out of the Environment and Public Works Committee 20 to 0. Yet the Republican Speaker of the House condemns the bill. Where is the House bill?

We are about to pass the third extension since the last Transportation bill expired in 2014. There have been dozens and dozens of extensions—more than 30. We know that when the highway trust fund is extended for just a couple of months at a time—and Senator INHOFE has taught me this because I was not aware—it is administratively

very expensive to do, and on the ground what is happening in States are shutting down their projects.

Let's look at the seven States that have essentially canceled or delayed projects because there has been inaction. Arkansas has canceled or delayed highway projects, as well as Delaware, Georgia, Montana, Tennessee, Utah, and Wyoming. Why have these States done this? Because they are concerned that we don't have a long-term highway bill. That is why we are so excited about the bill that looks like it is on its way to passage because it is a 6-year authorization with a full 3 years of funding. Again, I ask the Speaker rhetorically what is it about the bill that he doesn't like?

Let's go to the highlights of the bipartisan Senate bill. I will discuss them. I would put up the chart which asks "Where is the House bill?" because that is the common question I want to ask today. It is easy to throw darts at someone else and say I don't like what you did. What you did wasn't good enough. Where is your answer? They have nothing—nothing but another paltry extension. Why did they do that? Either they don't have an idea in the world as to how to proceed or they want to go on a 5½-week break.

The American people—most of us—work. I ask rhetorically: How many people in America who hold down a job get a 5½-week break, which is called the August break, which begins in July, and they get that break without taking care of pressing business? I think your boss would say: You know what. You have a lot of problems here, so stay another couple of days. Oh, no, they want to get out of town. They originally were going to get out of town tomorrow. My understanding is they are trying to get out today. That gives them a 5½-week break without taking care of business.

I think anybody who is watching this who really cares about the highway trust fund, transportation, and bridges collapsing—let's look at this one that happened in California. This is a frightening view of a bridge that collapsed. We were so lucky. We thank God that nobody was killed. California now has a bridge that has collapsed, and people have to go 400 miles out of their way to go from California to Arizona or Arizona to California. We are hoping to fix it with emergency funds, but we can't rebuild the part that fell that quickly. We need a long-term bill.

I say to the Speaker: Don't go home. I say to the majority whip over there, my friend from California: Don't go home. Stay and do your job. The American people are not going to think very highly of you if you leave with this highway trust fund going broke on Friday.

The Senate has passed a bill. It is a good bill. The Speaker has used some words I cannot use on the floor to describe it.

I want to ask the Speaker what it is that he doesn't like. What is it that he

doesn't like? Is it the \$55 billion a year for 6 years, the first 3 years being fully paid for with every State getting more funding, including his State, for highways and transit? Does he not like that? Does he think we shouldn't spend funding on fixing up our bridges, roads, and highways? Does he not like the two new programs—the freight program, which would provide funds for States to improve the movement of goods? Does he not like the assistance for major projects, a program which is going to help our States when they know there is a real problem in their community and they want to build a project?

Does the Speaker not like the fact that we have tripled safety fines so when a Takata airbag problem happens the companies have to step up? Does he not like the fact that there is a new law in there that says consumers should be protected from renting a car that is under recall? We stopped that. Does he not like the first-ever commuter rail fund for positive train control, where we can actually help our computer railways put in positive train control so we will not have those tragedies that happened?

Why doesn't he like this bill? It has a long list of supporters. Let's look at the supporters. I guarantee you it is rare that you see the U.S. Chamber of Commerce agreeing with the International Union of Operating Engineers. It is rare that the Laborers' International Union of North America agrees with the AAA, which agrees with the Conference of Mayors, which agrees with the United Brotherhood of Carpenters, which agrees with the Association of State Highway and Transit Officials, which agrees with the Mothers Against Drunk Driving, which agrees with the American Council of Engineering Companies. It goes on. It goes on. It is rare to see it. The American Highway Users Alliance, the American Public Transportation Association, the American Road & Transportation Builders, the Society of Civil Engineers, the trucking association, the equipment distributors, the general contractors, the equipment manufacturers, the Metropolitan Planning Organization, the National Asphalt Pavement Association. It goes on and on and on. This is America.

The National Association of Counties—I used to serve as a county supervisor. It is hard to get us to agree. They agree. Pass the bill. The National Association of Manufacturers, I understand they scored this vote. The National Association of Truck Stop Operators, the National Governors Association, the League of Cities, the ready mixed concrete people, the stone, sand, and gravel people, the owner-operator independent drivers, the Portland Cement Association, the retail industry leaders.

The AFL-CIO sent a statement yesterday to the House: Take up this issue. If they do not love our bill, I—it is fine. I do not expect them to, but I

do say: Where is your bill? Where is it? You can stand on the Capitol steps and say: I don't like this about it. I don't like that about it. I don't like the pay-fors. I don't like what is on page 50 or page 150. That is your right and I respect it. I support your right to say this is not a good bill, if you don't think so.

Where is your bill? Where is the House bill? Get it together. Do not go on vacation. Wait until you finish this job because I will tell you what happens when you do go on vacation. The first person in your State to see you who was laid off—because States are cutting back. We know from the Association of General Contractors that these States lost construction jobs last month because we have not acted on a long-term bill: Alaska, Arizona, California, Florida, Georgia, Illinois, Maryland, Mississippi, Missouri, Montana, Nebraska, New Hampshire, New Jersey, New Mexico, North Carolina, Ohio, Oregon, Pennsylvania, Rhode Island, Tennessee, Utah, Vermont, Washington, West Virginia, and Wisconsin.

Just last month the General Contractors told us that construction workers were laid off because we have not acted. I want to say to the Speaker, Ohio is on the list. You lost jobs in Ohio. What are you doing by just saying you don't like this bill? Stay in. Do your work. You have terrific people on both sides of the aisle on your Transportation and Infrastructure Committee. I had the privilege of working on both sides of the aisle with Chairman SHUSTER, with Ranking Member DEFAZIO, and many other members of that committee. I know the Speaker has told me he wants a 6-year bill. I believe him, but why put it off?

We have the Inhofe-Boxer McConnell-Durbin product. It passed overwhelmingly. Take it up. Here is what the Committee for a Responsible Federal Budget said: It is refreshing to see Congress focus on a multiyear solution instead of another short-term patch. They say of our bill: This is a fiscally responsible bill that relies on solid offsets.

Let me be clear. I did not love every offset. I see my friend from Maryland. He knows we tried desperately to get better offsets. There may be a lot of people in the House who don't like the offsets. Why don't you come together and figure out another way? Why don't you see if you can fully fund a 6-year bill? We fully funded a 3-year bill. So I ask the question of the Speaker: What is it about our bill that you don't like and where is your bill?

Yesterday Chairman SHUSTER over there issued a statement: The House also needs to make its voice heard and put forth its own priorities. He is right. So why are you going home for a 5½-week break when the Senate is going to be in session next week? Put off your little break here—or your long-term break here, 5½ weeks. I do not know too many American workers who get that kind of a break in the summer.

I say it is time to see your bill. I think we can get it done. I have a lot of faith in the people over there. I served in the House for 10 proud years. I know how things get done. It gets done a lot easier than over here because here we have rules that are very old, which can allow one person to hold up a bill for days and days, but they don't have it. They don't have that kind of situation. They can come together, go through the committee, come out with a rule, bring the bill to the floor, and get it done.

Let me quote from the Washington Post editorial:

The Senate bill authorizes 6 years of spending on transportation projects under a sensible plan Senators Boxer and Inhofe worked out. The bill provides 3 years of guaranteed funding for the spending plan, raised from a variety of sources.

They basically say—they don't love the process, neither did any of us. But they say it is a "significant improvement from what Congress has done for the past decade or so, as lawmakers fumbled from short-term funding patch to short-term funding patch, a non-strategy that often relied on budget gimmicks and made it difficult for transportation officials to conduct long-term planning."

So we have an opportunity. The Senate has worked its will. We have a good bill. Is it great? Is it perfect? No. Are the pay-fors great and perfect? No. Is every policy in it perfect? No. But as AMY KLOBUCHAR told me, we stood our ground, all of us, but we found common ground. That is important. We stood our ground, but we found common ground. That is how we are supposed to do things around here.

I look at my friend who is going to speak shortly from Maryland. I know he set the pace with Senator CORKER in working out some very difficult issues in the Foreign Relations Committee, on which I am so proud to serve and so proud of my leader on that committee, Senator CARDIN. They set the pace over there.

Then PATTY MURRAY, working with LAMAR ALEXANDER—they came out with an education bill. Then I worked with Senator INHOFE, and he worked with me. MITCH MCCONNELL worked with Senator DURBIN. We came out with a product that is supported by a majority of both caucuses. I am proud of the product. I know it is not perfect. I know if I had my way, I would have drawn up a very different bill. So would Senator INHOFE. So would Senator MCCONNELL. So would Senator DURBIN.

But here is what is at stake. I will show you the bridge again. This is what is at stake. This is the face of what we are doing. It is bigger than our egos. It is bigger than our taking a 5½-week break. I served as a county supervisor. We knew the building we were in was earthquake deficient. It is still beautiful, Frank Lloyd Wright's last built-out government building. I served in that gorgeous building. When I found out it could collapse in an earthquake

and the five county supervisors found that out—we were told many, many years ago it was possible we could be held liable because we knew absolutely that this could crumble around us.

I am not saying for one second that any colleague is liable if something like this happens again, but I will tell you I think it is in fact a moral question for us. How long can we put this off? I guarantee you a 3-month patch is not going to give the States the confidence to enter into any long-term agreements to fix any of the 60,000-plus bridges that are deficient and 50 percent of the roads that are not up to par.

So I say to the House, if you don't stay here and you go home after passing a short-term extension and someone comes up to you and says, Congressman or Congresswoman, I just got laid off. I am a construction worker—I guarantee you are going to have a hard time explaining why you left and took a 5½-week break, August break, and you left before even August 1. It is the first time the House will have done that in 10 years. They have not left before August 1 in 10 years.

There is a lot on our plates. Instead, we are going to talk about Planned Parenthood. Fine. I welcome the argument because to me it is the same old, same old argument about interfering with women's health. I will go there with you. I will be there with you. I will fight that battle for the people of America, the women of America. I don't mind that, but we have to do this. We have to do this in the House. We have to pass a bill.

So I hope the House will change its mind. The Republican leadership, they know they control the schedule. They should cancel their recess and stay in an extra week. In that extra week, we can work together. If the Speaker does not like our bill, he can write his own bill. We will go to conference, we will start working on it, and we will get that bill. That is my ask today. My ask is, Where is the House bill? I am asking the House in the nicest way I know how: Please don't leave tonight or tomorrow on a 5½-week break with your desk a mess with this issue. It is a mess with this issue.

The highway trust fund is going bust on Friday. If the best you can do after knowing about this for months and months and months is give us a paltry 3-month extension, then shame on you. The Senate has proven, on a very bipartisan basis, that we can do better—not a 3-month extension but 3 years of a paid-for bill, 6 years of an authorized bill. Surely you can meet us and we can get this done together.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, first I want to thank Senator BOXER. It is a privilege to serve on the Environment and Public Works Committee with Senator BOXER, under her and Senator INHOFE's leadership. The bill we re-

ported out, a 6-year bill, is a bill that deals with the surface transportation needs in this country.

It was put together in a very bipartisan manner. It respected and reflected different views. I had certain views with regard to alternative transportation programs. Not everybody agreed, but we were able to come together on that issue so we can help local governments with their priorities.

We need a 6-year bill. The Senator is absolutely right. I must tell the Senator, I could not agree with her more. We have been talking since the last extension, the extension before that, and the extension before that, that we need to have a 6-year reauthorization. The Senator was able, working with Senator INHOFE, to deliver a bill that does that. We have yet to see a 6-year bill from the House of Representatives. We are prepared to make the hard decisions. We are prepared to sit down with our House colleagues and work out the differences, but we need a 6-year reauthorization, not another short-term extension. They are talking now about 3 months. Another short-term extension provides no predictability. I have programs in Maryland, and I know the Senator from California has programs in her State, that you cannot plan with a 3-month partnership with the Federal Government. You need to have the multiyear commitments.

What Senator BOXER was able to do in the Environment and Public Works Committee—we need to duplicate that and get this done and get a bill to the President's desk. It is more important than the recess. I thank my colleague for taking the floor and for her extraordinary work in that regard.

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

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

50TH ANNIVERSARY OF MEDICARE AND MEDICAID

Mr. CARDIN. Mr. President, this week—tomorrow, to be precise—we will be celebrating the 50th anniversary of Medicare and Medicaid, which then-President Lyndon Baines Johnson signed into law on July 30, 1965.

I take great pride in the Medicare and Medicaid Programs, which fall under the Social Security Act, because they are so successful, but also because—as I think most of my colleagues know—the headquarters for both the Social Security Administration (SSA) and for CMS, the Centers for Medicare and Medicaid Services, are located in Maryland. The men and women who work at SSA and CMS are doing incredible service to carry out some of the most important programs in our country: Social Security, Medicare, and Medicaid.

For the past 50 years, our seniors and our most vulnerable citizens have been able to rely upon Medicare to provide access to affordable, high-quality health care.

Let me underscore how important Medicare is to our country, to our seniors and those who suffer with disabilities. It allows them to be able to get quality health coverage, affordable care, without having to deal with the difficulties of obtaining and paying for private insurance. Private insurance makes money by insuring people who make fewer claims. As you get older, your health care needs become more intense. Therefore, private insurance companies aren't exactly excited to have people who make a lot of claims in their health insurance pool. That is why we developed Medicare. We developed it so our seniors would be able to have quality coverage.

Before we had Medicare, one out of every two seniors had no health insurance. Our seniors are now able to get health care coverage. Today, only 2 percent of adults aged 65 and older lack health insurance. Before we had Medicare, nearly 60 percent of seniors' health care costs came out of their pockets. Today, that is down to 13 percent. So we have seen significant improvement over time. Before we had Medicare, 1 out of every 3 women aged 65 or older lived in poverty. Today, that number is 1 out of 10.

All of the indicators that we have show that Medicare, Medicaid, and Social Security have accomplished their objectives. Now we are celebrating the 50th anniversary of Medicare and Medicaid.

With regard to the Medicare Program, those seniors who have disabilities and who qualify are allowed to have full coverage—again without having to worry about being discriminated against in the private insurance marketplace. In Medicaid, 33 million children are covered, more than 1 out of every 3 in our Nation.

Over time we have improved these programs. The Medicaid program has been improved by the passage of the Children's Health Insurance Program, a bipartisan bill that was passed by this body. It significantly improved access to care for our children, particularly our low-income children.

We have also improved access to coverage through the passage of the Affordable Care Act. The Affordable Care Act has strengthened and improved Medicare and expanded Medicaid Programs to cover more low-income Americans. To date, thanks to the ACA, 9.4 million Medicare beneficiaries have saved more than \$15 billion just on prescription drugs. In Maryland alone, our seniors have saved more than \$230 million on their prescriptions.

I am particularly pleased that over the 50-year history of Medicare, we have changed the program, improved it, and built upon it over time. When it was first enacted, it was there mainly to cover seniors' needs when they were injured and ill. It was an insurance program for when they got sick or had an injury. Well, we have changed that focus to a wellness program to keep seniors healthy.

I am particularly proud that when I was in the House of Representatives, I authored the bill that expanded Medicare to cover preventive health care, including screenings for colorectal cancer, diabetes, and osteoporosis, and mammographies. Those tests were added in legislation that I authored in the House of Representatives. We have come a long way since then, culminating with the Affordable Care Act that eliminated all the copays for preventive health care.

Today, Medicare is keeping our senior population healthier. Seniors know that their preventive health care is covered and that they can detect diseases at an earlier stage and live healthier lives as a result.

Over the past five decades, our Nation has seen incredible, positive change as a result of the Medicare and Medicaid Programs. On the 50th anniversary of the passage of this landmark legislation, let us celebrate the progress we have made and work together to try to find ways to build upon that progress by further improving our Nation's health care system to ensure that all Americans have access to affordable, high-quality health care and are able to live healthy, productive lives.

This is particularly timely because I believe next week we are going to see an attack on women's health care. I urge my colleagues to recognize the historical discrimination we have had against women's health care in this country. We dealt with that in the Affordable Care Act, some of the historical discriminations against women. But we need to be very careful about this because there is going to be an attack on Planned Parenthood. Planned Parenthood is particularly important for women's health care needs. Yes, it does deal with contraceptive services—that is very important for women—but it also deals with preventive health care, screenings, and primary health care. So many women get their health care needs met through Planned Parenthood.

As we celebrate the 50th anniversary of Medicare and Medicaid, as we celebrate how we have been able to make progress in providing affordable, quality health care to all Americans—whether they are our seniors, our disabled population, our children, those of low income, those groups who have been historically discriminated against—I urge that we look to try to build upon those programs and make them even stronger and not weaken the programs that are available.

President Johnson's Vice President, Hubert H. Humphrey, famously said that "the moral test of government is how that government treats those who are in the dawn of life, the children; those who are in the twilight of life, the elderly; and those who are in the shadows of life, the sick, the needy, and the handicapped." While we still have work to do, we are closer to passing that moral test because of the cre-

ation of Medicare and Medicaid 50 years ago and, more recently, the enactment of the Affordable Care Act. Let's continue to make progress so that all Americans have access to affordable, quality health care.

I suggest the absence of a quorum. The PRESIDING OFFICER (Mr. TOOMEY). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

#### NUCLEAR AGREEMENT WITH IRAN

Mrs. CAPITO. Mr. President, I rise today to express my deep concerns with the nuclear agreement negotiated between the United States and other world powers and Iran.

In May, Congress acted in a bipartisan way to enact the Iran Nuclear Agreement Review Act. The Senate passed the legislation 98 to 1, and the House passed it 400 to 25. The bill was signed into law by President Obama.

This critically important legislation provides Congress, as the representatives of the American people, the ability to examine and vote on an agreement that will have tremendous impact on the future security of the Middle East and the world.

When the Senate passed the legislation in May, I said the bill would allow Congress to hold the administration accountable for negotiating an enforceable and verifiable agreement that would stop Iran's progress toward a nuclear weapon.

Negotiators have completed their work. Review of the agreement is underway. Committees are holding important hearings. We had one this morning. After the August recess, Congress will have the opportunity to vote on a resolution that approves or disapproves of the deal reached with Iran.

I believe the agreement is flawed in several ways. First, the agreement fails to provide for an inspections regime that is strong enough to prevent Iran from fulfilling its nuclear ambitions. Any agreement with Iran should include rigorous and immediate inspections of suspected nuclear sites. There has been much talk and hope of an anywhere, anytime inspection regime, but anywhere, anytime inspections are not what this agreement provides. Instead, under this agreement, it could take 24 days, and potentially longer under the Joint Commission process, before inspectors have access to a suspected nuclear site. It is obvious Iran could hide elements of a nuclear program, such as the construction of centrifuges, before inspectors could ever gain access to a suspected nuclear site.

Iran has already failed to meet the transparency requirements of the interim Joint Plan of Action. The International Atomic Energy Agency, or IAEA, consistently warned of Iran's failure to meet those standards of full transparency and in its June 2015 report stated that "the Agency remains

concerned about the possible existence in Iran of undisclosed nuclear-related activities involving military related organizations, including activities related to the development of a nuclear payload for a missile.”

Given Iran’s lack of transparency, I believe the content of this agreement does not contain strong enough mechanisms to prevent Iran’s clandestine development of a nuclear weapon.

Second, I find it more troubling that Congress—or even the administration—has not been given access to the understanding between Iran and the IAEA regarding how Iran’s compliance with the agreement will be implemented. This has been the subject of great discussion.

Third, I am concerned the agreement will provide Iran with financial resources that they could use to continue to fund terrorist groups that put Americans and our allies at risk. We know they were doing it in the past. We know of their desire to do it in the future. It is troubling that when the sanctions against Iran are lifted, the nation will immediately receive approximately \$150 billion in assets. As a designated state sponsor of terrorism for over 30 years, Iran has funded proxy wars across the region.

These wars range from Shia militias in Iraq to Houthis insurgents in Yemen. Iran further threatens our allies through funding Hezbollah and Hamas and propping up the regime of Bashar al-Assad, who continues to slaughter his own people.

While no one knows for sure how Iran will spend the signing bonus it receives from sanctions relief, the regime’s prior behavior provides the best evidence of how it will act in the future. I hear the argument that the internal infrastructure of the country has fallen into disrepair because of the sanctions and because of the lack of the economic activities. Yet we have to look at Iran as still funding terrorist activity while allowing their own country’s infrastructure to become failed and compromised.

What makes us think that with the new flush, \$150 billion signing bonus, Iran is going to change their priorities all of a sudden? I personally have trouble with that.

Finally, I am worried the decision to lift the embargo on conventional arms and ballistic missiles sold to Iran will allow Iran to present a greater threat to its neighbors. In addition, it could precipitate a military buildup in the region, which will in turn increase volatility in an already volatile region. Despite these questions and concerns, the administration has argued that our only options are to accept the deal or to go forward with Iran.

To accept this binary choice is to say the American people should accept this deal, regardless of how one-sided it may be, in order to avoid a military conflict with Iran.

As a newspaper in my State, the Charleston Gazette-Mail, editorialized

yesterday, this argument “paint[s] a simplistic picture that allows [its proponents] to gloss over the very real problems with this deal.”

The Gazette-Mail continues:

The deal’s many critics have consistently made the case that there are other possible paths. The problem is that this administration doesn’t want to take them.

Even the President’s top general agrees that this is a false proposition. Just this morning, when asked if the choice was binary—accept the Iran agreement or go to war—GEN Martin Dempsey, Chair of the Joint Chiefs, said that “we have a range of options and I always present them.”

All of us would prefer a diplomatic solution in Iran, but a good agreement with Iran is one that will truly cut off Iran’s path to a nuclear weapon and improve the security situation in the Middle East.

The sanctions passed by this Congress, together with the sanctions that were built in concert with our foreign allies over the course of a decade, were what brought Iran to the negotiating tables in the first place. These sanctions should be kept in place and strengthened until Iran is forced to accept a deal that actually makes the region safer. I believe a better deal is possible than the leverage provided by sanctions, and I am not alone. A CNN poll released yesterday found that 52 percent of the American people want Congress to reject this deal, while only 44 percent believe the agreement should be approved.

A majority of Americans didn’t say they oppose this agreement because they want war with Iran. Absolutely not. Instead, the poll reveals that a majority of Americans want a better deal, one that cuts off Iran’s path to a nuclear weapon and makes the Middle East more secure.

There are legitimate arguments on both sides of the debate about the Iran deal. I accept that the President and his administration truly believe the deal they have negotiated is in America’s best interest, but the claim that those who have a different view want war with Iran is an inappropriate attempt to short-circuit the legislative debate about this agreement.

Congress must stand up against a threat to national security and ensure that a monumental agreement contains the necessary verification and enforcement measures to protect future generations from a nuclear Iran. I stand with all of our allies in the region that have put their trust in America to negotiate a deal that will protect them indefinitely from the threat of Iranian nuclear weapons.

The posterity of our Nation and our allies depends on the critical policy decisions made by this Congress and this administration. Now is the time to carefully consider the nature of Iran’s threat toward Israel and America, the history of Iranian-funded terrorism, and the consequences of nuclear proliferation in the Middle East. America does not have to accept a bad deal.

I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

#### WASTEFUL SPENDING

Mr. COATS. Mr. President, once again, I am on the floor for the “Waste of the Week.” Each week since February, I have come to the floor to discuss an issue of waste, fraud, and abuse—misspent taxpayer money identified by neutral agencies of the Federal Government that didn’t have a partisan bone to pick in this or by inspectors general of various agencies or by the agencies themselves.

In February, I said I am going to come here every week throughout the duration of this session, and I am going to try to achieve a goal of \$100 billion of waste. I wasn’t sure we could reach that goal, but today is a very special day because we are going to highlight by the end of my speech over \$100 billion of waste, fraud, and abuse that the taxpayer is covering with hard-earned pay at home.

Over the past several months, I have highlighted a variety of examples from the serious, such as the illegal procurement practices at the Veterans’ Administration, to the ridiculous: taxpayer funding, under grants, for massages of rabbits to determine whether a massage after strenuous exercise made them feel better. I don’t think we needed to gather a bunch of rabbits and pay, with a \$387,000 grant to an organization to mechanically massage the backs of rabbits.

I think if you stop anybody on the street and ask: Do you think a good massage would make you feel a little bit better, especially after a strenuous exercise—I think the answer would be yes. Actually, I thought I might want to sign up for this until I found out that when the experiment was over, they killed the rabbits. So I didn’t want to put myself in that position.

Then, from the young taxpayers who receive (improper and fraudulent child tax credit refunds) to the old, the active Social Security numbers that were assigned to individuals over the age of 112. Obviously there aren’t too many people in the country, if any, over that age. These people had obviously died many years before—on and on it goes.

We are deluged with examples of waste, fraud, and abuse, which brings some chuckles and brings some “Can you believe we are actually doing that?” But the bottom line is that people are working hard every day to make ends meet to pay the mortgage, to buy the groceries, to save money to send the kids to school, and they are sending taxes to Washington and the bureaucracy is doing stuff like this.

It is a bad break for taxpayers, and it is shameful for government not to take measures to stop this waste, fraud, and abuse from happening. I am trying to disclose to the public this is how your taxpayer money is being spent so they will put pressure on their Members and say clean it up. Fortunately, we have been able to do some of that, but there is a long way to go.

Today I want to discuss errors with payments under the earned-income tax credit. Let me go back and explain this. The earned-income tax credit is a refundable tax credit that offsets income tax owed by low-income taxpayers. Congress originally approved the earned-income tax credit in 1975 to offset the burden of Social Security taxes for low-income workers and provide an incentive for them to work. It is a good motive. To some extent, it has worked. The way it works is this: When the credit exceeds the amount of taxes due, it provides a lump-sum payment, after you file your taxes, to those who qualify for the program.

People who work and earn less than a certain income level qualify for this refund from the government. According to the Congressional Research Service, this tax credit is the largest need-tested, antipoverty cash assistance program the Federal Government runs. So whether you think this is a right program or not, the questions are: How is it being run? And is it efficient and effective or is it making mistakes?

We are talking about Big Government. Mistakes are usually big mistakes, if there are some. In 2011, the IRS identified more than 6.6 million potentially erroneous earned-income tax credit claims that went to households that didn't qualify. Individuals were telling the government they are working and earning and therefore eligible for the earned-income tax credit bonus check, but at the same time they were telling other agencies, such as the Supplemental Social Security Program, that they are not earning that much or not working or don't have income. Some are getting double checks—one for which they're qualified and one for which they're not.

When we add all of that—the latest year that has been identified is 2013, and the tax credit costs to taxpayers during that year amounted to \$60 billion. Of those, \$14.5 billion were erroneously sent out checks by the agency, the IRS. If we can put in place measures that can provide accountability and verification to this program, we could save the taxpayer up to \$14.5 billion a year. So with that, we add to our gauge an additional \$14.5 billion.

As everyone can see on this chart, this gauge is climbing up each week. This chart shows the amount of money saved through the various programs we have identified. We have now eclipsed the \$100 billion level, and we are just a little ways past the middle of the year.

I could take the charts, stick them in the back closet, and say: Thank you. I made it to my \$100 billion mark, and I have made my point. But I will keep on going. Every week the Senate is in session for the remainder of this year, I will be back down here for the latest "Waste of the Week" so we can embarrass, disclose, and let agencies know that they are wasting taxpayers' dollars, and we, as a Congress, need to do something about that.

Some people may say that \$100 billion in comparison with the total Fed-

eral budget is a drop in the bucket, but \$100 billion is almost incomprehensible. Maybe Donald Trump understands what \$100 billion is, but I don't. In terms of that magnitude of money, it is a small portion of what we spend here.

We can do so much more in terms of identifying issues and programs that will save the taxpayer money. Federal spending is out of control. We know that, and this highlights some of that. The real issue is much worse. While States such as mine, the State of Indiana, have created balanced budgets, eliminated debt, and provided surpluses, which they can use to return to the taxpayers or save for a rainy day, the Federal Government has not done that. This is a huge challenge in front of us. This is just a small piece of trying to identify some of the problems and challenges that we have, and by identifying them, we can save the taxpayer money by making reforms to these various programs.

With that, I will yield back the floor, but you can count on me being here every week for the rest of this session with the "Waste of the Week" for as long as the Congress and Senate are in session.

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

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

#### TRAGEDY ON CROW RESERVATION

Mr. DAINES. Mr. President, I come to the floor today to share some remarks on what is going on with Planned Parenthood. Prior to sharing those remarks, I wish to inform my colleagues that we received some tragic news that has come out of Montana. I literally just got off the phone with Chairman Darrin Old Coyote with the Crow Tribe in Montana. I wish to take a moment to discuss the reports of a tragic shooting that has occurred on the Crow Reservation in Montana.

This afternoon we received word of a shooting in the community of Pryor, MT, on the Crow Reservation. I literally just got off the phone with Chairman Darrin Old Coyote before I got to the floor just to see how things were going and to be informed of the latest developments. There are two confirmed fatalities and at least one other injured individual who has been life-flighted to Billings.

My wife Cindy and I are deeply saddened by the news of today's tragic shootings in Pryor. Our thoughts and prayers go out to the Pryor community, and the families of all victims are in our prayers. I understand this was a couple who had children and grandchildren and are well known in Pryor.

I am staying in close contact with Crow leaders, with local law enforcement, Federal officials, and community leaders during this time. It is our

understanding and it has been confirmed that the suspect has been apprehended and is in custody.

My staff and all of the staffs here in Washington stand ready to help those affected by this tragedy. Our hearts break for the victims and for their families.

I ask my Senate colleagues to join the Montana delegation and all Montanans in keeping the community, the victims, and their families in their thoughts and prayers.

#### PLANNED PARENTHOOD

Mr. President, 655,306 kidneys is more than \$49 million, which equates to 256 Lamborghinis; 327,653 hearts is more than \$24.5 million, which equates to 128 Lamborghinis; 1,310,612 arms and legs is \$98 million, which equates to 512 Lamborghinis—this is the envisioned price tag were every one of Planned Parenthood's 327,653 abortions performed last year to provide body parts and organs to harvest.

The utter callousness of Planned Parenthood in discussing the price of baby parts, as if handing over a menu, is clear evidence of the culture of an organization enriched through ghoulish and disturbing practices. This is a culture which protects tissue over life and lays out harvested organs as financial milestones toward a new car.

Planned Parenthood has worked its way into the American lexicon, becoming synonymous with women's health but hiding its abortion practices.

Planned Parenthood received \$528 million of Federal taxpayer money last year alone. And when asked on the street, so few even know that Planned Parenthood does abortions. But now the veil has been lifted, exposing inexcusable and unconscionable behavior.

This organization, Planned Parenthood, performs more abortions than any other organization in our country. But now our own calloused hearts—the heart of our Nation—are shocked out of apathy, and we have a choice. We cannot accept the destruction and the selling of our children, to stare clearly into the face of the appalling and do nothing. We can allow our consciences to be moved and then remove the public endorsement of these actions. We can remove Federal taxpayer funding of the organization that has perpetuated such horrific actions.

I am proud to join Senator JONI ERNST and Leader MCCONNELL, as well as 23 of my Senate colleagues, in the introduction of legislation to protect women's access to health services and defund Planned Parenthood. This bill ensures that funds allocated to Planned Parenthood will be redirected to other eligible entities to provide women's health care services.

Let me be very clear, so the information is clear about what this bill does and what it doesn't do. This bill ensures there is no reduction—not \$1 of reduction—in overall Federal funding available to support women's health. This bill ensures the preservation of Federal funding for women's health

services which include important services of relevant diagnostic, laboratory, and radiology services, for well-child care, for prenatal and post partum care, for immunization, for family planning services, including contraception, sexually transmitted disease testing, and cervical and breast cancer screenings. Let me say again, this bill ensures the preservation of Federal funding for these very important services for women. This bill does not reduce any funding for women's health services.

This bill does not allow any Federal funds to go toward Planned Parenthood to continue its practice of trafficking baby parts. We bristled when we heard of an abortion doctor that left babies born alive to die, and we sensed justice when that same doctor was sentenced in a court of law for his crimes. Similarly, we shuddered as parents. Cindy and I have been married for 29 years. We have four children, two boys and two girls. We shuddered as parents at the idea of baby parts being harvested and sold in the context of equating that value to purchasing a Lamborghini. Will we see this to the same end?

We are a society. We are a nation that values life so much that in our Declaration of Independence it is clearly articulated that all have the right to life. We Democrats, Republicans, and all Americans must stand strong in the defense of those who are most vulnerable. We must advocate and be a voice for those who do not have a voice, for the most vulnerable in our society, including the unborn.

Over the last year, we have cringed at terrible images coming out of the Middle East. We have seen horrible images coming across social media, and we have called loudly for action. That was on soil thousands and thousands of miles away from America.

Today we cringe at terrible images that have occurred on our own soil. Nothing, not even a Lamborghini, is worth the lives of our children. Planned Parenthood has clearly articulated the value they have placed on babies' organs and limbs, but what they have failed to acknowledge is the value the American people know full well, and that is the value of our children, which is priceless.

I yield the floor.

The PRESIDING OFFICER (Mr. GARDNER). The Senator from California.

PLANNED PARENTHOOD

Mrs. BOXER. Mr. President, thank you very much. It is so interesting, coming away from the Transportation bill where we saw such cooperation between the two sides, and now we are headed back to our corners with the vast majority of Republicans attacking an organization that helps millions of Americans get fundamental health care. It is the same old sides again.

My friend from Montana may not like Planned Parenthood, and he can tell his family and his friends not to go

there, but he doesn't speak for the American people. They trust Planned Parenthood, an organization that has been around since 1916. Its founder was thrown in jail because she wanted to give birth control to people.

Let's be clear. My friend and those who are writing this legislation state that they are not attacking health care. Yet they try to defund the one organization in the country that people trust to deliver that health care. It is interesting because it is part of the attack on health care that we see from my friends on the other side of the aisle.

We celebrate the 50th anniversary of Medicare and Medicaid which have provided millions of Americans with accessible, affordable health care. This week we heard one of the leading Republican Presidential candidates talk about how it is time to end Medicare. This isn't a fringe candidate. I heard Newt Gingrich say years ago that Medicare will wither on the vine. They have been after Medicare forever and ever and ever. They don't like Medicaid. Some Republican governors are not providing their poor people with health care because they don't like Medicaid. These are lifelines that from their start have been attacked by Republicans. I have proof. I have spoken many times and quoted Republicans from past years going after Medicare, going after Medicaid, and now again going after Planned Parenthood and women's health care. This is an ideological attack, and it would put women's health and women's lives at risk. It is attacking women's reproductive health care, an issue that was resolved in 1973.

I want to say to my friends on the other side—and they are my friends—why don't you just keep moving us forward like you did on the Transportation bill. We set aside our differences and we are moving forward. Now you are reopening, again, the attacks on health care. You tried to repeal ObamaCare more than 55 times now in the House. It didn't work. You tried it here the other day; it didn't work. You have attacked Medicare. You have attacked Medicaid, and now you want to take away women's health care provided by an organization that is chosen by millions of women and men every single year for lifesaving and preventive services.

This legislation is being driven by an outrageous and potentially illegal act of an extremist group. It is just the latest chapter in the long history of attacks on Planned Parenthood and their health care providers who work there, and on the women and the men they serve.

Again, one can go back to the beginning of Planned Parenthood, when America's first birth control clinic opened before women could vote. We forget that women got the vote in 1920. If we have a woman in the White House in 2020—something that I personally hope will happen—we will celebrate the

fact that 100 years after women got the right to vote there is a woman in the White House. The point is that on the very day the clinic opened 100 years ago, dozens of women waited in line. Do you know what they wanted? Lifesaving birth control information. They wanted to plan their families. They wanted to avoid unplanned pregnancies and the options that they would face if they had an unplanned pregnancy. What was the response? The clinic was raided, the clinic was shut down, and nine days later its founder was thrown in jail. Planned Parenthood has been a target of attacks by extremists since 1916, and that attack continues on the floor today.

Despite the effort of extremists, our country has come a long way since the days when a woman could be jailed for advocating birth control. We can't go back. We can't turn back the clock on women's health, and we still have people that are saying women shouldn't get free birth control through ObamaCare. They want it to go over the counter. We can't turn back the clock on women's health, but that is what is about to come.

With all the problems facing us—we still have work to do on transportation, we still have work to do to avoid sequester and all the deep cuts to our military and to our domestic programs such as the FBI, Homeland Security, food inspection, and border patrol. All of that is going to be cut, but, oh no, we don't turn to that to fix that. What do we turn to? Another attack on Planned Parenthood, another attack on women's health.

We know this extremist group went undercover and secretly taped people. That is what they did. If you approve of those tactics that is fine, but what I approve of is women getting health care. I think that when you scratch the surface, what you will find is that a lot of my colleagues don't think women should be able to plan their families. We are still debating birth control. You have got to be kidding.

You have to look at the work Planned Parenthood does: cancer screening, STD tests, and other lifesaving health care. They want to deny women this health care.

Do you know what I really find extreme? So many of my Republican friends tell me day after day, keep Uncle Sam out of our private lives. How true. I agree. Some of them even call themselves Libertarians. When you look up the meaning of Libertarian in Wikipedia, it is defined as one who "seeks to maximize the autonomy and freedom of choice, emphasizes political freedom, voluntary association, and the primacy of individual judgment." The primacy of individual judgment—that is the definition of Libertarian. Yet my colleagues decided they don't like a certain organization so they should say to everybody in the country follow us. No. No. It is not right. Planned Parenthood is the safety net for women's health care, and it has

been so. This attack on women's health care is the opposite of liberty.

I hope if this bill does come forward, we will debate it and debate it and debate it, because I don't think the people in this country want women's lives used as a political football. Women's health is not a game. It isn't something you should gain or lose votes on. Women's lives are not a game. We all have women in our lives, all of us, whom we adore regardless of our political party—our moms, our wives, our daughters, our sisters. Why would anyone in the Senate or anywhere else want to take away the health care that has benefitted one in five women in America, and more than 800,000 patients in my State every year? Why would anyone want to deny birth control to more than 600,000 Californians each year? Why would anyone want to deny women in my State 100,000 breast exams?

Instead of listening to these extreme voices, Republicans should listen to women in their States. I will tell you about a woman in my State, Nicole Sandoval of Pasadena, CA. Planned Parenthood was there for Nicole when she needed it most. When she was 23 years of age, she had no insurance before ObamaCare. Planned Parenthood caught her cervical cancer early enough to treat it and to save her life.

Instead of listening to these extreme voices, Republicans should listen to women such as Heather Penman of Concord, CA. Planned Parenthood was there for Heather when she needed it most, providing her with a cancer screening. They found precancerous cells, and it helped her get the life-saving surgery she needed. She didn't say what my colleague said, standing up and attacking an organization that saved her life. She said, "I might not be alive today" without their help. She told me that a few years ago. She said, "Planned Parenthood is about taking care of women's health and it shouldn't be reduced to some political argument."

Imagine what would have happened if Planned Parenthood hadn't been there for Nicole or Heather. That is what Planned Parenthood does. There are millions of Nicoles and Heathers across America, each with her own story of how Planned Parenthood has been there for her. We are not going to allow Republicans to take away their health care. No, we are not. We are not going to allow Republicans to undermine the vital research that is helping treatments for Parkinson's, Alzheimer's, multiple sclerosis, spinal cord injuries, HIV, and birth defects.

The research has led to public health breakthroughs, including vaccines for polio, chickenpox, rubella and shingles. Instead of attacking this research, we should be supporting it. That is something we should all agree on. Republicans are pushing an extreme, dangerous agenda—an agenda that is out of touch with most Americans.

We had a breather from that agenda when we had that Transportation bill.

How excited was I. Then we turn around, we do this bill, we work together, and we are back in our corners again, with Republicans attacking women's health and Democrats defending women's health. A new poll released this week shows that a strong majority of Americans opposes defunding Planned Parenthood, even after these videos—these edited videos—have been put out.

The American people are paying attention to this story. Women are paying attention to this story. We know this is a political attack on women's health. We know the group went in and secretly filmed people for 3 years. We knew what their objective was—to hurt women's health, women's reproductive health. We know because that is where they stand.

They want Uncle Sam to tell a woman what her rights are. Well, I have to say that I am a Senator. I have strong views. I do not impose these views on anyone. I want people to choose the way they feel and make decisions between themselves, their family, their doctor, their God. That is up to them. I do not want any Senator in this body telling my family what to do or your families what to do because it is up to them. I respect their families. They will discuss it with their families.

This is a political attack on women's health. We know it is an attack on a group that saves lives every day. This is a fight they have picked before. They come out here with this, as if this were the first time they have ever attacked Planned Parenthood. Well, we won it before, and we will win it again. I heard my colleague, Senator MURRAY, recall that in 2011—she thought it was 2011—the Republicans threatened to shut down the government because they wanted to defund Planned Parenthood. They were going to shut down the government. She said: You know what; we are not going to do this to women's health. If that is what you want to do, shut it down. We will take this case to the American people. They backed off. We won that fight. We will win this fight as well.

We are going to fight. We are going to fight to make sure that Nicole and Heather and women across America can continue to get the services they need: the birth control, the cancer screenings, STD screenings. That is what we are fighting for. We are going to make sure that Planned Parenthood is still there for the millions of women and families who depend upon it.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. THUNE. Mr. President, I want to speak to the highway bill today, legis-

lation before us that hopefully by tomorrow we will report out of the Senate favorably and send it to the House of Representatives. My understanding is that the House will, sometime in September, report out their own version of the highway bill, hopefully a multiyear bill, in which case we would go to conference with them and hopefully get something we can get to the President on his desk that would be more than a short-term extension, but instead be something that provides the certainty that those who are involved in building roads and bridges and making sure that freight and people move across this country will have the infrastructure in place to do that, and that we can get about the process of creating jobs and growing our economy, which is what infrastructure is all about.

I want to speak specifically to some of the rail provisions in the legislation. I want to say that thanks to the leadership of Senators Wicker and Booker and the bipartisan contributions of the members of the Commerce, Science, and Transportation Committee, the legislation before the Senate today includes critically important provisions from the bipartisan Rail Reform, Enhancement, and Efficiency Act that our committee passed by voice vote last month.

This bill reauthorizes Amtrak through fiscal year 2019, while increasing rail safety, improving infrastructure, cutting redtape, and empowering local officials. Following the tragic May 12 derailment of Amtrak 188 in Philadelphia that resulted in eight fatalities, Senator WICKER and BOOKER added additional rail safety provisions that were approved by the committee.

The bipartisan rail bill that passed in committee and is included in the multiyear transportation bill before the Senate today would also advance the deployment of positive train control technology for averting accidents. I am proud to note that we recently amended the multiyear transportation legislation to expand this authorization. Never before has the Senate authorized robust, dedicated, and mandatory funding for positive train control implementation.

The amendment accepted by the Senate earlier today would authorize \$199 million in PTC grants and loan financing for commuter railroads in fiscal year 2016. This is the highest single-year authorization for PTC ever. Using the Railroad Rehabilitation and Improvement Financing Program, commuter railroads will be able to leverage this funding for \$2 billion in loans, necessary to cover the PTC capital needs.

In addition to advancing the deployment of PTC, the Wicker-Booker bill would require speed limit action plans for all passenger railroads to address automatic train control modifications, crew communication practices, and other measures to prevent overspeed derailments while positive train control is being implemented. It would

also require grade crossing action plans to improve State grade crossing safety efforts, and it would consolidate grant programs to focus resources on critical safety and infrastructure needs.

Building on the work of the commerce committee's ranking member, Senator NELSON, the bill would increase the rail passenger liability cap for inflation from the \$200 million level set in 1997 to \$295 million, with inflation adjustments every 5 years. The bill applies a new higher cap retroactively to the date of the Amtrak accident in Philadelphia, thereby raising the potential compensation available to victims and their families.

This legislation also includes a measure from Senator PETERS to require a thorough examination of Amtrak's postaccident response following the Philadelphia derailment, ensuring a close look at whether Amtrak addressed the needs of families and passengers involved in tragedy.

Senator PETERS' work will make meaningful improvements to Amtrak's emergency preparedness going forward. As we worked on the legislation before our committee's adoption, I included a requirement for all passenger railroads in the Nation to install inward- and outward-facing cameras on their locomotives.

This fulfills an outstanding recommendation of the National Transportation Safety Board. These cameras will not only help with accident investigations, a need that we saw following the Philadelphia derailment, but they will help monitor each passenger railroad's compliance with critical safety requirements. Last week I received a letter from NTSB Chairman Christopher Hart stating:

I applaud the recent passage of the passenger rail safety bill. I was pleased to see the inclusion of recommendations regarding inward and outward facing audio and image recorders. Thank you for your support of the NTSB.

The bill also includes extensive contributions from Senator BLUMENTHAL to improve passenger rail safety, including redundant signal protection to increase roadway worker safety, potentially preventing tragedies such as the one in West Haven, CT, in 2013.

Senator BLUMENTHAL also made important contributions on provisions covering alerters, signage, and track inspections. The bill includes his proposal for the Federal Railroad Administration to increase oversight of needed safety improvements at Metro-North.

I call my colleagues' attention to the following document: the Federal Railroad Administration's "Operation Deep Dive Report" outlining the safety concerns at Metro-North and setting forth specific directed actions. The bill before the Senate would require the FRA to follow up on that report and its recommendations.

I also call my colleagues' attention to Emergency Order No. 29, which was issued after terrible derailments in the

Bronx, Bridgeport, CT, and West Haven, CT. This bill would apply the emergency order's speed limit action plan framework to the entire passenger rail network, reducing the risk of future overspeed derailments.

I would also like to include a statement from Senator BLUMENTHAL following the news that 13 current and former Metro-North employees had been accused of cheating on licensing exams. The statement reads: "My amendment was accepted into the bill, which was voted out of the committee favorably, and I urge the Senate to take up the measure swiftly so we can ensure Metro-North is implementing true safety reforms."

I echo Senator BLUMENTHAL's statement on Metro-North, and I ask unanimous consent that it be printed in the RECORD.

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

JUNE 30, 2015.

BLUMENTHAL STATEMENT ON METRO-NORTH CHEATING SCANDAL

HARTFORD, CT.—U.S. Senator Richard Blumenthal (D-Conn.) issued the following statement today regarding news that 13 current and former Metro-North employees have been accused of cheating on exams to become licensed conductors and engineers:

"The scale and scope of these revelations are sweeping and shocking—yet another searing indictment of Metro-North's safety training programs and procedures. Metro-North owes the public a better explanation to this apparent serious criminal conduct, and I will call for congressional hearings to compel them to do so.

Over a year ago, the Federal Railroad Administration conducted a Deep Dive investigation of Metro-North and found deeply disturbing flaws in Metro-North's training program. The news today that 13 employees have been indicted for cheating on a training exam raises more troubling questions about whether the training program at Metro-North remains weak, ineffective—or worse, susceptible to criminal conduct. These procedures must be improved and the flaws discovered by the FRA must be addressed. That is why I pushed last week for an amendment to a rail bill in the Commerce Committee that will require FRA to provide Congress with quarterly reports on the nearly 30 recommendations outlined in the Deep Dive report. My amendment was accepted into the bill, which was voted out of the committee favorably, and I urge the Senate to take up the measure swiftly so we can ensure Metro-North is implementing true safety reforms," Blumenthal said.

Mr. THUNE. I urge the Senate to ensure Metro-North and other railroads improve safety by voting in support of the bill before the Senate.

Working with Senator CANTWELL, who has been a strong advocate for crude-by-rail safety, we have also included in the bill new requirements for real-time train information to aid emergency response officials in the event of an accident. Senator BALDWIN worked last week to ensure emergency officials have advance notice of crude oil and ethanol unit trains traveling through their jurisdictions.

This bill also includes a provision for comprehensive oilspill response plans

to ensure railroads are prepared and have resources positioned to respond to worst case scenarios, another priority from our colleague from Washington State, Senator CANTWELL.

Further, aiding emergency response efforts, Senators BOOKER and MENENDEZ included provisions that prohibit the withholding of train information from first responders. Their work will also examine the sufficiency of response information carried by train crews addressing issues raised in relation to the 2012 derailment in Paulsboro, NJ.

Senator MANCHIN worked to ensure tank car owners and shippers annually report on their compliance with the new tank requirements requiring stronger oversight for those important safety upgrades. In addition, Senator MANCHIN and I have agreed on the need for a real-world derailment test of electronically controlled pneumatic, or ECP, brakes. As this testing moves forward, the existing Department of Transportation requirements will be kept in place unless the real-world testing and evaluation show the requirement is not justified.

Enhancing the bill's grade crossing safety provisions, Senator GARDNER added stronger oversight of the Federal Railroad Administration's actions pertaining to the use of locomotive horns at highway-rail grade crossings.

Senator KLOBUCHAR included timely provisions to help address issues with the blocking of crossings as a result of idling trains. The bill also incorporates the work of Senator ROY BLUNT, whose TRAIN Act, cosponsored by Senators MANCHIN, HELLER, and myself, will streamline the permitting process for rail improvements, making our critical infrastructure dollars go even further.

Senator DAINES included provisions to improve Amtrak's operations through the study of new station development options where Amtrak would turn a profit, potentially increasing private sector investment in our Nation's passenger rail system. The reforms extend to project financing, and Senator BOOKER's embedded RRIF bill, cosponsored by Senators HELLER, CARPER, and KIRK, will create a faster and more flexible RRIF Program.

I also applaud Senator KIRK for his contributions to the RRIF reform bill, improving the loan process and facilitating more timely and transparent decisions. These RRIF loans can be used for safety improvements, including positive train control. It also explains why its inclusion in the broader surface transportation bill is strongly supported by Transportation for America, the States for Passenger Rail Coalition, the National Association of Railroad Passengers, the American Public Transportation Association, and the Southern Rail Commission.

I ask unanimous consent to have printed in the RECORD the statement from Transportation for America.

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

TRANSPORTATION FOR AMERICA,  
Washington, DC, July 14, 2015.

Hon. JOHN THUNE,  
Chairman, Senate Commerce Committee, Wash-  
ington, DC.

DEAR CHAIRMAN THUNE: We write to thank you for your leadership on the Comprehensive Transportation and Consumer Protection Act of 2015, which authorizes the federal passenger rail program with the transportation safety and freight provisions under the jurisdiction of the Commerce Committee through 2021.

The Comprehensive Transportation and Consumer Protection Act of 2015 authorizes the passenger rail program as part of the broader surface transportation program for the first time. The bill incorporates the Railroad Reform, Enhancement, and Efficiency Act (S. 1626) that already received unanimous approval from the Commerce Committee on June 25, 2015. The passenger rail bill would provide sustainable funding and enhancement opportunities for a unified national passenger rail program, while also improving the safety of the rail system. This is an important step in supporting a truly multimodal approach to providing people improved mobility and access to destinations.

The Comprehensive Transportation and Consumer Protection Act of 2015 also makes progress to improve the movement of freight and enhance U.S. economic competitiveness by improving freight transportation serving agriculture, manufacturing, energy, retail and other sectors. Freight movement is inherently multimodal and multi-jurisdictional. It requires a program with broad eligibilities and a competitive approach to guarantee that limited funding is targeted to the projects with the greatest impact. This proposal moves the federal transportation program in the right direction in addressing the nation's freight needs.

We look forward to working with you and your committee to address remaining concerns with the bill, such as the future of the TIGER program; however it is clear that passage of the Comprehensive Transportation and Consumer Protection Act of 2015 would be an important step forward in creating a transportation program that will boost the nation's economy and ensure future prosperity.

Sincerely,

JAMES CORLESS,  
Director.

Mr. THUNE. Transportation for America wrote that the committee-reported legislation would be an important step forward in creating a transportation program that will boost the Nation's economy and ensure future prosperity. It also stated that the bill would improve the safety of our Nation's rail system.

Building on the work of the commerce committee, the multiyear Transportation bill also includes a bipartisan extension to the PTC deadline. The bipartisan extension is a rigorous case-by-case approach, with enforceable milestones and metrics.

The Secretary of Transportation approves or disapproves of the dates in a railroad's updated implementation schedule, including the hard end date for implementation. Under no circumstances can the Secretary approve a date for full installation and activation that is later than 2018. The Secretary also has the authority to identify and require changes to deficient schedules that do not show safe and

successful implementation as soon as practicable.

Multiple government reports, including from the Government Accountability Office, the DOT, and the FRA, have concluded that the vast majority of railroads will not meet the December 31, 2015, deadline for PTC implementation. This extension will not delay safe and successful implementation of positive train control technology. Rather, it offers a realistic approach to ensure this important technology is implemented as quickly as possible without risking shutdowns of rail service that will not meet the current deadline no matter what the law says. This proposal is not novel. Senate bill S. 1006, with original cosponsors BLUMENTHAL, SCHUMER, and GILLIBRAND, would extend the deadline to 2018 on a case-by-case basis in 1-year increments. Despite good-faith efforts from railroads, the Blumenthal extension recognizes the deadline in current law simply is not attainable.

Similarly, in its GROW AMERICA proposal, the administration requested giving the Secretary of Transportation discretion to extend the deadline on a case-by-case basis without any constraints on the dates the Secretary may approve.

We follow this model but add explicit constraints on installation and activation by 2018, while allowing the Secretary discretion in overseeing testing to ensure that PTC works as intended.

Recently, railroads from across the country explained the potential disruption caused by the current unattainable deadline. Virginia Railway Express, or VRE, wrote to me stating that "VRE commuter rail operations could be suspended after December 31, 2015" and has requested more time to ensure that PTC works as intended.

I ask unanimous consent to have printed in the RECORD the July 28, 2015, letter from Virginia Railway Express.

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

VIRGINIA RAILWAY EXPRESS,  
Alexandria, VA, July 28, 2015.

Hon. JOHN THUNE,  
Chair,

Hon. BILL NELSON,  
Ranking Member,

Committee on Commerce, Science and Transportation, U.S. Senate, Washington, DC.

Dear CHAIRMAN THUNE AND RANKING MEMBER NELSON: This letter supports the deadline extension for certification and interoperability of Positive Train Control (PTC) to December 31, 2018 being incorporated into the Surface Transportation Authorization bill (DRIVE Act) now being considered in the U.S. Senate. The Virginia Railway Express is concerned that without an extension to the PTC deadline, VRE commuter rail operations could be suspended after December 31, 2015 even though VRE has done everything in its control to comply with the requirements for PTC established in the Rail Safety Improvement Act of 2008.

The extension for PTC represents a common sense, bi-partisan approach and it allows sufficient time for VRE and it host railroads to test, commission and certify PTC for compliance. VRE is also supportive of the

Rail Technical Grant program that provides \$199 million to leverage financing and provide direct grants to install PTC or for interoperability between rail operators.

Approval of the PTC deadline extension to December 31, 2018 gives VRE assurance that commuter rail operations will not be disrupted. I ask that you please support its passage.

Sincerely,

DOUG ALLEN,  
CEO.

Mr. THUNE. Burlington Northern Santa Fe Railway, one of the freight railroads that collectively have spent over \$5 billion in private funds on implementation, recently sent a letter to the Surface Transportation Board that stated the possibility that "if Congress has not extended the deadline for PTC operations, as of January 1, 2016, neither passenger nor freight traffic would operate on BNSF lines that are required by Federal law and regulation to have an interoperable PTC system as of that date."

Critically, as I have noted, this extension is now paired with robust, dedicated, and mandatory funding for PTC implementation among commuter railroads. Recently, the American Public Transportation Association, or APTA, surveyed its commuter railroad members and found that over 50 percent were deferring maintenance to install PTC and only 29 percent had a shot at installation by the end of the year. That is why APTA, the National Association of Railroad Passengers, and rail labor support the inclusion of this critical funding in this underlying measure.

Mr. President, I ask unanimous consent to have printed in the RECORD the letter from the American Public Transportation Association.

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

AMERICAN PUBLIC  
TRANSPORTATION ASSOCIATION,  
Washington, DC, July 28, 2015.

Hon. JOHN THUNE,  
Chairman, Senate Committee on Commerce,  
Science and Transportation, Washington  
DC.

DEAR CHAIRMAN THUNE: We understand that the manager's amendment on the Commerce Committee title of the bill authorizes \$199 million in funding that can be used by public commuter railroads for grants, or to leverage financing, for the implementation of positive train control (PTC) systems. These funds are of critical importance as commuter railroads address the \$3.5 billion in costs associated with installing PTC systems under the new deadline and process also included in the bill. APTA appreciates the committee's effort to support implementation.

APTA's commuter railroads support the implementation of PTC on all commuter and intercity passenger rail lines, but we do not believe that PTC can be implemented on the entire system by the current statutory deadline, despite good faith efforts. The funds provided in the bill, in conjunction with the authority for the Secretary to oversee implementation of PTC systems by the end of 2018, will help ensure that PTC is safely installed as quickly as possible. We do not think it makes sense for commuter railroads to cease operations on January 1, 2016 because they

were unable to install PTC by the current deadline, despite their best efforts to implement this new technology.

Thank you for consideration of our views. We remain committed to PTC implementation and we look forward to working with Congress as it advances this important transportation bill. If you have questions, please contact Brian Tynan of APTA's Government Affairs staff at btynan@apta.com or at (202) 496-4897.

Sincerely,

MICHAEL P. MELANIPHY,  
*President & CEO.*

Mr. THUNE. APTA wrote: "These funds are of critical importance as commuter railroads address the \$3.5 billion in costs associated with installing PTC systems."

The National Association of Railroad Passengers wrote: "Just as important as the level of the authorization is the structure of the eligibility . . . RRIF could potentially be used to leverage the amount provided by the DRIVE Act by a factor of ten."

The Senate has an important opportunity to advance deployment of positive train control and help commuter railroads get over the finish line.

In sum, this is a national rail safety and infrastructure improvement bill.

Amtrak provides service to over 30 million per year, with stops in over 500 communities and in 46 States. New York has about 6 million riders, Pennsylvania about 3 million, and States such as Florida, Virginia, and Washington all have over 1 million riders.

This bill also improves the safety of commuter railroads, which collectively have nearly 500 million boardings per year. Metro-North, serving New York, Connecticut, Long Island Railroad, and New Jersey Transit each have 80 million boardings per year. These passengers deserve the critical safety and infrastructure improvements put forward in this bipartisan legislation.

The failure to pass this bipartisan DRIVE Act, which includes these passenger rail investments and safety improvements, would be a significant loss to the traveling public who utilize passenger rail systems across the country.

I would simply conclude by adding that this is a copy of all the letters of support we have received regarding provisions in this legislation, regarding the legislation in its entirety, and I encourage Members of the Senate to support it.

In addition to the letters I have already included, there are literally probably hundreds of letters in here from organizations that are impacted, affected by, and benefit from provisions in the DRIVE Act.

So I hope when this comes to a final vote, which I believe it will sometime tomorrow, that we will demonstrate in a big bipartisan fashion our support for this legislation, not only for what it does for roads and bridges but what it does for freight transportation in this country and specifically many of the things I have just mentioned that we have included as part of the rail provisions in this bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I ask unanimous consent to speak as in morning business.

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

PLANNED PARENTHOOD

Mrs. MURRAY. Mr. President, I am on the floor this afternoon to talk about something I have had to talk about far too many times—extreme Republicans pandering to their extreme base by attacking women's health.

My Republican colleagues have picked this fight over spending bills, over the debt ceiling, and the list goes on. In fact, they even tried last week to attach political riders attacking Planned Parenthood to a bill that was supposed to help seriously wounded veterans start families. So we know how far they are willing to go to appeal to the tea party, and what we are discussing today is more of the same.

Republicans are using undercover attack videos, produced by a radical, rightwing organization dedicated to taking away a woman's right to choose, to once again on the floor try to defund Planned Parenthood and take away critical health services from women.

As Republicans try once again to get in between a woman and her health care, my colleagues are on the floor today to make one thing very clear: This bill is a nonstarter. We are standing up to be the voices for millions of men and women across the country and to say we are not going to let Republicans hurt women and take away their health care—not on our watch.

Mr. President, 2.7 women and men visit Planned Parenthood each year for health care. One in five women will visit Planned Parenthood at some point in her life. These women and their families are looking for everything from cancer screenings to birth control, to basic primary care, and the bill some of my Republican colleagues have introduced would take all of that away. It would leave women without the providers they know and the providers they trust.

I don't think women want the tea party making their health care decisions for them, but under this bill that is exactly what would happen and that is why it is not going anywhere. Republicans can go ahead and try for the umpteenth time to turn back the clock on women's health and score political points with their extreme base. They can pander to the tea party instead of working with us on the real challenges this country faces. We need to be creating jobs, growing our economy, and actually expanding access to health care.

We want them to know we are going to be right there as this comes to the floor, fighting back to make sure women come before politics and not the other way around. We have fought this battle before and again and again

and again. Battles we all thought were settled, that women across the country thought they had won decades ago keep coming back. And each time we have made it clear: We are not going away.

Republicans can keep trying to attack women's health care, they can put new spins on old ideas, they can try talking about it in a different way, and they can look for any opportunity they want to bring this back up, but they should know we are not going to be fooled and they will not fool women across the country. Women in this country should be able to make their own decision about their own health care. Our government should be investing in women's health, helping more women get access to care, not moving in the opposite direction.

I very much hope Republicans finally learn their lesson and move on to the other things, but, if not, we need them to know we are going to be here ready to stand and fight for women in this country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I am proud to join my colleague from Washington State, a very distinguished and dedicated colleague, and others such as she who are championing this cause of defending Planned Parenthood. I am proud to stand with Planned Parenthood in advocating and championing the cause of women's health care in this country.

Planned Parenthood needs no defense and, indeed, this body should not be spending valuable time and energy in this attack on women's health care that is epitomized by an effort to defund Planned Parenthood.

Let's be very clear. Planned Parenthood provides countless women across this country with STD testing, breast cancer screening, funding research in strengthening women's health care, and contraception. None of these activities is involved in abortion. They are entirely unrelated to abortion. They are about women's health care. The effort to defund Planned Parenthood is, in fact, an attack on women's health care.

Planned Parenthood should need no defense from any of us because its activities immensely benefit women who depend on it and rely on its professionals for basic screening, testing, and other activities that protect them from the ravages of cancer and other kinds of diseases that will cost more to this Nation if we deny Planned Parenthood that funding.

Planned Parenthood is under attack. It is under siege from a sensationalistic and disingenuous kind of publicity that is based on undercover videos. People are offended by them, and Planned Parenthood has in fact spoken to the merits of them. I encourage Planned Parenthood to continue speaking to those videos. Another was released just yesterday.

Planned Parenthood needs no defense from us because the American people

support it. American women do because they know the reality, which is different from what is depicted in those videos. The reality is that Planned Parenthood provides funding for women's health care. So the funding of women's health care by defunding Planned Parenthood should not be the goal or the effect of anything we do in this body.

I am proud to stand and urge my colleagues to reject this attack from the most extreme members of the anti-choice movement, which seeks to undermine critical access to health care through Planned Parenthood. My hope is that congressional opinion, like American public opinion, will continue to be, as we are, on the side of Planned Parenthood.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

#### VETERANS HEALTH CARE

Mr. ISAKSON. Mr. President, I will be joined on the floor by the distinguished Senator from Connecticut, Mr. BLUMENTHAL, who is the ranking member of the Veterans' Affairs Committee; Senator MCCAIN of Arizona, who is the leader behind the Choice movement that took place last year in August; and Senator ROY BLUNT from Missouri.

As we speak, at this very moment the House is voting. They are voting on a 3-month extension of the highway bill. But more importantly to us on the Veterans' Affairs Committee and to our veterans, they are voting on a bill we have agreed to, to fix the problem at the VA with regard to the funding of our hospitals and health care, and to open up a new day in terms of Veterans Administration services to the veterans of our country.

I was pleased to be joined by Senator BLUMENTHAL at the VA a couple of weeks ago where we had a heart-to-heart, 4-hour meeting with Secretary McDonald, Sloan Gibson, and others about the false-intended press release that was sent out of the VA saying they were about to run out of money, health care was going to be stopped in certain places, and some hospitals might be closed. That was a misleading press release. It was meant to create a crisis that didn't really exist. The crisis was not in not having the money. The crisis was in addressing the money and having to organize it in such a way it could meet VA's needs. What is attached to the highway bill and coming over here is the following: redirection of \$3.348 billion in the Choice money which was appropriated last year into a central fund for health care, just as the funds for non-VA health care and regular health care are. Now all of the money for veterans' benefits is in the same pie. And the limitations on the paying for benefits that were in the Choice bill are not going to be there any longer, so all the money can be used for what it was intended, and that is to pay for the benefits for our veterans who have earned them.

In addition, there will be an addition to the 40-mile rule to say that any vet-

eran who lives further than 40 miles away, or inside of 40 miles but can't get the services they need for their health care, can use Choice to get to a health care provider of their choosing.

Choice was passed to react to the terrible crisis in the VA in Arizona when the Phoenix, AZ, hospital had veterans die because appointments weren't kept, veterans couldn't get services, and mental health issues couldn't be handled. The Choice Act was engineered by Senators Burr and McCain, who did a good job.

We are proud to be modifying it in this highway extension to be sure we do not run out of funding and not appropriate an additional dime other than what we already have. For Members who are listening to these remarks and will vote tomorrow, I want them to understand quite clearly that when they read the bill it will show money as emergency funding. That doesn't mean it is new or additional money. It just means the money that was appropriated last year as emergency funding for VA Choice will be able to be used only for benefits for veterans in terms of health care no matter what program they are in—non-VA, regular VA or VA Choice.

We want to see to it that Choice is a force multiplier, Choice is the way we get our veterans' timely appointments, Choice is the way we utilize and maximize the ability of our country to meet the needs of our veterans and bring private sector participation into service for our veterans without diminishing or taking away the services our veterans get from the VA.

I appreciate Senator BLUMENTHAL and the contributions he made in the meeting 2 weeks ago. I want to commend Chairman MILLER and Ranking Member BROWN in the House for all the work they did, and Speaker BOEHNER, who was instrumental in making this come about.

I now yield to Senator BLUMENTHAL, then Senator MCCAIN, and then Senator BLUNT.

Mr. BLUMENTHAL. Mr. President, I thank the chairman of the Committee on Veterans' Affairs, who has correctly and appropriately stated what our goal is in seeking the transfer of funding—a goal that will be fulfilled by the bill coming to us from the House. It is, in fact, coming to us from the House, but as Chairman ISAKSON has very correctly stated, it is the result of an initiative that he—and I have been very proud to join him in this effort—initiated with the VA Secretary at our meeting last week. And the leadership of the House has joined in that effort.

I am proud and honored to be his partner in this effort, which is absolutely necessary to continue the VA's health care programs. This transfer of \$3.4 billion is required by the fact that the community and care programs of the VA will in effect exhaust their revenue streams unless we enable the VA to use some of this Choice funding in this effort. It is necessary to permit

VA programs and veterans to have access to money that is there. It is for the same purpose as the community and care programs. They are, in fact, identical programs in terms of their basic efforts and goals.

The meeting we had—that Chairman ISAKSON had last week—was very productive and important in reaching a consensus, a bipartisan consensus, and I urge my Democratic colleagues on this side of the aisle to join this effort to enable VA programs to go forward and to make sure we continue to keep faith with our veterans. We should leave no veteran behind when it comes to health care. We must make sure that we fulfill our obligation to all of our veterans in mental health care, in physical health care, in primary health care, and all the specialties that are served by this program.

I thank my very good friend from Georgia for his leadership in this effort. I am proud to be his partner in serving this goal.

I yield the floor, and I thank the Chair.

The PRESIDING OFFICER (Mr. LEE). The Senator from Arizona.

Mr. MCCAIN. Mr. President, I want to thank Senator BLUMENTHAL and also my friend from Georgia, the distinguished chairman of the Veterans' Affairs Committee, who is ensuring we continue strong oversight and accountability at the VA. It is much needed.

There are a lot of problems, but what the Senator from Georgia has done on a bipartisan basis is to continue the funding to add billions of dollars on top of the VA's request. We have approved of every single increase for funding that has been requested, and yet I am disappointed the administration is seeking to use funds originally allocated for the VA Choice card to pay for hospital and medical treatment needs.

Thanks to the work, though, of the Senator from Georgia and our other colleagues, including Chairman MILLER in the House of Representatives, we will ensure the VA health care will continue without any funding interruptions through the summer and into the new fiscal year. We will do this to ensure that our disabled veterans do not suffer from the VA bureaucracies' mistakes and mismanagement.

Mr. President, I ask unanimous consent to engage in a brief colloquy with the Senator from Georgia.

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

Mr. MCCAIN. I would ask the Senator from Georgia if he would agree the Choice card was really a major breakthrough in concept, in that at least a certain portion of our veteran population, rather than having to go a long distance in order to get VA care, would be able to go to a local provider?

I wonder if the Senator from Georgia would discuss for a moment, or comment on, whether that program has been viable, whether it is accepted or not accepted by our veteran population, and whether we need to make it permanent or not.

Mr. ISAKSON. Mr. President, I thank the Senator from Arizona for his question. It was the Senator from Arizona who initiated the Choice Act movement in August of last year when we had the terrible crisis in Phoenix where appointments weren't made for veterans in trouble and, in some cases, some of them died.

We created Choice to be sure if a veteran needed an appointment within 30 days, or immediately, if it was mental health or other things, and the VA medical facility couldn't provide it, they could use Choice to go to a local provider, either because of distance or service offered. That was initiated in November of last year, and it has grown almost every single month in utility and use because it gives the VA a way, when they are backed up, to meet the needs of a veteran without just saying we cannot help. It is becoming more and more popular.

Not only is it helping veterans to get services on a timely basis, it is a force multiplier for the VA. Every time we can use a local Medicare-approved physician, which is what Choice does, we are saving the VA having to hire another physician, having to build another hospital room, and having to provide another service. Yet the VA has control of the services going to the veteran.

We have 6.5 million American veterans who have received Choice cards since November of last year. The numbers started out slow, but they are picking up every single month because veterans like the fact that they can go closer to home for what the VA can't offer, they can get the service they need if the VA can't offer it, and they can be served in a timely fashion.

I thank the Senator for his initiation of this whole movement last August and for being a part of getting this addition passed today.

Mr. MCCAIN. Mr. President, I thank the Senator from Georgia, and I would ask two more questions.

One is, how important is it that we make it permanent, and maybe even look towards expansion of eligibility for the card; and second of all, I know the Senator from Georgia has already discussed it, but when we have a \$1.7 billion cost overrun on the construction of one VA hospital—and we see cost overruns literally everywhere throughout the VA on their construction projects—how do we fix that?

Mr. ISAKSON. Mr. President, we are fixing it, and I appreciate both questions.

On question No. 1, we need to repeal the sunset of Choice, which is in 2 years, and make it permanent. Choice is a force multiplier for the VA, which is good, and it is an added service for our veterans, which is also good. I commit to you as chairman that I am going to work towards eliminating the sunset so Choice is permanent in VA health services from now on.

As far as hospital cost overruns, the Senator is right. Denver was \$1.732 bil-

lion—a 428-percent overrun—but look at Orlando, FL, and look at three other hospitals we have built, all of them being two or three times the original estimate. The VA needs to be taken out of the business of building hospitals, and we are doing that and transferring it to the Corps of Engineers, who are the people who know how to build something.

The VA needs to manage the health delivery system for our veterans. That is what they need to be providing. They do not need to be building buildings. They don't need to be keeping us out of their business. They need, instead, to find private sector solutions wherever they can and do what they were chartered to do, which is to provide services for veterans who fought and sacrificed for our country.

Mr. MCCAIN. In other words, from now on, if there is a new VA facility to be built, that will be supervised and constructed by the Corps of Engineers?

Mr. ISAKSON. Exactly. With one exception. If it is a modification to a CBOC or a clinic or something like that, that is a smaller allocation or a smaller appropriation. Maybe anything under \$25 million, they might do, but anything over \$25 million, such as a hospital, they won't do it. The Corps of Engineers will do it.

Mr. MCCAIN. Well, I am sure it is probably a dumb question, but has anybody been held accountable? I am sure that is a stupid question.

Mr. ISAKSON. It is the most intelligent question anybody can ask. The press questioned me in Denver, when I went there, along with Ranking Member BLUMENTHAL, and we looked at the situation firsthand. After looking at it and interviewing the VA people, we were asked by the Denver Post how we could explain this mess, and I asked them very simply if they knew what a camel was. They said no. I said that is a horse built by a committee. Well, the Denver hospital is a camel—a horse being built by a committee, most of whom have left and are not there to be held accountable anymore.

It is unconscionable and irresponsible for that hospital to be costing what it has cost. We have finally put our arms around it. We have finally put people in place with accountability, and the Corps of Engineers is now overseeing the completion of that hospital so we don't have more overruns like we had. It was a matter of nobody being in charge and everybody being in charge—too many chiefs and not enough Indians. We had people in charge of health care building buildings, and that wasn't what we needed.

Mr. MCCAIN. I think they must have gotten some of those bureaucrats from the Pentagon.

I want to thank both Senator BLUMENTHAL and you, Mr. Chairman, for the great work you are doing. As you know, this whole scandal began in Arizona at the Phoenix VA, where allegations remain that over 50 veterans died while awaiting care. Obviously all

of us have an obligation to all of our veterans, but I know my colleagues can understand the special aspects of where this whole thing began.

I am very grateful, and on behalf of the veterans of my State, I thank both of you for your leadership and your commitment. I will be going back to my veterans community, and I will be having townhall meetings and meetings with them and ensuring them that at least we think we are taking measures that put us on the right track.

I thank the Senator from Missouri for his patience while we engaged in this colloquy.

Mr. ISAKSON. I want to acknowledge the fact that Choice would have never happened, and this would have never happened, had the Senator from Arizona not immediately responded when the crisis first started and fixed this. We appreciate his leadership, and we are glad to follow him.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I thank our friend from Arizona, the distinguished cosponsor with me of the Clay Hunt Suicide Prevention for American Veterans Act, for his great work in this area as well as on health care generally for our veterans. He has raised one of the most profoundly important as well as intelligent questions about accountability—accountability for the debacle and delays in health care and cooking the books that led to the Choice program, but also accountability for the cost overruns in the construction of the Aurora, CO, facility—\$1 billion at least over budget, and months, if not years, of delays, as well as in other construction facilities.

I would just say to my friend from Arizona that the chairman and I are focused on the accountability issue, and we are working together in a bipartisan way on a legislative measure that will meet the test of constitutionality as well as effectiveness in holding accountable past and future officials at the VA for these kinds of mismanagement and in other areas. So I thank him for raising this issue.

I apologize to my colleague from Missouri for delaying him from taking the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. Mr. President, I join Senator MCCAIN in thanking Senators ISAKSON and BLUMENTHAL for the package we are putting together and talking about. And I join them in thanking Senator MCCAIN for coming forward and giving reality to this idea that many of us have advocated for some time—more choices for veterans, more competition to see who serves veterans. I think the numbers Senator ISAKSON has used here today would indicate that every month veterans are embracing this idea of more choices.

It makes common sense that there are a few things the veterans health care system should be better at than anybody else. They should be better at

post-traumatic stress, dealing with that unique battle situation so many of our veterans are facing right now. It is not a disorder; it is a problem veterans have because of what we ask them to do and where we ask them to do it. They should be better at IEDs, the explosive devices, dealing with the injuries that come from those kinds of attacks, eye injuries and others. They should be better, in all likelihood, at dealing with prosthetics because in the history of military service, so many of our people who serve have lost arms and legs. The VA has been good at prosthetics because of that.

But, frankly, I don't know very much else we should argue that they should be better at than the place we probably drive by to get to their facility. There is absolutely no reason to think the Veterans' Administration should be a better place to get heart bypass surgery done or a better place to get renal cancer dealt with or a better place to do almost anything else. If, in fact, there is a unique VA location that has become better at those things than anybody else, that is a great place for veterans to go. But our goal should be to get veterans the choice they need to go to the location that works best for them.

In looking at veterans mental health, Senator STABENOW and I last year proposed the Excellence in Mental Health Act. Particularly young veterans want to have more choices. They want more choices that work better with work and work better with their families and let them access those kinds of facilities and that kind of assistance in an easier way.

Seeing the steps this bill begins to take is something we should all embrace.

We should also hold the VA accountable for doing everything they could—it appears to me—to resist the concept Congress wanted them to embrace. This bill addresses some of those obstacles.

I joined with Senator MORAN in a bill he had so the Veterans' Administration could no longer say: Well, the way we read the law, in the strictest possible sense, if you are within 40 miles of a facility—no matter whether your health care problem can be dealt with there or not—you don't meet the 40-mile criteria. Well, of course the intention of Congress wasn't that they meet a 40-mile criteria. This piece of legislation, with the help of Senator BLUMENTHAL, Senator ISAKSON, and Chairman MILLER in the House, begins to clarify that.

I had a bill the House passed some time ago—Hire More Heroes—that allows veterans to have some advantage with companies that hiring that are right at 50 employees, and because of the difficulties of the new health care requirements for employers, those employers don't want to get to more than 50. The Hire More Heroes provision of this will let veterans who have TRICARE—who have veteran-provided

care of one kind or another—be hired by an employer and not count toward the 50 because they don't need to be counted in terms of who needs health care because they already have it. That is what this does.

So I would like to see a better job done. The Cochran facility in St. Louis—I think one of the more troubled facilities in the country right now—the big VA hospital there is about to get its eighth Interim Director in 2 years. Now, there is some serious management problem when one of our major facilities with some significant problems as an agency is now looking forward to its eighth Interim Director in 2 years. No problems are going to be solved by half a dozen Interim Directors. The head of the VA needs to understand that just like everybody else does.

The waiting list for getting a VA appointment is longer than 30 days and is more than 50 percent bigger than it was a year ago.

So the choice aspect of this—looking for more flexibility in how to apply the ability of veterans to get their health care where they want to get their health care—is a good thing.

I am certainly disappointed that we are looking at another short-term extension of the highway bill, but if we have to put something with that short-term extension of the highway bill that moves veterans choice and competing for who can provide health care to veterans in the best way, as this addition does, I think it is a great step in the right direction.

I certainly want to work with Senator BLUMENTHAL, and the chairman's pledge to do everything he can to make this competitive environment, where veterans can get their health care where they want in the best way, a permanent part of veterans health care—that is something I want to do.

One of my good friends introduced me at a meeting at a VA hospital about a year ago. He said: Senator BLUNT has been telling me for about 10 years that we need to have more choice. I have been telling him the VA could do the job. I am now convinced that more choice is what we need.

Many of our veterans and their families have had great experiences at Veterans' Administration facilities, but every one of them should have a great experience, the best possible experience at whatever facility they go to in gratitude of the service they provided us.

I am glad these additions are in the bill. I look forward to working with my colleagues as we try to make competition work better, as we try to ensure that it is permanent, and as we try to make the Veterans' Administration work for the veterans instead of being focused on working for the Veterans' Administration.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I thank my colleague for his support,

and I appreciate the comments made by Senator ISAKSON and Senator MCCAIN. We had bipartisan support for this initiative to make sure our veterans continue to receive health care that is necessary because funds will be terminated at the end of August if we fail to act. It is, in effect, a short-term fix that is necessary because of the present structure of funding within the VA. I think we can take this step and leave for another day the question of how long the Choice Program should be extended, if it should be extended at all.

My hope is that accountability and funding will focus on making the VA even better than it is. The reason for accountability is to make sure VA hospitals and providers are giving our veterans world-class, first-class health care.

I welcome the focus of the Senator from Missouri on what the VA does well. I hope it does everything well that it is doing. From primary care, to women's health care, to all of the clinics that are, to the initiatives it is taking in telemedicine, the VA ought to be providing the best health care available in the world to our veterans. They need it and deserve it. We need to make sure we keep faith with those veterans.

I am proud we are taking this step on a bipartisan basis to address the short-term challenge of \$3.4 billion that must be transferred from the Choice Program to other accounts in the VA and to make sure the money is available to provide this funding and keep health care going for our veterans.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### PLANNED PARENTHOOD

Mrs. SHAHEEN. Mr. President, here we go again. Once again, Planned Parenthood is under attack. A bill is before the Senate that would once again attempt to defund Planned Parenthood. And once again, we are seeing the Republican majority putting their partisan agenda ahead of the health of women.

For 100 years, Planned Parenthood has been a trusted provider of health care services. Last year alone, Planned Parenthood of Northern New England served 12,000 women in New Hampshire. Most of them are low income. For many women in my State of New Hampshire, the full range of health services offered at Planned Parenthood is the most affordable and accessible way for them to get the care they need. Ninety-four percent of the services provided by Planned Parenthood in New Hampshire are prevention-related. We can see on this chart that it is well-women visits, cancer screenings, vaccinations, birth control, breast exams,

and HIV tests. Planned Parenthood provides the health care so many women need to ensure that they can live their lives in a way that gives them opportunities and gives them reassurance that they are going to have their health.

I oppose the legislation that has been introduced to defund Planned Parenthood. It would make it harder for millions of women—as I said, 12,000 in New Hampshire last year alone—to get the high-quality, affordable care they need.

This attack on women's health is politically motivated. It holds hostage the millions of women and families who depend on Planned Parenthood.

The highly edited videos that have been circulated are disturbing. Planned Parenthood has apologized, and the secretly taped videos and Planned Parenthood's practices are under review by the Department of Justice. That is appropriate. But make no mistake about it—the group who is responsible for these deceptive videos is motivated by a single purpose: to limit access to abortion services. Its three officers are prominent in the anti-abortion movement. They have ties to many other politically motivated groups who are working to take away a woman's right to choose. They have been tied to organizations that harass medical providers, doctors, and patients, try to limit access to women's health care clinics, and they actively work to limit the reproductive health care decisions a woman can make.

Federal dollars are already prohibited from being used to pay for abortion under the Hyde amendment except in cases of rape, incest, or when the health of the mother is threatened.

This is not a vote to defund abortion; this is a vote to defund preventive health care for women, the kinds of things that are outlined on this chart—the cancer screenings, the vaccinations, the breast exams, HIV tests, and birth control.

If you don't like abortion, then you should support family planning, which is one of the things Planned Parenthood does.

By targeting Planned Parenthood, this politically motivated attack on women's health will limit access to health care services that I think we all agree should be available, the kinds of services that are listed on this chart.

On behalf of the millions of women who are served by Planned Parenthood, and the thousands of women in New Hampshire, I oppose and I will continue to oppose any attempt to defund Planned Parenthood, an organization that is absolutely a critical component of women's health care.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### VEHICLE TECHNOLOGY

Mr. PETERS. Mr. President, the United States is a world leader in new technological advancements, and in no sector is that better illustrated than the auto industry.

We find ourselves at a critical juncture in terms of vehicle technology. Advancements such as super-lightweight materials and vehicle-to-vehicle and vehicle-to-infrastructure communications are rapidly coming to market and changing the way Americans get to work, travel on vacation, and move goods and services across the country. With a shared goal in maximizing the potential of these technologies, we must get ahead of the curve and think strategically about how to seamlessly weave them together in a way that will best increase public safety, fuel efficiency, and vehicle performance. That is why I am excited to be leading two bills that will provide the tools researchers, engineers, manufacturers, and others need to create the next generation of cars and trucks built in Michigan and in States all across the country.

The Vehicle Innovation Act builds on the Department of Energy's innovative work to improve vehicle fuel economy and minimize petroleum use. The Vehicle Innovation Act is bipartisan, with strong support from my lead cosponsors, Senator ALEXANDER and Senator STABENOW. Thanks to a team effort, it passed as an amendment to a bipartisan energy bill in the Committee on Energy and Natural Resources yesterday by a vote of 20 to 2.

The need for this legislation is clear. Oil dependency is driven by transportation, particularly cars and trucks. Transportation is responsible for 66 percent of U.S. petroleum usage and 27 percent of greenhouse gas emissions. America's dependence on oil poses significant economic, energy, and environmental risks to the United States, and the Department of Defense has recognized that our reliance on oil puts our men and women in uniform at greater risk.

We have 240 million light-duty vehicles on the roads in the United States, and it will take decades of sustained effort to turn over that fleet.

It is absolutely critical that we develop the advanced technologies now in order to achieve fuel savings in the future and become truly energy independent. The Vehicle Innovation Act establishes a consistent and consolidated authority for the Department of Energy's Vehicle Technologies Program, which promotes partnerships with the public and private sector to improve fuel efficiency in vehicles. Through this program, the DOE will collaborate with light-duty automobile and medium- and heavy-duty commercial truck engineers, manufacturers, and suppliers to conduct cutting-edge research that will help us advance the future of fuel-efficient cars and trucks.

DOE's sustainable transportation initiatives are already making great strides in vehicle efficiency, and VIA will continue to strengthen those activities while providing new authorities to expand their work.

The SuperTruck Initiative is a great example of this. Industry partners have achieved and exceeded the program goal of a 50-percent improvement in overall freight efficiency on a heavy-duty, class 8 tractor-trailer. Some have even reached over a 100-percent improvement. My bill ensures that the DOE will be able to continue working with the industry on supertrucks.

Another example that the Vehicle Innovation Act will build on is the work on multimaterial, lightweight vehicles. Holistic vehicle and manufacturing design improvements for reducing vehicle weight can result in weight reduction and fuel economy gains of over 20 percent.

The Vehicle Innovation Act is technology neutral. It develops and strengthens the toolbox for auto experts without picking winners and losers. It also directs the Department of Energy to continue its investment into multiple transformational technologies, such as hydrogen and batteries. DOE research and development has cut costs for fuel cell systems by 50 percent since 2006. My bill will build on this success and expand DOE's focus into the near-term deployments that will result in major savings for the national fleet.

The Vehicle Innovation Act also includes new research authorities on vehicle-to-vehicle—or V2V—communications systems. This technology allows cars to talk to one another and recognize dangers that a vehicle's radar, cameras, and other sensors can't detect.

As we are working to develop these features in new vehicles, we must also ensure that we are keeping pace with technologies in our infrastructure.

Vehicle-to-vehicle infrastructure—or V2I—technology allows vehicles to communicate with the road and has the ability to help prevent collisions, relieve traffic congestion, and reduce unnecessary energy consumption. That is why I introduced another bill to promote investments in V2I technology by authorizing States to use existing surface and highway transportation funding to invest in V2I projects as they upgrade highway infrastructure.

An example of V2I in action is a monitor on a bridge that will tell approaching drivers if there is a dangerous ice buildup on it. Other examples include traffic signals that warn vehicles of stopped traffic or sensors that warn of nearby emergency vehicles for work zones.

In 2013 the National Highway Traffic Safety Administration found that more than 32,000 people were killed in vehicle crashes. According to NHTSA, V2V and V2I—the two technologies being developed—will be able to eliminate up

to 80 percent of vehicle accidents involving nonimpaired drivers once they are fully deployed.

I am pleased that my V2I legislation is included in the overall highway bill the Senate is considering this week, and I look forward to working in the fall during the conference to make sure this funding eligibility language remains in the bill.

V2V and V2I technologies are part of the auto industry's future, and these technologies will be readily available in the near term. That is why it is so important that we make these investments in our infrastructure now to ensure that we can start using these life-saving technologies as they become available.

Taken together, these two bills represent the type of forward-thinking policymaking that Congress should be focused on every day. Investments in research and development have demonstrated the ability to transform our society for the better, and I am determined to make sure the United States is the country that is driving forward advanced technology instead of putting on the brakes and being left behind.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

PLANNED PARENTHOOD

Mrs. FEINSTEIN. Mr. President, I come to the floor to speak about the importance of protecting women's health and protecting their access to their health care, in other words, their choice. I strongly oppose what is becoming a major effort to defund Planned Parenthood. Planned Parenthood has ensured women receive the health care they need for almost 100 years now. That was before women even had the right to vote. Its founder was thrown in jail for making birth control available, and it has been under near-constant attack since then.

I think the Senate needs to stand up on behalf of millions of women across this country and vote no on any amendment that would defund Planned Parenthood. This organization is the primary health care provider for millions of American women. One in five women in this country has been to Planned Parenthood.

I have received hundreds of emails and calls from women in California about their support for and experiences at Planned Parenthood. They told me that doctors there listened to them, the nurses became their friends, and they felt valued as patients. Before they went to Planned Parenthood, they were worried about their health. They didn't know if they would be able to get the care they need, and they didn't have the information to make smart, healthy lifestyle choices.

One young woman from Santa Barbara told me about a health care scare she had when she was 20. Precancerous cells were discovered during her annual exam. Planned Parenthood didn't have the equipment to perform the followup procedure she needed, but that didn't

keep the clinic staff from helping her. They connected her to the only OB/GYN in the city who accepted low-income patients, and she got the care she needed.

She said: "Since that early detection and intervention, I've been healthy and would not be where I am today without Planned Parenthood."

Another young woman from Victorville, CA, told me it was hard to get information about how to prevent pregnancy and sexually transmitted diseases and access contraception. Three girls she knew in high school became pregnant. It wasn't until she visited Planned Parenthood in college that she felt she could make responsible health care decisions.

Another young woman shared her abortion story. She was 19 when she became pregnant. She felt scared and alone. She said: "During a time when a tough decision had been made and a million thoughts were running through my mind, it was relieving to know that I was in the hands of people whose only goal was to help me." And 4 years later, she still uses Planned Parenthood as her primary health care provider and encourages her friends and family to also use them.

I want to say just a little bit about the services Planned Parenthood provides and how it uses Federal funds. Nearly 80 percent of its patients are low income, making less than \$18,000 a year. Without Planned Parenthood, many of these women could not access the most basic health care services. That bears repeating. Planned Parenthood is often the only option for women to get their annual checkup. It provides breast exams, contraception, prenatal care, cancer screenings, and testing for sexually transmitted diseases, including HIV. It also runs teen pregnancy prevention and health education programs that reach more than 1 million young people per year. This is what the Federal funding Planned Parenthood receives goes toward.

In 2013, Planned Parenthood used Federal funds to provide the following: nearly half a million breast exams, nearly 400,000 cervical cancer screenings, contraception for 2.2 million patients, and testing and treatment for sexually transmitted infections for 4.5 million patients.

In addition to serving predominately low-income women, Planned Parenthood operates in some of the most underserved communities in this country. For example, without Planned Parenthood, 13 of California's 58 counties would not have a single clinic to provide family planning services to low-income women through title X programs.

Attacks on Planned Parenthood are a concerted attack on access to safe, legal abortion services in this country. Make no mistake about it. The group behind this latest attack, the Center for Medical Progress, has longstanding ties to the anti-choice movement, including Operation Rescue, which is closely associated with clinic violence.

While abortion accounts for only 3 percent of the health care services provided by Planned Parenthood, it is often one of the only abortion providers in a State or a region. For example, there are 10 abortion clinics in Texas. Just a few years ago, there were 36 abortion clinics. Twenty-six clinics were forced to close after Texas passed a law aimed at ending abortion in the State. The Supreme Court has put some provisions of that law on hold pending further review. But the point is that laws such as the one in Texas force much-needed facilities to close. Just 10 clinics in Texas have met the unnecessary and burdensome new requirements, and 5 of those 10 clinics are Planned Parenthood clinics. If Planned Parenthood closes, Texas loses half of its remaining abortion providers in one fell swoop.

The goal of the groups pushing this effort is clear. It is to chip away bit by bit at a woman's ability to make her own health care decisions in consultation with her family and her doctor. That is their goal—no matter the cost to women across the country who rely on Planned Parenthood for cancer screenings, annual checkups, and other essential services—and in my view, this is simply wrong.

I am really troubled by the aggressive tactics used by anti-choice groups, such as the illegal filming of a medical procedure and the hacking of Planned Parenthood's records. This is disturbing. We all know the danger of leaking confidential information. We know the potential for serious violence.

In 1994, shortly after I came to the Senate, we passed the Freedom of Access to Clinic Entrances Act in response to a spate of violent episodes targeting women's health clinics. Two doctors, a clinic escort, and two receptionists at a Planned Parenthood facility in Boston were killed by anti-abortion activists during three separate attacks in 1993 and 1994.

This week, upon learning that her name and email address had been published, one Planned Parenthood staffer in California told my office that she refused to be intimidated because she knows that is the whole point.

I am concerned that the message being sent is that it is OK to commit crimes against Planned Parenthood, its employees, and its patients; and it is not. That sort of message can be taken up by extremists and become very dangerous for women and doctors across the country.

Whether you support the right to choose or not—and I very much do—we should all be very careful here. Doctors and clinic staff who provide constitutionally protected health care services and women who access these services should not be terrorized and threatened.

In closing, I will return to where I started. I believe that if there is a movement to withhold funding from Planned Parenthood, that movement

will not be successful. I believe that will be defeated right here in the Senate. I do not understand why anyone would even try to do this at this time. This country has so many problems, not the least of which are things that I deal with every day in the intelligence community—the fear of extremists, the attacks by terrorists and those who want to strike our homeland. It seems to me that we do not need this fight now, particularly a fight where those who oppose Planned Parenthood, I believe, will be seriously defeated.

If a bill does come before us, I believe it is a mistake, and I would urge my colleagues to oppose it.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER (Mr. TILLIS). The Senator from Ohio.

Mr. BROWN. Mr. President, we know that our generation, people in the Senate and in the House—people in their forties, fifties, and sixties—inherited from their parents and grandparents the greatest infrastructure in the history of the world. From the 1940s, 1950s, 1960s, and 1970s into the Reagan years, when we decided we should invest less in infrastructure, we had this incredible infrastructure we inherited from our parents and grandparents. Yet, for whatever reason, we have allowed it to crumble. We haven't invested. We haven't modernized. We haven't even maintained it as well as we should.

The dismal state of our Nation's outdated roads and bridges and railroads cost Ohioans and North Carolinians valuable time and money and energy.

The State legislature in my State and I know the State legislature in the Presiding Officer's State have been on a budget-cutting tear. My State legislature has decided to slice in half, and then some, local funding for many things, including infrastructure. As a result, the streets in any town in Ohio, virtually—not just big cities, not just suburbs, but more affluent communities, small towns, and rural areas—the streets and highways continue to crumble. It is because this body has been far too dysfunctional because of the pledges that many elected officials have made to a Washington lobbyist that they will never close tax loopholes and will continue to fail to fund infrastructure because of what State government has done in my State.

But instead of debating a long-term bill with that funding, we debate a hastily assembled bill, without an open process, without amendments, that no one expects will even be considered by the House of Representatives. The Speaker of the House, a fellow Ohioan, used a four-letter word to describe this legislation when or if—I assume when—it goes over to the House.

The Senate is considering a bill that doesn't do enough for infrastructure. It makes bad choices about how to pay for these investments. Yet, at the same time, President Obama proposed a 6-year, \$478 billion transportation package that would provide a major expan-

sion in investment. It is supported by all kinds of organizations—business, labor, contractors, AFL-CIO, manufacturers, steelmakers, concrete makers—businesses that want to have good infrastructure to get their goods to market and want their employees to be able to drive to work or take the bus to work without major damage to the axles of their cars when they hit the potholes on too many city streets. Instead, we are looking at a bill that pays for just 3 years and offers small increases over current spending levels.

Think about how we are doing this. This is a 6-year authorization, with funding for slightly less than 3 years but collecting the money by budget gimmicks over 10 years. What kind of game is this? Instead of funding infrastructure the way we used to when we would come together bipartisanly and fund infrastructure with real dollars and real investments, we are now playing games. That is why in the House of Representatives the Speaker of the House used a four-letter word to describe this bill. It is why so many are so dissatisfied in the House of Representatives.

It will pass with a majority. It will pass with cloture. It has already gotten 60 votes. But they are 60 pretty unhappy votes because nobody I know in this body thinks we are doing this anything close to the right way.

If we had considered amendments in the regular order as the majority leader promised, I would have offered a fully paid for proposal to boost the bill's investments and expand the major projects program. Let me talk about that for a second.

This amendment would fund projects such as the Brent Spence Bridge between Cincinnati and northern Kentucky. The Brent Spence Bridge, built in 1959, 1960, connects Cincinnati with northern Kentucky. I-75 running north and south goes from Cincinnati to Dayton. The Brent Spence Bridge includes I-75 and runs from Cincinnati, to Dayton, to Lima, to Toledo, to Detroit. I-71 also comes together right at the Brent Spence Bridge as it crosses into Ohio—Cincinnati, Columbus, Cleveland, not far from Akron.

So my colleague, the senior Senator from Oklahoma, Mr. INHOFE, who has played a major role in transportation and would like to do it right, has pointed out several times during this debate, the equivalent—get this—that one bridge—4 percent of our Nation's GDP crosses that bridge every day, every week, every month, every year. Four percent of our gross domestic product moves back and forth across that bridge; yet that bridge is about 55 years old. There has never been a serious accident with that bridge. There have been problems. There have been some safety issues. I don't think anybody expects it to fall down next year—I am not being an alarmist—but when are we going to do something to fix that bridge?

Senator MCCONNELL, the majority leader—that bridge, for curious histor-

ical reasons—the Ohio River, which separates there Ohio and Kentucky—almost the entire Ohio River is considered to be in Kentucky. So this bridge, which covers 4 percent of GDP, is in the home State of the majority leader, and yet the majority leader did not allow another Senator to offer an amendment that actually would take care of rebuilding and fixing up that historic bridge that is very crucial to our economy. Without the Federal Government, that bridge won't get replaced. The State government of Kentucky is not going to do it. Ohio is not going to do it. They should play a role. They could toll that bridge. Who knows. They should play a role.

Federal investment in highways was mapped out by President Roosevelt and started by President Eisenhower with the interstates. It was always bipartisan until the pledge by far too many Members of this body to special interest lobbyists who said we can't do that, we can't fund this infrastructure.

On the transit side, I would have sought to strike a pilot program that allows pilot projects with any private investment to “skip the line” of Federal funding, meaning these projects, which are often bad for workers that operate the new line, would have been in a special category that they surely didn't earn because they haven't served the same public purpose and gone through the same justification process, if you will, as a normal public transportation project.

When the majority leader brought a combined transportation bill to the floor last Tuesday, he used his privileged position to prevent any Senator from offering amendments. I remember the elections last fall when Senator MCCONNELL—then the minority leader—said that things will be different in the Senate. It didn't take long for Senator MCCONNELL to sort of trump his predecessor by doing it even worse—pardon the play on words with the verb there. This matters because bad process can lead to bad outcomes.

The Senate, given the opportunity to have a full debate on transportation, would be voting on a much stronger proposal. As the Presiding Officer knows, this bill has improved over the last couple of weeks.

They have taken out—this bill originally was going to slice money out of the Social Security fund to pay for highways and bridges and transit. We have never done that before in this body.

We were going to take money out of money that was already promised and dedicated and about to be spent to help cities that have been particularly devastated by foreclosures. They were going to use money from that.

They were going to use money from community banks—they still are—in this proposal.

They are going to charge everybody who is getting a mortgage \$50, \$100, \$300 at closing to help pay for transportation—what is that about?—instead of

doing it right and funding transportation the way we used to, bipartisanly, back when Senate candidates and House candidates didn't sign pledges from special interest lobbyists where they tie their hands and are not able to come up with revenue for a transportation bill. If all the committees of jurisdiction over this bill held markups to actually discuss the bill, had hearings for the bill, had been able to amend the bill, it would have been a much stronger bill.

The chairman of the Environment and Public Works Committee did good bipartisan work on highways. I commend Senator INHOFE and Senator BOXER—one Republican and one Democrat—but their work is the exception. The banking committee, on which I serve as ranking member, traditionally developed the public transportation portion of this bill. It is done bipartisanly through the regular committee process. Not even a hint of that happened this year.

The Finance Committee, of which I am a member, has jurisdiction over much of the revenue that is used to offset funds going into the highway trust fund—no markups there either. As introduced, this bill would have robbed Social Security, as I said, taken money from the Hardest Hit Fund, as I said, for communities devastated by foreclosure crisis.

I invite the majority leader to come to Cleveland—I know he comes to Cleveland to fund-raise—but come to Cleveland and look at the neighborhood I live in. I live in ZIP Code 44105. My wife and I have lived there for a couple of years. In 2007, that ZIP Code had the highest number of foreclosures in the United States of America. That happened because of Wall Street greed, in large part, but the fact that it did happen means there is far too much blight in this neighborhood. The Hardest Hit Fund matters to clean up some of this neighborhood and enable people to get back on their feet.

The commerce committee, the third committee—first, there was banking and then Finance. Then there is the EPW that did it mostly right. The banking committee was excluded, the Finance Committee was excluded. The commerce committee, which is responsible for highway safety and rail safety, held a markup but not a single Democrat on the committee supported the language in the legislation because they did nothing about public safety. If my recollection is right, younger people are allowed to drive trucks—as if we want less truck safety. I say “young people” meaning 18-year-olds. I know I am getting older, but I don't really want 18-year-olds driving these rigs when they clearly don't have much experience and less training. It also did not fix some of the rail issues we should fix, having seen some of these terrible accidents. It was one thing after another.

For the past 2 weeks, a large part of the legislation was written in the Re-

publican offices with little input from Democratic Senators. Even though the majority leader has said that times have changed, we are going to have a full committee process, an open amendment process, debate, and all of that, this didn't happen.

The greatest barrier of this bill, aside from the limited growth in investment, is this bill makes choices about revenue that this Senator thinks the Congress and the American people will regret. I have mentioned a couple of them. Let me talk about those that were a part of the banking committee, on which I sit, which I think I probably know the most about.

Despite opposition from consumer advocates and participants in the housing market, including bankers and realtors, the bill would increase the guaranty fees paid by homeowners that are charged to protect against losses to Fannie Mae and Freddie Mac. That means when going to a closing, you are going to be assessed a fee. It would increase the cost of homeownership by \$4,000 for borrowers who have a 20-percent downpayment for the median home price and would increase even more for those who put less down. That is why a vote for this bill is a vote to increase the cost of homeownership for families across the country and puts taxpayers at greater risk. There is a history of opposition to the use of this fee for purposes other than housing. More recently, Senator CRAPO, a Republican, and Senator WARNER, a Democrat from Virginia, wrote a provision in this year's budget resolution to prevent this fee from being misused, and of course they are right.

This bill requires the IRS to use private debt collection agencies to collect taxes because the majority leader was looking for anything he could find that might produce revenue—it has nothing to do with transportation—but anyplace he could find in the government funds to produce revenue that then could be used to pay for a highway bill. Again, it is smoke and mirrors and just sort of funny money.

One of the ways he did this was to take money from the IRS—even as we cut the budget for IRS debt collection—to take some more of that money and give it to a private debt collection company to collect this debt. That was considered to be approximately a \$2 billion revenue generator for reasons that aren't quite clear. It has been tried before and each time it has lost money and it has been repealed. The companies hired for these efforts were found to have frequently harassed low-income families and they violated the Fair Debt Collection Practices Act, but the majority leader needed that billion-plus dollars for his highway bill. People here didn't have the guts to stand up and say, no, we may have made this pledge to the special interest lobbyists and we can't come up with revenue, but instead let's actually do this right. No, they aren't going to do that. They take money from the Har-

dest Hit Fund, Social Security money, increase costs to middle-class people at a closing who are trying to get a mortgage, and privatize debt collection.

It is hard to see how these programs that hurt families—the Hardest Hit Fund, the debt collection, the Social Security money—how this makes sense to pay for investments for bridges and roads.

This bill would reduce the dividends paid to banks with over \$1 billion in total assets that are members of the Federal Reserve System. That raises \$17 billion. While it might make sense to reduce the dividend—you can argue that—I have heard people on both sides of that debate. If we exempted the smallest banks under \$1 billion, there are plenty of community banks that are \$2 to \$3 billion in size. Most are smaller, but they will be paying more—hundreds of thousands of dollars—millions in some cases. All of the people who voted for this bill—voted for cloture, voted for this highway bill—are assessing a number of community banks in their States for this money. We don't know if the new rate of 1.5 percent that Senator MCCONNELL has decided on is fair. I appreciate the cut-off of the lower rate of \$1 billion, but we should be working this out in committee, discussing it and hearing people on both sides. They started with every bank and arbitrarily cut it to set the \$1 billion threshold. They arbitrarily dropped the percentage from 6 to 1.5. Nobody truly knows what I am talking about when I talk about this because nobody truly understands this program. Even people who are on the banking committee don't know it very well. Maybe we should have researched and discussed it and had hearings on it. Instead, the majority leader came around to these banks and to this committee and they thought, hey, we can get \$16 billion there by changing a program and nobody knows what it is anyway. Well, he has taken that money from a lot of community banks. More power to him. It is another reason I am not going to support this bill. It is ironic that on the fifth anniversary of Wall Street's Dodd-Frank reform this bill would undercut rules to help small banks.

Before I close I want to be fair and point out some of the good provisions in this bill. First, the Senate voted on a strong bipartisan basis to add an amendment to renew the U.S. Export-Import Bank. This Bank has helped 350 businesses in my home State, two-thirds of which are small businesses. It doesn't cost taxpayers a cent. Interestingly, the Export-Import Bank, begun by President Roosevelt in the 1930s, was always bipartisan. Its reauthorization, continuation, renewal, and update was always done by Congress on a bipartisan basis. My recollection—I am not quite sure this is precise, but my recollection is that only once was there ever a vote in the Senate for the reauthorization of the Export-Import Bank because there was no need to because

everybody agreed with it. Yet because of the far right, the tea party—we used to call them the John Birch Society when they opposed Medicare and now they are called the tea party when they oppose the Affordable Care Act—has decided this Export-Import Bank, which helps businesses and companies, particularly small companies in Dayton, Toledo, Cleveland, Charlotte, Asheville, and Durham—helps small businesses export their products. They need some help sometimes.

Every other country in the world—every other major country, we think, has some kind of an export financing agency such as this, but we are not able, for political reasons, call it crony capitalism—the tea party weighed in and convinced a lot of Senate and House Republicans that it is not such a good idea. Right now the Ex-Im Bank is in this bill. Hopefully it will stay in over the process. I am hopeful. Because the Speaker used a four-letter word to describe this bill, I am hopeful when we get a short-term extension—I hate clichés but this is such a good one—when we kick this can down the road again for another 2 or 3 months, whatever it is going to be, I am hopeful the majority leader and the Speaker will include the Export-Import Bank reauthorization and make it long term, but it is not clear if they will.

I want to also point out that Chairman SHELBY, the chairman of my committee in banking, with whom I have a good relationship, included a number of proposals for transit policy that I think make good sense.

The mass transit account was created in 1983 under President Reagan. It was done right. Public transit has always received around 20 percent, sometimes a little more, of any new revenue that is dedicated to growth. We have a tradition in this country that for every \$100 we are spending on the Transportation bill, \$20 of that goes to small bus systems in Lorain, OH, it goes to RTA for trains and rail in Cleveland, it goes to major transit systems in New York or anywhere around the country. This bill initially was less than 20 percent. I appreciate Chairman SHELBY and the majority leader getting it back up to 20 percent.

There is a new program for competitive bus grants. It is underfunded at \$190 million a year. This bill increases the amount of American-made steel and other components. That is a good thing.

With all my criticism on this bill in the way it was handled by the leadership in this House, there are some good things in this bill. I hope the Senate will move forward after today with a desire to revive the bipartisan process based on regular order when we address transportation issues.

I stand ready to work with my colleagues in both parties to deliver a robust 6-year transportation bill.

I yield the floor.

#### FOIA PROVISIONS

Mr. LEAHY. Mr. President, I ask unanimous consent to engage in a colloquy with Senator THUNE, chairman of the commerce committee, regarding the DRIVE Act and the Freedom of Information Act, FOIA.

I want to thank Chairman THUNE for working with me to remove four provisions in the DRIVE Act aimed at carving out information from disclosure under FOIA, three of which were in titles of the bill falling under the commerce committee's jurisdiction. The removal of these four provisions is reflected in the second-degree amendment filed by Senator INHOFE, amendment No. 2533, to the McConnell substitute amendment. FOIA is our Nation's premier open government law and the foundation on which all our sunshine and transparency policies rest. It remains an indispensable tool for Americans to obtain information affecting public policy, consumer safety, the environment, and public health. The Freedom of Information Act falls under the exclusive jurisdiction of the Senate Judiciary Committee, and changes affecting this law should not be enacted without full and careful consideration by the Judiciary Committee.

Mr. THUNE. I thank Senator LEAHY for his interest in these matters, and I am pleased we were able to work out an agreement to strike these provisions and move forward with consideration of the DRIVE Act. I look forward to working with you and Senator GRASSLEY, the chairman of the Judiciary Committee, on any future proposals to amend the Freedom of Information Act.

Mr. LEAHY. I also want to draw particular attention to Section 32003, related to the Federal Motor Carrier Safety Administration's, FMCSA's, compliance, safety, and accountability system, CSA. The CSA system is designed to evaluate the safety and compliance performance of motor carriers by using data from inspections, crashes, compliance reviews, and the Federal motor carrier census to come up with a safety measurement system, SMS, score for each motor carrier in seven behavior analysis and safety improvement categories, BASICS. It is my understanding that these scores are currently available to the public via FMCSA's Web site. It is also my understanding that, as originally drafted, this bill would have prohibited FMCSA from making these scores available to the general public via its Web site or via a FOIA request while FMCSA evaluates and reforms the methodology underlying these scores.

I have serious concerns about removing this information from public view, even for a short period of time. The safety score is one of the tools we give consumers and other stakeholders to help fully evaluate motor carriers. While I prefer that these scores remain easily accessible on FMCSA's Web site for the general public while the meth-

odology is reviewed, it is critical that the scores remain available under FOIA. Even if the scores are removed from the Web site while the methodology is reviewed, under the provision, they will remain available to law enforcement and regulators for use in overseeing the industry. For this reason alone, as well as many others, we should not withhold that information from public scrutiny. Moreover, the Judiciary Committee did not review this new proposed exemption and has not had time to fully consider the potential effects of this exclusion.

I thank Senator THUNE for working with me to remove this FOIA exemption. Originally the bill language stated that none of the score information "may be made available to the general public (including through requests under Section 552 of title 5, United States Code [the FOIA statute])." The Inhofe second degree amendment strikes the phrase "including through requests under Section 552 of title 5, United States Code" in its entirety. Under the OPEN FOIA Act of 2009, no new FOIA exemption under 5 U.S.C 552(b)(3), is effective unless it specifically cites to 5 U.S.C 552(b)(3). Removing the citation to the FOIA statute makes clear that, while the scores may no longer be routinely published and easily accessible to the general public via FMCSA's Web site until they have been reviewed and reformed, the scores are still subject to disclosure pursuant to a FOIA request, unless an existing exemption is found to apply.

Mr. THUNE. For the reasons you stated, I agree that if enacted into law, nothing in Section 32003 exempts or is intended to exempt information under the Freedom of Information Act. I would, however, just offer two comments to explain to my colleague the rationale for and limits of the modified provision. First, the commerce committee has received information from several objective sources, including the Government Accountability Office, the Department of Transportation's Office of Inspector General, and the law enforcement community, identifying concerns with the accuracy of the scoring analysis performed by FMCSA as part of the CSA program. As noted by GAO, the manner in which scores are calculated under the program "creates the likelihood that many SMS scores do not represent an accurate or precise safety assessment for a carrier." Accordingly, the bill proposes to withdraw this potentially misleading analysis from public review temporarily, until the program is reviewed and corrected. Nevertheless, as underscored by subsection 32003(c), the underlying "[i]nspection and violation information" submitted to FMCSA under the program "shall remain available for public viewing."

The PRESIDING OFFICER. The majority leader.